The Privy Council and Economic Management in the Reign of Elizabeth, 1558-1578

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THE PRIVY COUNCIL AND ECONOMIC
MANAGEMENT IN THE REIGN OF
ELIZABETH, 1558-1578

by

Vincent H. Ponko, Jr.

A Dissertation Submitted to the Faculty of the Graduate School
of Loyola University in Partial Fulfillment of
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LIFE

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CHAPTER I

INTRODUCTION

In the De Republica Anglorum of Sir Thomas Smith there occurs this passage:

His private counsel be chosen also at the Prince's pleasure out of the nobility or barony, and of the Knights and Esquires, such and so many as he shall think good, who doth consult daily, or when need is, of the weighty matters of the Realm, to give therein to their Prince the best advice they can. The Prince doth participate to them all, or so many of them as he shall think good, such legations and messages as come from foreign Princes, such letters or occurrences as be sent to himself or to his secretaries, and keepeth so many ambassades and letters sent unto him secret as he will.\(^1\)

On the basis of this statement, one can say that a monarch was expected to have a personal staff of selected advisers to help him manage his government. Edward VI, for example, organized his private counsel in the following fashion:

(First.) For hearing of those suits which were wont to be brought to the whole Board.

Those persons to hear the suits, to answer the parties, to make certificate what suits they think meet to be granted; and upon answer received of their certificate received to dispatch the parties: Also to give full answer of denial to those suits that be not reasonable nor convenient: Also to dispatch all matters of justice, and to send to the common courts those suits that be for them.

(Second.) The calling of forfeits done against the laws, for punishing the offenders and breakers of proclamations that now stand in force.

These shall first see what laws penal and what proclamations standing

now in force are most meet to be executed, and shall bring a certificate thereof. Then they shall enquire in the countries how they are disobeyed, and first shall begin with the greatest offenders, and so afterward punish the rest, according to the pains set forth. They shall receive also the letters out of the shires of disorders there done, and punish the offender.

(Third.) ..................................................

These to attend to matters of the state. I will sit with them once a week to hear the debating of things of most importance.

(Fourth.) These persons underwritten shall look to the state of all the Courts, especially of the new erected Courts, as the Augmentation, the First Fruits and Tithes, the Wards; and shall see the revenues answered at the half-year's end, and shall consider with what superfluous charges they be burdened, and thereof shall make a certificate which they shall deliver.

(Fifth.) Likewise for the Bulwerke, the Lord Chamberlain, Mr. Treasurer, and Mr. Comptroller to be in Commission in their several jurisdictions.2

But a functional division of this sort was not equal to the problems that devolved on the princes' personal staff. During the reign of Elizabeth, for instance, the amount of business which came before the Council was enormous, and its variety bewildering. In the Registers for the period 1558-1573, one can find records of action taken by the Council with regard to private quarrels, matrimonial disputes, minor administrative problems connected with prisoners and other individuals, treason, riots, breaches of the peace, assaults, seditious words, malicious accusations, libels, forgery, religious conformity, censorship, and all types of law suits.3 Moreover, the Council received foreign ambassadors, gave instructions to English agents abroad, supervised the main-


tenance and use of English military strength, and participated in the making of peace and war.

On the basis of Sir Thomas Smith's statement, the ordinances of Edward VI, and the Registers, one can say that the Tudor Privy Council was a picked group of advisers, capable of being organized to perform definite functions, whose field of action was circumscribed only by the power, influence, and responsibilities of the monarch. But is this all one needs or would like to know about the Council? The mere fact that this selective group of Englishmen did come in contact with so many aspects of the history and life of the Tudor period should induce one to answer that question in the negative. Because of its relation to the prince and to the country, the Privy Council cannot be dismissed so lightly.

Who, for example, were the men that Elizabeth picked for her private Council? Did their backgrounds have anything to do with the fact that they were

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5 "And this supreme jurisdiction reserved . . . to the King himselfe, is either altogether silent, or else it speaketh at the Board of his Privy Council; the which is so incorporate to him, as that it is said to speak with his owne mouth."—William Lambarde, Archeion or, a Discourse upon the High Courts of Justice in England, eds. Charles H. McIlwain and Paul L. Ward (Cambridge, Mass., 1957), p. 141.
selected for this honor? Even a perfunctory survey indicates that the majority of Elizabeth's Council at the outset of her reign had sat in the Council of Edward VI five years before. The Edwardian tradition, therefore, was transmitted into the Elizabethan age and could not have been repugnant to the Queen. Did this tradition actually influence the policies and actions of Elizabeth? The various Spanish ambassadors certainly thought that a break with Marian traditions had been made. One Ambassador, for example, characterized the English government as being in the hands of heretics and young people. Another continually tried to wean Elizabeth away from her Council with the argument that they were not rightfully subservient to her. Moreover, a modern historian states that in "more than one respect Elizabeth's policy at the outset, both in foreign and in domestic affairs, in religion and politics, followed" the Edwardian tradition.

