

SESSIONS OF THE CLERK OF THE MARKET OF THE HOUSEHOLD IN MIDDLESEX

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From the middle of the thirteenth to the beginning of the eighteenth century the clerk of the market of the king's household was a figure of some note in England. Within the precincts of the court he was inspector-general of weights and measures, minister for retail trade and controller of purveyance. But his office has for practical purposes been left by both constitutional and economic writers in the margin of history.¹ An examination of his office down the centuries is long overdue; and this is perhaps best done with reference to his work in a particular county. Of all the counties which he visited as he progressed with the court up and down the realm he was always busiest in Middlesex, and it was chiefly in Middlesex that he remained active after the court became permanently settled at Whitehall. The following pages trace the activities of the royal clerk of the market in the county from the earliest times, and as an appendix is printed a calendar of the very detailed record of his sessions held there between May and October, 1581.

As his name implies, the clerk of the market of the king's household retained to the end the closest connexion with the royal court. By origin he was a servant of the marshal of the household, and the earliest clerks or "serjeants of the king's market" that we hear about in the middle of Henry III's reign sat with the marshal to hear pleas relating to weights and measures.² His jurisdiction extended the length and breadth of the "verge": all that area within a twelve-mile radius of the sovereign, "wheresoever he might be in England", except where limited by special franchises. As the king progressed about England whole tracts of the country became temporarily brought within the verge. Whenever the king was abroad, as in 1342, the verge extended in a twelve-mile circuit of the keeper of the realm.³ Within this area it was the clerk's business to see that the assizes of bread, wine and ale were being kept and to regulate all weights and measures. These duties had been framed to ensure that the king and his entourage were being properly served—that purveyors were not giving short measure, selling goods of poor quality or charging excessive prices. Not infrequently the army of purveyors which the itinerant court attracted included numbers

of merchants who had travelled some distance with their wares; we find, for instance, a dozen bakers and brewers from Holborn and West Smithfield with the court at Guildford in May, 1444.⁴ The clerk's activities also ensured that the king's subjects in the neighbourhood were being properly served by tradesmen; and in the course of time the emphasis became stressed on the inspection of weights and measures and the regulation of prices for the protection of consumers in general, rather than for the benefit of the royal household itself. As Coke commented in his *Fourth Institute*, the clerk was still called "Clericus Mercati Hospitii Regis, for of ancient times there was a continuall market kept at the Court gate, where the king was better served with viands for his household than by purveyors, the subject better used, and the king at far less charge in respect of the multitude of purveyors, etc. . . . And the officer of the Market of the King's household retaineth his name still, although the good end thereof according to the first institution ceaseth . . . He doth keep a Court and inquireth of weights and measures whether they be according to the King's standards or no".⁵

Control of weights and measures had featured in the laws of the Anglo-Saxon kings. In the century and a half following the Norman Conquest that control began very gradually to be effective and the assize of weights and measures together with the assizes of bread and ale, the statute concerning bakers and the judgment of the pillory, promulgated in 1267, are very much statements of customary law which had been observed for some years. Variations in weights and measures in 1274 were to be corrected by the royal clerks according to the uniformity established "by a provision of our late father and other kings of England our predecessors"⁶. The history of the unification of England could, indeed, be written round the standardization of weights and measures. Anomalies persisted for many centuries. In the nineteenth century the enforcement of uniform standards was considered by not a few administrators to be a "forlorn hope"; and the pages of the *Hogson Committee's Report on Weights and Measures, 1951*, are a salutary reminder that the work of the Plantaganet kings has yet to be completed. Pleas concerning false weights and measures could be heard by the Justices of Assize in their visitations of the counties, by Justices of the Peace, by sheriffs in their tourns, by mayors and bailiffs in their boroughs and by lords in their leets. But the royal clerk of the market was in an exceptional position; he carried with him the standards of the realm and had the exclusive right of sealing the weights and measures which he had inspected.

The equipment of a fourteenth century clerk of the market included the standard bushell, gallon, quart, fractions of a quart and the ell; two sets of balances and weights; sixteen marks for Troy weights; three iron seals for sealing weights and measures, leather bags for carrying the standards, with cloths to cover them and special saddles.⁸ He was allowed no more than six horses for all this equipment and for his five servants. *Fleta*, the legal compendium compiled early in Edward I's reign, contains precise details about the way in which the clerk should go about his business. At every town in the verge he was to call the bailiffs before him, requiring them to summon six townsmen who were to collect all weights and measures in use as well as sample loaves from each baker. Any weights or measures which proved on examination to be faulty were destroyed. The bailiffs were then to empanel a jury that had to answer a series of detailed questions about the price of corn, the use of false measures, and the sale of inferior meat and wine. Fines were imposed on those found guilty of dishonest trading.⁹ It is clear that these fines were a very useful source of revenue for the crown; and it was this more than anything else which kept the system of special sessions in operation down to the eighteenth century.