Can one say, however, that every Council member contributed an equal amount of Edwardism to the reign of Elizabeth? Did Elizabeth's Council act spontaneously in a unanimous fashion or was it influenced by a group or groups within it? When Sir Francis Walsingham took the oath to be "a true and faithful councillor to the Queen's Majesty as one of her highness' Privy Council,"

6Conyers Read, Mr. Secretary Cecil and Queen Elizabeth (New York, 1955), p. 123.

7Cal. State Papers, Simancas, 1, 7.

8Ibid., 208-209.

9Read, Cecil, p. 123.

the Council consisted of seventeen members. Of this group, however, Dr. Wotton, Dean of Canterbury and York, and Sir John Popham, the Lord Chief Justice, seem to have been members only by courtesy, for it appears that they never sat at the Council table. Two others, although nominally members, are not recorded as appearing until 1585. The active members of the Council, therefore, numbered thirteen, seven peers and six commoners. There were no prelates.

These thirteen active members, however, did not share equally in the administration of the government. Some of them attended very infrequently. Moreover, evidence indicates that there never was a session at which all the members of Elizabeth's Council were present. The actual business of the government seems to have been conducted by a group of five or six. Within this smaller group, Burghley occupied the principal place, although Leicester, and later Walsingham were not far below the pinnacle created by him. The others that made up this select circle were Sussex, Bacon, Hunsdon, and Hatton.

There appears to have existed in fact within the Privy Council a kind of informal cabinet of men who enjoyed a larger measure of Elizabeth's confidence. Some of these men, like Burghley and Walsingham and Bacon, were singled out because of their ability; others, like Leicester and Hatton, because they were dear to the Queen's heart. Officially they were on the same plane with the other councillors; practically they dominated the council and determined, so far as their imperious mistress permitted, the policy of the crown.

11 Conyers Read, Mr. Secretary Walsingham and the policy of Queen Elizabeth (Oxford, 1925), I, 266.
13 Read, Walsingham, p. 267.
Furthermore, even within this favorite circle there were factions. Elizabeth herself seems never to have sat at the council table. Most of the Queen's contact with her Council occurred indirectly through personal conference with individual members and groups of members. This situation did not discourage attempts at ascendancy through the mobilization of monarchical displeasure in the direction of one's fellow councilors. Around the middle of the 1560's, for example, Leicester and Cecil engaged in such a contest. At one point, the Spanish Ambassador reported that Cecil was on the verge of resigning his position as Principal Secretary because he feared that he had lost the competition for the Queen's confidence to Leicester. The fact that he did not resign testifies to his tact and sagacity in playing the game of favoritism. On one occasion the Spanish Ambassador testified to his adroitness in the following report:

The Queen has been told that the Secretary was at the bottom of the obstinancy of the people's representatives in the matter of the succession. And the other day in Council the Queen made a remark to him about it. Whereupon he, in the presence of the members, told her that she had done him the greatest favour and kindness he could receive from her in speaking upon the subject before those present, as he was glad of the opportunity of exonerating himself from such an offence as had been imputed to him. He gave a satisfactory answer and said if he was not satisfied only to exonerate himself he could, if he pleased, cast the accusation upon those who peradventure had impugned him, but that he confine himself to clearing his own character.

After the members of the Council had gone he remained alone with the Queen, who told him she was delighted that he had answered as he had done before the Council, because one or more of them had been his calumniators,

15 Read, Cecil, p. 267.
16 Cal. State Papers, Simancas, I, 174-175, 365-366, 377, 387, 571-572; Read, Cecil, pp. 198-211.
17 Cal. State Papers, Simancas, I, 174-175.
and now she was satisfied.18

It is important to note also that Elizabeth’s Privy Council was singularly unorganized. Up to 1590 it seems even to have lacked a presiding officer.19 “In spite of the multitude of its duties, both in domestic and foreign affairs, we find little or no trace in it of that nice distribution of functions which so eminently characterizes the modern English Cabinet.”20 At certain times temporary committees were appointed to handle particular matters of business, and “probably, in a rough sort of way, members of the council were set to the tasks for which they seemed best fitted,”21 but this is as much as can be said for its internal organization. There was a consistent tendency to burden the abler councilors with all sorts of matters, irrespective of the nominal position held by them.

Thus, the opportunity existed for some councilors to play a more commanding role. In this regard, Cecil was outstanding. His position as one of the Queen’s principal secretaries gave him the opportunity to handle most matters of the state’s business and his ability determined his disposition of them to the satisfaction of the Queen.22 The Secretary’s duties were so numerous that he could expect to have no commission broad enough to cover them all, and no

18Ibid., 609.


20Head, Cecil, p. 268.

21Ibid.
warrant for his actions except the confidence of his sovereign. 23 Because of this, therefore, ability determined his position in the Council. But there is nothing to suggest that a less able Secretary could not have been outshone or outworked by his fellow councilors. 24

Despite its seemingly inherent fragmentism, however, the Council did sit and issue orders as a unit. Such directives as were sent out by it, for example, were completed by the signatures of councilors; the Queen’s signature was not affixed to them. 25 Elizabeth did not relinquish her right to promulgate similar orders, but the Council was capable of acting in an independent capacity.

Outside of personal subservience, therefore, what were the Council’s relations to the Queen? Were its orders equal in impact to those issued by Elizabeth? Did it, for instance, have the right and power to determine governmental policy? This problem is extremely difficult to solve and would require a separate treatise for its elaboration. The Council was the creature of the monarch and did not have the right to deal with all important matters of state, independently of the Queen. 26 However, its activities were such that the policies it agreed upon often became the policies of the state. 27 Furthermore, its ad-

23 "A Treatise of the Office of a Councillor and Principall Secretarie to her Ma[jesty]," in Read, Walsingham, I, 269.
24 Read, Cecil, p. 121.
25 Some doubt exists, however, as to whether or not each councilor personally signed his name to each directive. It seems evident that in some instances the name of an absent councilor was affixed by a clerk.—Dorothy M. Gladish, The Tudor Privy Council (Retford, Eng., 1915), pp. 52-53.
26 Tanner, p. 225.
ministrative and judicial duties could not escape from being also partly legis-
lateive in character. Its regulations with regard to the printing and distrib-
ution of books, for example, were, in essence, censorship laws. The Coun-
cil, therefore, did act in a corporate fashion and there is some basis for say-
ing that its promulgations influenced the history of Elizabethan England.

But how and in what direction did it exercise this influence? If it
could be a vehicle of historical continuity or transmission, what directives
that it issued reflected the traditions of its members? Since it was capable
of being divided by faction and lack of organization, how did it arrive at its
corporate decisions? Do the decisions that it did issue reveal a self-conscious
estimation of its power and corporate character? If it did pursue self-
conscious policies, did these policies differ from those enunciated by Parlia-
ment? What were its connections with the instruments of Elizabeth's authority,
the Court of the Star Chamber, the Court of Requests, the Councils of the
North, of the West, of the Marches of Wales, the Justices of the Peace, and
other royal agencies? Did it have a recognized place in the common law juris-
diction of England? How were its orders constituted and do their contents re-
veal an appreciation of the problems that instigated their promulgation? What
effect did it have on the developments of its period?


29 Acts of the Privy Council, X, 138-189, 287-288; Brothero, p. cii, 169-
172; Tanner, pp. 215-246, 279-284; John Strype, The Life and Acts of Matthew
Barker, The First Archbishop of Canterbury, in the Reign of Queen Elizabeth
(Oxford, 1821), I, 161-163; John Strype, The Life and Acts of John Whitgift,
D.D., The Third and Last Archbishop of Canterbury, in the Reign of Queen Eliza-

30 Holdsworth, IV, 70-71; Brothero, pp. ci-cii.
In this study, an attempt will be made to answer some of these questions in relation to the Council's directives on economic affairs for the period 1558-1578. No deliberate attempt will be made to place the Council within the existing constitutional, political, and legal system, nor examine the parallel orders of the Queen, but a presentation will be given of the Council's management pretensions with regard to the functioning of Elizabethan economic relations. Because the minutes of the Council's meetings are not extant, no exposition can be made of the deliberations leading to the issuance of its orders, but an estimation of the motive or motives which prompted the Council to interfere in the economic affairs of Englishmen will be offered. Some conclusions will be developed concerning the Council's influence on the economic developments of the period under discussion, but the economic history of England for the first twenty years of Elizabeth's reign will not be rewritten. Despite its limitations, therefore, this study can be considered to be a study of the managerial position of Elizabeth's Privy Council in relation to its corporate activities in the economic field. It is assumed that economic management is not just a nonsensical term.

Holdsworth, IV, 63.
CHAPTER II

THE LAND AND THE FOOD SUPPLY

During the sixteenth century, important changes occurred in the distribution and use of English landed property. In response to forces both political —such as the restriction of the territorial sovereignty of landlords—and economic—such as the incipient movement in the direction of reorganizing national life on the basis of industry and the fall in the value of money—a movement took place in the direction of converting the old open field system of agriculture, with its relatively broad distribution of landed holdings worked according to custom, to large concentrated estates managed by persons dedicated to the proposition that the land held by them could be used as they wished, either for pleasure or profit. As a result of this movement, a new relationship developed between landlord and tenant, a relationship dominated by the small cultivator's struggle to protect his interests against the changes caused by the growth of the great estate. It was concern for the effect that this development might have upon the body politic that constituted the Privy Council's main interest in agricultural affairs during the first twenty years of Elizabeth's reign.