The clerk of the king's market also had duties connected with the hearing of Pleas in the Hall (*Placita Aule*), the special court for the verge, at which the marshal presided.¹⁰ During the greater part of the fourteenth century one individual served both as clerk of the market and as coroner of the Marshalsea; but under Henry V the offices became finally separated. The clerk's duties did, however, expand in other directions. When John Sibill was appointed clerk in 1484 he was to have "the supervision of all artificers, labourers, victuallers, bakers and brewers with power to imprison those . . . found guilty of fraud in the exercise of their crafts".¹¹ It looks as if the clerk was adding to his tasks the functions of a minister of labour and minister of food; far too onerous duties to be carried out effectively while the household continued to perambulate about England. By the early seventeenth century proclamations were defining his duties as the holding of yearly sessions for enquiring into deceitful weights and measures, examining the wholesomeness of provisions and preventing the fraudulent raising of prices.¹²

Although by the fifteenth century he was termed clerk of the market of the king's household *and throughout the whole realm*,¹³ he was normally excluded from special jurisdictions. By virtue of their charters the mayors of corporate boroughs, on whom the clerk's duties devolved, were technically his deputies.¹⁴ This privilege was of especial

importance for the City of London: without it the City would have fallen within the verge every time the king resided at Westminster. A succession of charters granted the lord mayor the right to have the assize of bread and wine "and everything appertaining to the office of clerk of our market"; and the very elaborate charter of confirmation of 1550 added in unequivocal terms that "the clerk of the market of our household is not to intermeddle there".¹⁵ All lands of the Duchy of Lancaster were similarly free from the activities of the king's officer; the right to have his own clerk of the market had been granted to John of Gaunt in 1396 and continued under the Duchy.¹⁶ Another notable private jurisdiction in Middlesex was formed by the various liberties of St. Paul's. In some liberties the royal clerk might hear pleas of the market but hand over the fines collected to the lord.¹⁷ At different times, however, the king's clerk was empowered to hold his court in certain of these franchises; in 1514, for instance, he held a sessions in the liberty of Westminster, at which the Abbot of Westminster was fined £100.¹⁸ The statute of 1540, when the Tudor monarchy was at the height of its power, declared that "wheresoever the Kinge's Highness in his moste roiall persone shall come to rest within this his Realm . . . his Grace's Clerk of the market and none other during the said tyme, as well within liberties and franchise as without, shall exercise the office of Clerk of the Market within the Virge."¹⁹ Shortly afterwards the townsmen of Potton in Bedfordshire, part of the Duchy of Lancaster, disobeyed the precept of the king's clerk, alleging privilege of the Duchy; but the Privy Council considered "no privilege might serve against the king's person", so the clerk returned to Potton where the townsmen were heavily fined.²⁰ The liberty of Norton Folgate in Middlesex, belonging to the Dean and Chapter of St. Paul's, was one of the special jurisdictions in which the clerk heard pleas in 1581, as we shall see. But there is no evidence that he ever stormed the City of London.

The only records of market sessions to have survived²¹ are the Estreats, or list of fines imposed, which the clerk returned into the Exchequer twice a year.²² A number of them are still preserved in the leather pouches—in shape not unlike sponge-bags—in which they travelled to Westminster. From these and from similar Estreats sent in by clerks of assize, clerks of the peace and so forth, the Exchequer officials compiled the Summons of the Green Wax, the details of all casual debts due to the crown, sealed with the Exchequer seal in green wax, with which each sheriff was charged in his county or city. The duty of collecting such fines fell to the sheriff's bailiffs. In due course the