The Privy Council, for instance, was concerned for the effect that this

development might have upon the preservation of order. As Tawney has shown, the small cultivator of the sixteenth century was, for the most part, a militarily formidable figure. It was from his class that the English militia was recruited, and he not only had access to arms, but knew how to use them. Furthermore, the small cultivator was not loath to act when he believed his rights were being violated. He banded together with his brethren and often took violent action against the symbols of his supposed injury. Because of the ever-present danger that local disturbances of this sort, originating from local causes, might spread, the Privy Council took prompt action to suppress these affrays, however small, and to arrest the leading participants. After quiet had been regained, the Council then might investigate its cause and seek redress for the persons it had quieted, in order that they might not disturb the peace again.

Thus, the Council took pains to stop any violent action taken by the small cultivator against the sealing off, for the benefit of a single individual, of land formerly used in common. On May 22, 1576, for instance, the Attorney General was asked to assist the Recorder of London and another person in the examination of certain persons previously committed to the Marshalsea "for the

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2Ibid., pp. 325-333.

3The Queen herself was implicated in the enclosure of a common at Woodstock, and the tenants did not shrink from open complaint in her presence. -- The Earl of Leicester to Lord Burghley, September 12, 1576, Great Britain, Historical Manuscripts Commission, Calendar of the Manuscripts of the Most. Hon. The Marquis of Salisbury, K. G., Preserved at Hatfield House, Hertfordshire (London, 1883-1933), II, 135.


burnings of Sir Thomas Gressham's parke pale." In July of the same year the Recorder and his fellow examiner were required, in conjunction with the Justices of the Peace of the county of Middlesex, to try the prisoners at the next General Sessions of that county—where the affray had occurred—and "as (the) matter shall fall out against any of them to proceed to their punishment according to justice." On July 18, however, a commission was appointed by the Council to investigate a petition exhibited to the Queen in behalf of "certain pore men" and sent by the Queen to the Privy Council. This petition complained of the wrong done to the petitioners "by an inclosure made by Sir Thomas Gressham of certain common grounde, parcell of his Parke."  

The complexity of the problem tackled by the commission, and the Council's awareness of this complexity, is revealed by the instructions given to the commission by the Council. First of all, the members of the commission were instructed to consult both parties to the dispute, or their representatives. On the basis of these consultations, they were then to determine the customary usage and ownership of the land involved, or "what right belongeth to the Lord, what to the tenant, and what to the cottager." They were also to ascertain by what right Gressham got title to it, and if any agreement had been made relative to the land enclosed. If an agreement had been made, they were to find out who were parties to it. Furthermore, they were to determine what detriment was done to the "pore men" by the enclosure, what cattle, for instance, they were able to keep before by pasturing them on the now enclosed land and what


7Ibid., 160.

8Ibid., 167.
they now could keep without using the enclosed land.9

Thus, the problem confronting the commission involved economic considerations dominated by legal principles. Without the use of common land, tenants might not be able to maintain their establishments; without proof that their holdings had customarily enjoyed common rights they had no legal recourse, despite what the deprivation of their right to use common land might do to their economic position. The Council realized the complexity of the problem and, while attempting to ascertain the facts so that justice might be done, it hoped that a negotiated agreement could be reached. The last item in its instructions to the commission, for instance, requested them to submit their opinions as to how the controversy could be settled satisfactorily to both parties.10

In 1578 the Privy Council was again confronted with the problem of riots caused by the enclosing of land formerly benefiting many and it followed a similar pattern of intervention. February of 1578, for instance, saw violence employed against the sealing off of wooded land formerly used in common. On February 3, six persons were appointed to investigate "a verie disordered ryot made by certen coprices in and about the Forrest of Burwood by pulling downe of the hedges and other misdemeanaures not convenient to be suffered." These six were instructed to assemble according to the Statutes and by precept to the Sheriff cause an indifferent jury to be returned, by whom they were to have an inquiry made. If further trouble was anticipated, the verdict of the jury was

9Ibid., 167.

10For a discussion of the importance of common land relative to the English agricultural situation at this time, and the methods by which common land could be made extinct, see Tawney, Agrarian Problem, pp. 237-253; E. C. K. Gonner, Common Land and Inclosure (London, 1912), pp. 1-33, 43-58.
to be returned to the Star Chamber for further action, but if an agreement could be reached agreeable to justice, then "Lordships will allow thereof."  