sheriff paid these amounts into the Exchequer of Receipt, and to record their settlement that section of his account on the Pipe Roll under the heading *Nova Oblata* would be marked "et quietus est". The majority of these Estreats formed part of the Ancient Miscellanea of the Exchequer some seventy years ago when they were arranged—unhappily—by "subjects". Some of those relating to the clerk of the market became placed in the "Fines and Amercements" section of the Queen's Remembrancer, Accounts Various; others found their way to the "Marshalsea" section of these accounts. A number became arranged in a class of Queen's Remembrancer, Estreats, some few of them by counties, but mostly in the "divers counties" section, since the rolls of the clerk generally recorded fines from pleas in more than one county. A few such documents became amalgamated with the class of Lord Treasurer's Remembrancer, Rolls of Estreats, which strictly speaking begins as a duplicate of the Queen's Remembrancer series only in 1681. Despite this haphazard distribution, it only requires a little patience to bring together on paper all the surviving Estreats for sessions held before the clerk or his deputies. Since in the early fourteenth century these fines were paid into the Wardrobe, the financial department of the household, instead of into the Exchequer, Wardrobe Accounts of that period contain certain details. Original Summonses of the Green Wax, where they have survived, help to fill *lacunae* in the series of Estreats; while details about the payment of some of the large fines, as for instance the sum levied on the Dean and Chapter of St. Paul's for not having standard weights in their liberties, can be traced in the Pipe Rolls.²³ Between 1360 and 1370 the grand total of the sums collected throughout the country as a result of the clerk's activities each year is entered on the Pipe Roll; after that date these figures are contained on the roll of Foreign Accounts, but enrolment of these totals ceases early in the reign of Edward IV.²⁴

Although a sessions for weights and measures was probably held in Middlesex early in 1275²⁵ the first reference to pleas before the clerk of the market in the country occurs a quarter of a century later when he fined the townsmen of Uxbridge 13s. 4d. for brewing beer contrary to the assize.²⁶ The earliest surviving record of the clerk's office itself relating to Middlesex is a file of 1305. On April 12 the town of Stepney was fined 40s. for various infringements of the law and a few days later the men of Uxbridge were fined 20s. In the same year merchants strangers at Staines paid 2s. 6d. as a penalty for using false measures.²⁷ The next account, from July to October, 1327, contains merely entries

of common fines levied as lump sums on various towns, recorded in the following formula: "of the bakers and brewers of Acton for breaking the assize of bread and ale and also of those who were convicted of false bushells and other measures, together with all trespasses of the said town of fines made to the lord king commonly, for not having a pillory and stocks there [for the punishment of unscrupulous tradesmen] —10s." Uxbridge again paid 20s.²⁸ Indeed, Uxbridge, Staines and Brentford, by virtue of their positions on the main routes out of London taken by the court on its progresses, saw a great deal more of the clerk of the market than other places in the county throughout the fourteenth and fifteenth centuries.

By the middle of Edward III's reign the clerk began to include details of fines imposed on individuals in his accounts. In 1355 twenty-nine men and women of Smithfield were fined sums ranging between 3*d.* and 1*s.* 6*d.* for offences. Nicholas Teiser and Roger Stowe, bakers, had broken the assize of bread. Twelve brewers had broken the assize of ale. Robert atte Halle, John Mulward and Geoffrey atte Hide had been selling badly tanned leather; while William Lonyngton and William Arundel, tailors, had been using a false ell to measure the cloth which they sold. Two sellers of flour, Andrew de Merston and Nicholas Melman, had used false measures, and three poulterers, John Chapman, John Draiton and Thomas Clerk, were guilty of forestalling poultry. William Mareschall, Thomas Smyth and John Coventre, smiths, had wrongly taken iron, while two millers, John Jolif and Thomas Prose, were guilty of using short measures and of irregularly taking tolls at their mills.²⁹ Many of these individuals crop up again when the court next sat at Smithfield three years later.³⁰ Middlesex entries in the next account, for 1361-2, include "common fines" for Stratford atte Bow (46*s.* 8*d.*) and Brentford (29*s.*) and a detailed list of 35 tradesmen fined at Tottenham.³¹ Similar lists at various dates for the later fourteenth century exist for Brentford, Acton, Edgeware, Stratford and Staines.³² By the statute 13 Richard II st. 1 chapter 4 the royal clerk of the market was forbidden to impose common fines on whole towns; henceforth his accounts are full of information about the misdeeds of butchers—especially those who slyly removed the fat and kidneys from the quarters of mutton which they were selling—bakers and candlestick-makers; millers who flouted "clean food" regulations by allowing pigs and poultry to stray inside their mills while corn was being ground; badgers who bought up corn from small holders with an enlarged bushell, to ensure they got more than their money's worth, and sold it again by an under-sized measure; alehouse keepers who altered their pewter tankards with

a hot iron after they had been inspected and stamped with the clerk's seal—in fact the tribe of tradesmen great and small who practised all the tricks known to G. K. Chesterton's wicked grocer.

Despite his rôle as an apparent dispenser of social justice, the clerk of the market was never a popular figure. He features in more than one petition in Parliament under Richard II and in 1407 the Commons attempted to curb his powers by forbidding him to deal with any matters that had been outside the jurisdiction of his predecessors in the reign of Edward I.³³ But widespread dislike of his activities only became articulate in the early seventeenth century. The clerk and his deputies were often molested in their duties by indignant tradesmen and had on occasion to be recommended to the special protection of the Chief Justices.³⁴ Sometimes townsmen attending his sessions could hold their patience no longer, as the Gloucestershire yeoman who "cared not a —— for the deputy".³⁵ Much of this irritation was caused by the sealing of weights and measures, for which the clerk demanded fees. More than one tradesman complained that his sessions wasted both time and money; at the end of it the bushells and pecks in the local market still differed, and the next year "we shall have a new fellow, who will tyrannize on the country and do as bad or worse than his predecessor".³⁶ By July, 1639, Charles I found it expedient to prohibit the clerk from taking any further fees for sealing weights and measures;³⁷ but the Long Parliament still thought it necessary to pass an act for closely regulating the office, and the preamble to it characteristically sums up the grievances subjects had suffered for half a century and more.³⁸

With the coming of the Civil War tradesmen in Middlesex were no longer burdened by the exactions of the royal clerk of the market; he had followed the king to Oxford, but as both city and university possessed a clerk of the market for their respective jurisdictions he was left with little scope for his activities. Eventually his absence from the scene came to be regretted by some who had been most outspoken in their criticisms of his work. Throughout 1655 and 1656 Cromwell attempted to revive the office, since without periodic inspections weights and measures had become disastrously out of hand.³⁹ At his restoration Charles II was bombarded by petitioners seeking to be appointed to the revived office and in May, 1661, the post was granted to William Livingston.⁴⁰ The system of visitations was again put into practice and many shopkeepers and publicans were once more in trouble. The deputy clerk sitting at Hammersmith in 1664 was roundly abused by tradesmen whose weights and measures he had pronounced to be faulty.⁴¹

The virtual ending of royal progresses, as the court became permanently settled in Whitehall in the late seventeenth century, was of great significance for Middlesex tradesmen. The traditional circuit of a twelve-mile radius from the king's residence meant that most of the county was permanently within the verge. In the early eighteenth century the Middlesex Justices consistently opposed what they considered the clerk's illegal intrusion into their jurisdiction. In January, 1727, Thomas Robe, a deputy to the clerk of the market of the household,⁴² was called before the Justices to answer charges of oppression in collecting fines and fees from inhabitants of the county. Robe's patent of appointment was duly scrutinized and the court pronounced that his grant of office "doth not extend any further than to the King's Palace and the precincts thereof, commonly called the Little Verge". Copies of their opinion were to be delivered to all high constables throughout Middlesex. But the matter did not end there. A further case involving a deputy-clerk was removed from Quarter Sessions to King's Bench, which ruled that the king's clerk and his deputies had a jurisdiction "beyond the Little Verge, through the circuit of twelve miles from the Palace where His Majesty shall be resident". The Judges added as a rider, to soften the blow, that fees were not to be charged for the twice yearly examination of weights and measures.⁴³ Before long, however, the office had become a sinecure; sessions were no longer held and by the end of the century the clerkship was left unfilled. It had, indeed, out-lived its usefulness. On the one hand the consumer had become adequately protected by the common law against short measure; on the other, business houses, great and small, vied with each other to serve the royal household with the finest of goods obtainable and earn a place in the coveted list of royal warrant holders—be they butchers, bakers, candlestick-makers, cork cutters, mustardmen or "purveyors of trosels and morells".⁴⁴ To-day it is only on those occasions on which a member of the Board of Trade Inspectorate of Weights and Measures pays an official visit to a store boasting a royal warrant "By Appointment" that the two separate aspects of the office and work of the medieval clerk of the market of the royal household again become fused.