On November 6, 1578, the Council also wrote to Sir John Throgmorton informing him that they had been notified by the Vice President of the Council in the Marches of Wales that "a certaine frame being erected in a copie holde of his in the Forest of Peckenhams was riotouslye thrown downe and hewed in peces by certaine disordered persons," who being sent for by the Commissioners appointed by the Council to investigate the affray "both misdemeaned themselves contemptuouslie towaiides them and also refused to appeare in that courte, being summoned by an officer of the same." Three of these persons, however, did appear before the Council in behalf of their cause and were committed to the Marshalsea. Furthermore, the Attorney General was ordered to give information against them in the Star Chamber during the next term "to thintent they might receave such publicke punishment as shalbe thought mete." Sir John Throgmorton was asked to be present on this occasion to further his case. In this same letter, however, Throgmorton was ordered not to re-erect his fence "for as much as it is by the said persones informed that he thereby goeth about to encroche upon a common to the undoing of the pore tenants," an investigation was to be made by the Council to determine if Throgmorton was to be allowed to set up such a fence again.  

Local land riots, therefore, were considered serious by the Council. It gave much attention to their suppression and it tried to ease their economic causes. Even cases of trespass upon land enclosed for parks were considered

\[\text{\textsuperscript{11}}\text{Acts of the Privy Council, } X, 155.\]

\[\text{\textsuperscript{12}}\text{Acts of the Privy Council, } X, 375-376, 398-400.\]
worthy of attention, and it also discouraged talk against a particular enclosure lest such talk lead to violence. But Privy Council interest in the struggle of the small cultivator to protect his interests against the growth of the large estate was not limited to the suppression and rectification of riots. The Elizabethan government looked upon the small cultivator as the foundation of its military and taxation structure; any weakening in his economic position seemingly weakened the state. The Council, therefore, also took an interest in restrictions placed upon land formerly used in common even though the placing of such restrictions did not occasion riots.

During 1571, for instance, the Council took an interest in the attempts of some small cultivators to get redress or compensation relative to the use of some common land in Worcestershire enclosed by Sir John Conway. On February 17, in response to a petition, the Council wrote to Conway ordering him to adhere to an agreement made with "his representative’s consent," according to which his action in enclosing the common land was to be reviewed by a commission appointed by the Justices of Assize in that county. If he did not obey the Council’s order, he was required to appear before them to explain his reasons for not doing so. On May 20, the matter was committed to the Lord Chief Justice of the Common Pleas and another lawyer for their determination. Five days later the

\[\text{13 Acts of the Privy Council, VII, 165-166; VIII, 139-139, 252, 293, 309, 350; IX, 5, 23, 43, 262; X, 274-275, 319-320, 359, 368, 402.}\]

\[\text{14 Acts of the Privy Council, X, 374.}\]

\[\text{15 Tawney, Agrarian Problem, pp. 341-347.}\]

\[\text{16 Acts of the Privy Council, VIII, 195.}\]

\[\text{17 Ibid., 241.}\]
case was heard before the Council sitting in the Star Chamber and committed to the determination of a commission with the consent of both parties. If the commission could not bring an end to the matter, it was agreed that the dispute would be tried in the Court of Common Pleas.\(^\text{18}\) On May 27, the matter was again before the Council. The agreement made on the twenty-fifth was confirmed and the Lord Keeper was ordered to form a commission that would "upon hearing of the matter order the possession (of the common land) as they in right shuld thinke mete."\(^\text{19}\) This commission could not end the matter, however, for on November 15, the Council wrote to "Sir Robert Throkmerton, Sir John Littelton, Sir John Huband, knights, and Rafe Sheldon, esquier," requesting them "to take some paines to ende the matter in controversie betwixt Sir John Conways, knight, and certein persons clayming Common in Oken Heath."\(^\text{20}\) It is doubtful whether the small cultivators concerned in this controversy ever regained their former common rights.\(^\text{21}\)

In cases of a similar nature, the Council took a like interest. Petitions complaining of the sealing off of land formerly used in common were first referred to local officials for investigation, and if possible, determination. If no agreement could be reached on the local level, the Council stood ready "to give furder order as the cause shall require."\(^\text{22}\) In cases of obvious hard-

\(^{18}\)Ibid., 244.

\(^{19}\)Ibid., 245-246.

\(^{20}\)Ibid., 313.

\(^{21}\)Tawney, Agrarian Problem, pp. 251-253.

\(^{22}\)Acts of the Privy Council, IX, 118. See also Acts of the Privy Council, IX, 91, 233, 323-324; X, 412.
ship and doubtful legality, it acted promptly to relieve the poor tenant by, for instance, ordering an enclosed common to be thrown open again or requiring the encloser to appear before them. Moreover, the Council attempted to keep abreast of the movement toward the enclosing of common lands. The Justices of Assize were ordered to pay particular attention to disputes involving the use of common land and to solve them as soon as they should arise, "otherwise great inconveniences might ensue." In any event, however, the Justices were required to report to the Council upon the cases that came to their attention.