NOTES

- 1 There is an account of his office in the early years of Edward III by J. F. Johnson in *English Government at Work, 1327-1336* (ed. J. F. Willard and W. A. Morris) Vol. 1 (1940) pp. 245-8; certain details of his work are to be found in Hubert Hall's Introduction to *Select Cases Concerning the Law Merchant* Vol. 2 (Selden Society, Vol. 46, 1929).
- 2 *Close Rolls 1255-6* p. 142.
- 3 *Calendar of Patent Rolls, 1340-3*, p. 562.

- 4 Public Record Office, Exchequer, Various Accounts (E. 101) 259/12 No. 2. All subsequent references to original documents are to Public Records.
- 5 1648 edition, cap. lxi, pp. 273-5.
- 6 Pollock & Maitland, *History of English Law* (2nd ed., 1911), Vol. 1 p. 170; *Cal. Pat. Rolls, 1272-81* p. 73; *Statutes of the Realm* Vol. 1 pp. 199-205.
- 7 Hall, *op. cit.* p. li.
- 8 E. 101/257/2. The indenture of 49 Edward III for Helmyng Leget's receipt of his equipment from the king's wardrobe.
- 9 *Fleta* (ed. John Selden, 1647) Book 2 caps. 8-13.
- 10 See the Household Ordinance of 1318 printed by T. F. Tout in *The Place of the Reign of Edward II in English History* (1914) p. 280.
- 11 *Cal. Pat. Rolls, 1476-85*, p. 436.
- 12 E.g. the Proclamation of 2 Feb. 1619 (*Cal. State Papers Domestic, 1619-23* p. 10).
- 13 *Clericus mercatii hospicii et infra et per totum regnum nostrum Anglie*.
- 14 Hall, *op. cit.* p. xlvi. In many boroughs market sessions were held on the same day and before the same justices as the sessions of the peace (e.g. E. 137/144/2 final membrane).
- 15 *Historical Charters of the City of London* (1884) pp. 82, 122.
- 16 R. Somerville, *History of the Duchy of Lancaster* (1953) Vol. 1 pp. 66-7, 312.
- 17 E.g. at Bury St. Edmunds *Cal. Pat. Rolls, 1292-1301*, p. 183).
- 18 *Letters & Papers of Henry VIII*, Vol. 1 pt. 2 no. 2671. The clerk's invasion of the liberty of the Dean and Chapter of Westminster in 1601 produced a crop of petitions from victuallers.
- 19 32 Henry VIII cap. 20 para. 7.
- 20 *Letters & Papers of Henry VIII*, Vol. 16 no. 1278.
- 21 Hall's statement that the plea rolls of the Marshalsea Court 'record or imply hundreds of convictions for false weights and measures' is inaccurate (*op. cit.* p. l.). These words should apply solely to the Estreats of fines made before the clerk of the market or, as he termed these records, 'account rolls'.
- 22 Even when payments were made into the Wardrobe see *Cat. Pat. Rolls, 1321-4* p. 306).
- 23 E.g. E. 372/427 *rot. Item London, dorse*.
- 24 These merely contain the lump sum received 'from divers fines and amercedments from divers persons in divers towns in divers counties of England'. I have failed to find such totals on the rolls of Foreign Accounts for Henry VII and his two successors.
- 25 *Cal. Pat. Rolls, 1272-8*, p. 73, the enrolment of a writ of *intendendo* addressed to the sheriff of London and Middlesex, 7 Dec. 1274.
- 26 *Wardrobe Account, 28 Edward I* (printed by the Society of Antiquaries, 1787) p. 2—*de perquisitis mercati*.
- 27 E. 101/256/4 final membrane.
- 28 E. 101/256/5.
- 29 E. 101/256/14 m. 3.
- 30 *Ibid.* m. 6.
- 31 E. 101/256/15.
- 32 E. 101/256/20 and 257/1 and 11.
- 33 *Rotuli Parliamentorum* Vol. 3, p. 588; Hall, *op. cit.* pp. xlvii-viii.
- 34 *Cal. State Papers Domestic, 1635-6*, p. 154.
- 35 E. 101/682/32 m. 1d.
- 36 *Cal. State Papers Domestic, 1637*, p. 104.
- 37 *Ibid.*, 1640, p. 254. The clerk in question reckoned that he would lose £1,000 a year in fees.
- 38 16 Charles I cap. 19.
- 39 *Cal. State Papers Domestic, 1655-6*, pp. 162, 167.
- 40 *Ibid.*, 1660-1, p. 604.
- 41 E. G. Dowdell, *A Hundred Years of Quarter Sessions* (1932) p. 162.
- 42 He was, as it happens, also a J.P. for Middlesex.
- 43 Dowdell, *op. cit.*, pp. 162-4.
- 44 These and many others feature in the list printed in the *Royal Kalendar, 1812*, p. 125.

APPENDIX

ESTREATS OF FINES MADE BEFORE THE CLERK OF THE
MARKET OF THE HOUSEHOLD IN MIDDLESEX, 1581⁴⁵

(*m. 19d.*) *Edmonton Hundred*: Estreats of fines and amercements made before John Powell, deputy of Henry Wilcock, esquire, clerk of the market of the Queen's household and throughout the whole realm of England, as well within all liberties as without, at his sessions held at Enfeld, 29 August 1581, on the oath of good and lawful men there sworn, namely:—

Of Edward Wright, of Enfeld, vintner, for selling his wine in illegal pots of less than the queen's standard measure, contrary to statute, 3*s.* 4*d.*⁴⁶; Thomas Monday of Chesthunt, co. Hartford, brewer, Nicholas Throckmarton of the same, and Edward Girdler of Waltham Abbey, co. Essex, severally for selling their beer at the excessive price of 8*s.* the barrel, to the grave damage of the queen: nil, because they are outside this county; Philip Strayton of Newington, brewer, Philip Bisco of Barnett and Robert Shawe of Edmonton severally for selling their beer at the excessive price of 7*s.* 6*d.* the barrel, respectively 13*s.* 4*d.*, 3*s.* 4*d.*,⁴⁷ and 6*s.* 8*d.*; William Wynne of Enfeld, for baking pastries called spiced cakes, having no assize for them contrary to statute, 12*d.*,⁴⁶ Thomas Bestney, William Alheade, the widow Lyngard, Edward Wrighte, all of Enfeld, William Peper, Henry Roote, Robert Ryme, all of Pondersend, John Peter the elder, John Peter the younger, John Robynson, Thomas Hardwicke, Francis Bellingeham and William Pytman, all of Edmonton and the widow Myntridge of Enfeld, severally for the like offence, 12*d.* each.

Gore Hundred: Estreats of fines made before John Powell in the market sessions held at Edgeware, 9 September 1581.

Of William Heydon of Ilstrey, baker, for breaking the assize of bread, his penny white loaves being 5 ounces light, his penny black 4 ounces and his fourpenny brown bread 43 ounces, 10*s.*; William Gosley of Kingesburie, baker, for not appearing with his bread when summoned for weighing before the clerk, 3*s.* 4*d.*, and also for baking spiced cakes, 12*d.*; Richard Nicholl of Henden, chief constable of Gore Hundred, for failing to make a return to the queen's precept directed to him, 3*s.* 4*d.*; Richard Edlyn of Pynnard, high constable for the like offence, 3*s.* 4*d.*; Francis Marshe and Thomas Lynfard, constables of Henden, and Thomas Lynfard, constable of Henden, and Thomas Jackson, constable

of Harrowe Wylde, severally for the like offence, 5s. each; the inhabitants of Harrowe, for not appearing with their weights and measures for examination with the standards, 6s. 8d.; and Stephen Morrell of Little Stanmore and John Nicholl of Overhale, for not appearing when they were called as jurors, 3s. 4d. each.

(*m.* 20) *Elthorne Hundred*: Estreats of fines made before John Powell in the market sessions held at Wooxbridge, 19 September 1581.