These attempts on the part of the Privy Council to help the small cultivator protect his common land rights were paralleled by attempts to keep the small cultivator on the land he worked himself. As in the case of disputes as to common land rights, the Council's attempts in this sphere were motivated by politico-economic considerations and tempered by legal factors. It was those who held land at the lord's will or by copy of the manor court roll that were mainly affected; persons holding land as free tenants were generally legally secure in their possessions during this period. The position of copy holders and tenants at will was often precarious unless the copy holder could prove that they had worked their lands "time out of mind;" otherwise they could expect little legal redress if they were ousted by their landlord.

Despite this generally unfavorable legal atmosphere, the Privy Council

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25 Ibid., 286.

26 Tawney, Agrarian Problem, pp. 34, 45-54, 281-310. See also Acts of the Privy Council, IX, 296.
sometimes exerted itself to protect the small tenant, especially in cases where it was felt that his eviction would harm the state. This consideration prompted the Council to interfere in a land dispute between the Dean and Chapter of Durham and its tenants. In the early part of 1576 the attention of the Council was called to the fact that the Dean was evicting certain persons from their holdings and replacing them with others. The Council asked certain local officials to investigate and submit a report and it also requested the Dean or his representative to appear before them in company with the representatives of the tenants. The Dean was also ordered to stop expelling tenants until the case was heard by the council.27

In May of 1576 the case was heard by the Council. It was found that the tenants' claim that they held their land by non-evictable tenure, or tenant right, could not be upheld. In consideration of the fact that these tenants did military service on the border, however, the Council ordered that no tenant was to be expelled, except for rebellion or other "notorious crime against the Prince or State," and that those tenants already expelled were to be restored to their holdings. Because the tenants had to relinquish their claim to hold by tenant right, the Council also formulated rules regarding the passing of possession from one member of the family to another when death claimed a holder.28 A stable structure of small cultivators in the border area was what the Council wanted and its action in this case was intended to support that structure.

27 Acts of the Privy Council, IX, 90.
Despite the care given to this case, however, the Council was unable to stop the Dean and Chapter of Durham from expelling tenants. The Lord President of the North had been ordered to see that the Council’s orders were formally accepted and recorded by the Dean and Chapter of Durham and then to enforce them, "as well for the ending of that strife as for the furtherance of her Majesties service upon the borders,"29 but the Council soon found it necessary to protest that its orders were not being carried out. On February 14, 1577, it wrote to the Lord President of the Council of the North that it had received information that the Dean and Chapter of Durham was still expelling tenants. In a somewhat tired tone, it told the Lord President that it had thought this sort of action had been put to rights long ago.30 On March 25, 1577, January 25, 1573, and June 23, 1573, it wrote letters again to the Lord President of the North in behalf of evicted tenants.31 These letters show a progressive weariness on the part of the Council with regard to their helplessness in getting the Dean and Chapter of Durham to obey their orders. In the last letter cited, it even requested "that if the pore man be not within the compasse of the said former order, yet, for chareties sake, he may be releived specially at their hands that make profession of Religion."32

In other cases of tenant eviction considered by the Council the military factor is not as clearly evident, but that of stability cannot be doubted. The Council did not like wholesale evictions and did not hesitate to order a land-

30 Ibid., 291-292.
31 Acts of the Privy Council, IX, 313; X, 151, 261.
lord to stop evicting his tenants and make his appearance before the Council to explain his actions in so doing. As stated before, however, its efforts were hampered by legal and political considerations of a complex nature, considerations often on the side of the landlord. In such an atmosphere, the Council’s actions took the general form of ordering the evictions to cease and attempting to reconcile landlord and tenants through an appointed commission. In some instances it reserved determination for itself or committed the case to the law courts. Evidence points to the fact, however, that this procedure failed to stop the movement toward the formation of the large estate through the dispossession of the small cultivator. Privy Council solicitude for the small cultivator—which even prompted it to form more than one commission to hear a case when the small cultivators refused to submit to the decisions of a previous one—failed before economic, legal, and political realities. As one lawyer wrote Burghley, copy holders were not, in general, legally secure and a Parliamentary

33 Acts of the Privy Council, X, 146.


bill was needed to correct the situation. This bill did not materialize and
the legal position of copy holders, and, therefore, the problem, did not im-
prove.

Because of interest in land as a source of profit and symbol of importance,
the Privy Council was also called upon to settle disputes concerning the trans-
fer of land ownership and use from one person to another. It interfered in
such disputes when it felt that one party could not bear the cost of prolonged
litigation or when an element of chicanery seemed to be involved. Thus, in
December, 1575, it instructed a judge to favor "Richard More of Bristol, that
he may obtain just judgement against John Roberts, who under colour of law had
illegally dispossessed him of his house and lands." In February of that year
it had also intervened in a similar case by writing to two justices that "for-
asmuche as no ende is made and the matter is to be tried before them as Jus-
tices of the assises, they be desired in case the matter can not be ended by
compromise which is thought most convenient" because of one of the disputant's
poverty, to assign this disputant "learned counsell to informe themselves of
his case, and to pleade for him, and to have regarde that the triall be made

37 Marcus Aurelie to Lord Burghley, [1575?], in Salisbury M38., II, 125;
Acts of the Privy Council, X, 389-390. See also Acts of the Privy Council, X,
231-235.