Of Richard Turner of Wooxbridge, baker, for breaking the assize, his halfpenny white loaves being 1 ounce light, his penny white 3 ounces and his twopenny horse-bread⁵⁰ 9 ounces, 3s. 4d.; William Neale of the same, for baking penny black loaves 3 ounces light, 20d.; Robert Skydmore of the same for baking halfpenny white loaves 1 ounce light, 2s. 6d.; Thomas Talbotte of the same, for baking penny white loaves 3 ounces light, penny black 5 ounces and twopenny horse-bread 12 ounces, 3s. 4d.; Robert Audyence, William Webb and the widow Welles, all of the same, for selling their wine in pots less than the standard, respectively, 12d., 5s., and 12d.; John Whytlocke of the same, for selling vinegar in pots less than the standard, 20d.; Roger Barrett of the same, brewer, for selling beer at the excessive price of 8s. the barrel, 10s.; John Glyston of Stanwell, brewer, for selling beer at the excessive price of 7s. 6d. the barrel, 20d.; Arthur Clyston and John Bushoppe, both of Harefeld, for failing to appear as jurors, 3s. 4d. each; Richard Roade, Richard Williams, William Welles, Thomas Talbotte, William Kent, Roger Garrett, all of Harefeld, Nicholas Spurlynge, Thomas Harvye, Peter Pantridge, William Mounsey, Bernard Paswater, Walter Bysouthe, William Russell, Edward Pantridge, James Hauckinson, clerk, William Quarringdon, all of Hillingdon, Arnold Lumney of Harmonsworthe and Richard Stubbes of Ryslyppe, gentleman, severally for not appearing with their weights and measures for examination with the standards, 3s. 4d. each; William Wynter, innholder and William Hitchcocke, both of Wooxbridge, for daily selling horse provender by half-peck measures a pint short of the standard, 3s. 4d. each; Thomas Feild of the same, butcher, for selling meat by 7 lb. and 4 lb. lead weights, each 3 ounces short of the standards, 3s. 4d.; Richard Ewer of Risippe, smith, for selling iron by a 4 lb. weight 1 ounce less and an 8 lb. weight 2 ounces less than the standards, 2s. 6d., Richard Webbe, William Hichecocke and William Wynter all of Wooxbridge, for selling beer in stone pots less than the standard, respectively, 3s. 4d., 20d. and 20d.; Thomas Humfrey, Tristram White, Thomas Bedell, Thomas Weldon and Richard Ogeborne, all of the same, tallow-chandlers, for selling candles at 2½d. per lb., instead of 2d., 3s. 4d. each.

Spelthorne Hundred: Estreats of fines made before John Powell in the market sessions held at Staynes, 4 October 1581.

(*m.* 20*d.*). Of James Slape of Staynes, vintner, for selling wine in pots less than the standard, 3*s.* 4*d.*, Thomas Peers of the same for selling vinegar in pots less than the standard, 20*d.*; Thomas Love of the same for selling beer at the excessive price of 8*s.* the barrel to victuallers there, 20*s.*; Oliver Pantree and James Slape, both of the same, for selling grain by half-peck measures less than the standard, 2*s.* 6*d.* each; the same Slape for selling beer in pots less than the standard and Gascon wine at 6*d.* per quart instead of 2*d.*, 5*s.*; Thomas Love of the same, brewer, for using a kilderkin measure 2½ gallons short, 5*s.*; James Sadler, Thomas West, John Knowles and John Alridge, all of the same, severally for not appearing with their weights and measures for examination, 3*s.* 4*d.* each; and Hugh Lyon of the same, for the like, 6*d.*

Liberties of Hollywell Strete, Hoggesdon and Norton Fowlegate: Estreats of fines made before John Powell in the market sessions held at Hollywell Strete, 7 June, 1581.

Of Stephen Lorryman, for not appearing as a juror, 6*s.* 8*d.*; James Burbridge of Hollywell Street, for the like, 3*s.* 4*d.*; John Pickeringe and John Alridge, both of the same, vintners, for selling wine in pots less than the standard, respectively 10*s.* and 6*s.* 8*d.*; Evan Davys of London, baker, for baking penny white loaves and penny black loaves 1 ounce light, 3*s.* 4*d.*; John Stubbes of the same for baking halfpenny white loaves half an ounce light and penny black loaves 1 ounce, 3*s.* 4*d.*; and William Hanbury of the same for baking halfpenny white loaves half an ounce light, 3*s.* 4*d.*

The jurors present that Alan Downter of London, ale-brewer, sold his ale at excessive prices at Norton Fowlegate within the verge. Between 1 March and 7 June 1581 he sold 6 barrels there to William Edwards and to other victuallers of Norton Fowlegate at 8*s.* the barrel, whereas it should not have been sold above 6*s.*, according to the rate proclaimed by the clerk of the market of the household; and because the sale is above the rates published under the clerk's seal at the entrance to the court, Downter is held to be in contempt of the queen's majesty. Therefore he is in mercy, 20*s.* Similar presentment of Richard Master of Hogesden, ale-brewer, fined 10*s.*

Of Thomas lord Wentworthe for not having within his liberty of Hollywell Strete a beam for Troy weights, balances for weighing bread and a measure for coals, 6*s.* 8*d.*; (*m.* 21) the dean and chapter of St.

Paul's, for not having within their liberty of Norton Fowlgate a sufficient pillory and stocks, a coal measure and a "bull ringe", 5s.; John Duffeld, prebendary of St. Paul's, for not having within the liberty of Hogesdon a beam for Troy weights, balances for bread and stocks for the punishment of offenders, 6s. 8d.

Liberties of Islington: Estreats of fines made before John Powell in the market sessions held at Islington, 24 May 1581:

Of Randolph Loder of Hygate, baker, for baking black loaves 3 ounces light, 3s. 4d.; Richard Flytte of Islington, baker, for baking twopenny white loaves an ounce light and penny black loaves 2 ounces, 20d.; the widow Grene of Kentishe Towne, victualler, for making excessive profit in buying bread from common bakers and retailing it in her house, 20d.; Richard Wilshier of the same, for the like, 2s. 6d.; Richard Flytte of Islington, Robert Brigmore of Fyncheley and Robert Monge of Hornesey, severally for baking spiced cakes contrary to statute, 20d. each.

Presentment of Robert Wilkes of Islington, brewer, for selling his beer at the excessive price of 7s. 6d. the barrel to Matthew Oswell and other victuallers of Islington, £8. *Removed by writ of supersedeas, 24 May 1581.* Similar presentments of Margery Draper of Whitefryers, widow, and Jastlyn Turner of Puddlewharfe, London, brewers, for selling their beer within the verge at Islington. Fined £6 13s. 4d. and 13s. 4d. respectively. *Turner's presentment removed by a like writ 4 [sic] May 1581.*

(*m.* 21d.) Of George Rea of Highegate, vintner, for obstinately refusing to bring his measures for examination, 6s. 8d.; Patrick Fulham of Islington, tanner, for tanning sheep-skins and selling them contrary to statute, 5s.; and Anthony Browne of the same, vintner, for selling his wine in pots less than the standard, 3s. 4d.

Liberties of High Holborne: Estreats of fines made before John Powell in the market sessions held at High Holborne, 22 May 1581.

Of William Hemesworthe of High Holborne, vintner, for selling wine in pots less than the standard, 3s. 4d. Presentment of Margery Draper of Whytefryers, brewer, for selling beer at High Holborne at the excessive price of 7s. 6d. the barrel, £3 6s. 8d. *Removed by writ of supersedeas 4 [sic] May 1581.*

Of Edward Bert of High Holborne, Ralph Allyson of Fletestrete and Henry Robynson, of the same, brewers, for selling ale at the excessive price of 8s. the barrel, 40s., 20s. and £5 respectively; Roger Grene, Roger Ashe and Thomas Olyver, all of High Holborne, for selling vinegar in pots less than the standard. 20d. each; Robert Ives, William Rooper, John Evans, William Barnett, gentleman, Richard Clyffe, esquire, Henry Morrice, Thomas Lavacocke and John Cowper, all of the same, severally for not appearing as jurors when the liberty was summoned, 20d. each; John Squyer of the same, innholder, for selling beer and ale in stone pots less than the standard, 20s.; Edward Best and Robert Middleton, both of the same, for not appearing with their weights and measures for examination, 20d. each; (*m.* 22) Thomas Olyver, Roger Grene, Richard Ashe and Henry Goodwyn, all of the same, tallow chandlers, severally for selling candles at 2 $\frac{3}{4}$ d. the lb. whereas they should charge only 2 $\frac{1}{4}$ d., 12d. each; and George Jent of the same, victualler, for baking spiced cakes contrary to statute, 12d.

NOTES TO APPENDIX

- 45 Exchequer, Lord Treasurer's Remembrancer, Rolls of Estreats (E. 362) 1 no. 13. This roll records fines made before the royal clerk at sessions held in Hampshire, Gloucestershire, Wiltshire, Kent, Essex, Herts, Middlesex, Bucks and Surrey during 1581. The Middlesex portion has been abstracted here in translation, with personal and place names given in the spelling of the original.
- 46 *Marginal note* 'Duchy of Lancaster'.
- 47 *Marginal note by Bisco* 'received by the sheriff of Hertford'.
- 48 *All except* John Peter, elder and younger, Robynson, Hardwicke, Bellindgeham and Myntridge *marked* 'Duchy of Lancaster'.
- 49 *The foot of each membrane is marked* 'received by me Henry Wylcock'.
- 50 See the statute 32 Henry VIII cap. 41 on the baking of horsebread.
- 51 The statute 23 Henry VIII cap. 4 defined the kilderkin as containing 18 gallons for beer, but only 16 gallons for ale.