38 Acts of the Privy Council, VII, 142; VIII, 143, 151, 272, 333, 353, 359,
363; IX, 21, 23-24, 53-59, 63, 72, 86, 108, 144, 233-239, 259, 272-274, 284,
X, 23, 26, 29, 47, 60, 110, 111-112, 186, 191-192, 324, 333-334, 336, 339, 344,
345, 349, 352, 356, 376-377, 396-397, 403; Cal. State Papers, Domestic, I, 515,
611; Salisbury MS., II, 20.

39 Acts of the Privy Council, VIII, 286; IX, 51, 53, 158-159; X, 35; Cal.
State Papers, Domestic, I, 507, 521.

40 Cal. State Papers, Domestic, I, 507.
with all indifference. And in July of 1576, it ordered two justices to help "a poor man" obtain some redress outside of the law courts, because "by reason of his poverty he is not able to pur(r)erse by order of law."

Poverty or suspicion of trickery, however, were not the only reasons given by the Council for its interference in land title disputes. In many instances it intervened to preserve the peace and to prevent uncertainty from harming the tenants who worked the land that was in contention. Questions of lease renewals, license transfers, and stipulations of wills played an important part in this intervention. In one case, for instance, a lessee claimed the right of renewal according to the provisions of the will of the man who granted the land to the landlord and the Council investigated the affair accordingly. It could not get the landlord to renew the lease, however, and was forced to advise the trustees of the will to sue for non-performance and give whatever compensation was obtained to the man who could not get his lease renewed.

It is interesting to note that the Council also took steps to prevent government officials from being harmed by legal action while they were outside the country on government business and not able to act for themselves. In some

\textsuperscript{1}Acts of the Privy Council, IX, 93.

\textsuperscript{2}Ibid., 158-159.


cases, it ordered whatever trial was in progress to stop until the man returned. In others, it appointed persons to investigate and report back, so that it might take whatever action was necessary.\textsuperscript{46} Its concern for fair play can also be noticed in its efforts to make people live up to the land bargains they made and to help landlords collect their rightful rents.\textsuperscript{47} In these instances, as well as others, the Council exhibited a concern for both economic equity and legality.

Thus, the Privy Council interested itself in practically everything connected with the holding of land. It attempted to aid the small cultivator in his struggle against the growth of the large estate, but it received little cooperation from the class whose support it needed, the English country gentlemen. Indeed, members of this class were leaders in the movement toward the growth of the large estate.\textsuperscript{48} Furthermore, the Queen and members of her official family were implicated in the enclosure movement, and the Council itself found it necessary at one time to intrude upon the common rights of some tenants in the interests of national defense.\textsuperscript{49} Despite its interest in cases of common enclosure and eviction, therefore, the Council's attitude toward their economic re-

\textsuperscript{46} Acts of the Privy Council, X, 32-33, 153, 385-386.

\textsuperscript{47} Acts of the Privy Council, IX, 27, 64, 308-309; X, 35, 131-132. See also Cal. State Papers, Domestic, I, 509.


\textsuperscript{49} Acts of the Privy Council, X, 142, 159-161, 170-171; Salisbury MSs., II, 141.
sults can only be called one of expediency. The Elizabethan government de-
plored the movement toward the growth of the large estate with its correspond-
ing displacement of the small cultivator, but the Privy Council developed no
comprehensive and coordinated plan to stop or otherwise control it. The gov-
ernment's pro-agrarian legislative program with its concern for the maintenance
of tillage and the small cultivator was, consequently, not translated into
forceful and successful action.

This policy of expediency is also evident in the Privy Council's attitude
toward the timber resources of the country. The Council attempted to stop the
unjustifiable use of timber; it investigated reports of local scarcity; and it acted upon complaints, for instance, that iron works were eating up the timber
resources of a particular area to the detriment of its inhabitants; but it did not act according to any systematic and carefully conceived plan.

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52 Cal. State Papers, Domestic, I, 438, 470; Cal. State Papers, Foreign,
II, 176, 144-145.

53 Acts of the Privy Council, VIII, 123-124; IX, 195; X, 265-266; see also
Cal. State Papers, Domestic, I, 473, 474; Rye and Hereford MSS., pp. 56, 57.

54 Elizabeth's government did issue general directives to its agents asking
them to do everything possible to help conserve England's woods. At the same
time, however, the Council allowed wood to be exported.--Cal. State Papers,
Domestic, I, 140; Acts of the Privy Council, VII, 225-226; X, 214. See also
G. Hammersley, "The Crown Woods and their Exploitation in the Sixteenth and
Seventeenth Centuries," Bulletin of the Institute of Historical Research, XXX
Satisfaction of naval and military needs constituted its main concern and there was plenty of timber that it could use in this regard throughout the first twenty years of Elizabeth's reign. Its timber policy, therefore, was dominated by local considerations, and the main problems it acted upon were those of accessibility and transportation.

In contrast to its policy regarding the movement toward the growth of the large estate, the Privy Council did make a comprehensive and energetic effort to control the distribution and use of grain and other food items in favor of the consumer. Proper distribution of foodstuffs within England and control of the amount exported to help ensure a proper supply for internal distribution constantly engaged the attention of the Council throughout the first twenty years of Elizabeth's reign.

Extant records of the Privy Council testify that this attention was serious and organized. For one thing, the Council not only relied upon its ordinary agents to execute its policy, such as the Customers and Searchers of the Ports, the Justices of the Peace, Sheriffs, Mayors of towns, and others; it also used agents specially and carefully appointed to control the export of

foodstuffs. From them the Council received monthly reports of the food situation within each county and to them—the Council directed orders regarding the distribution and use of the available food supply within England.

According to the laws of the realm, for instance, grain could be exported if its price was below set price figures. When grain was plentiful, therefore, and the price below the established maximum, the Privy Council allowed it to be exported. Sometimes it stipulated that it could only be exported under license issued by the Lord Treasurer. At other times it left the determination of whether export should be allowed up to its agents. In many instances it issued export orders itself.

The content of these permissions to export indicates that exportation was profitable and that the privilege to do so was sought after. Thus, the Council

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cil was suspicious of requests from the Justices of the Peace for permission to allow exportation. It feared that grain would be exported to benefit a few and would result in hardship to many.67 While telling the Justices that it had to accept their word as local leaders that conditions were favorable for export, it hedged its permission with cautions against greediness and warnings to be careful to avoid scarcity.68 Sometimes it even ordered another person to watch the Justices of the Peace lest they use the occasion to enrich themselves.69

The Council also used the right of export to help people who were in economic difficulties or as a reward for service.70 It allowed some persons who had gathered provisions for the forces in Ireland, but which were now unneeded, to ship them overseas in order to avoid a monetary loss.71 At other times it allowed export so that a man could recoup his commercial position72 and it gave permission, "in consideration of his losses in the Queen's service,"73 to one or more others. Records also indicate that towns requested and were given the right to export in consideration of repairing of town walls and maintenance of harbors.74 It is interesting to note also that the Council sometimes allowed export upon condition that the exporter import a scarce item such as salt.75

69 Ibid., 335.
73 Cal. State Papers, Domestic, I, 507.
In times of dearness and scarcity—or when such conditions seemed likely—the Council itself suspended the export provisions of the laws,76 favored the importation of grain,77 and directed its agents to allow no grain whatsoever to pass beyond the borders of England.73 Thus, on September 29, 1571, it wrote letters to customs officials ordering them to allow no grain to be exported until further notice.79 Throughout 1573 and 1574, a period of great scarcity, it repeated these orders many times to various officials in different localities.80 Sometimes it even stopped shipments which had already received an export license. On June 1, 1576, for instance, the Council wrote to "the Commissioners for the Restraint of Grain of the counties upon the sea costes to suffer no corne to passe neither by licence nor without licence."81 In other instances it directed its agents not to allow foodstuffs to be exported to a particular country, as in 1576, when it ordered its agents to take steps to see that "no victuals be transported out of this realme into the Low Countries."82

Moreover, the Council attempted to control the movement of foodstuffs from

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80 Acts of the Privy Council, VIII, 85, 103, 104, 136; Salisbury MSS., II, 52, 61. For the restraint placed on other food items, see Acts of the Privy Council, VIII, 139, 226.

81 Acts of the Privy Council, IX, 133.

English port to English port and from county to county. In times of restraint, it directed its agents to allow internal shipments only under bond that such shipments would be made to a designated place within England. Moreover, this stipulation was usually made even when the Council itself licensed such shipments. It is interesting to note also that in one instance the Council ordered an investigation to be made of a request by the Justices of the Peace in Cumberland that they be allowed to import grain from other counties before granting its permission for such transportation. It did this because these Justices of the Peace were unknown to it and it wanted to make sure that "such relief as shall be meete to be granted may be faithfully implored onelie to the use of the countrey as in the petition is pretended."

In addition, the Council assisted London and other towns in obtaining a supply of foodstuffs for their inhabitants. As N. B. Gras has shown, London had to send its agents into non-adjacent shires to gather provisions for the city, and the Council often ordered its officials to provide a certain quantity of foodstuffs for them to bring back under bond. Other towns, such as Rye, Sandwich, Yarmouth, Lynn, and Aldborough, had a similar problem of supply, but

83Gras, pp. 223-229, 236; Salisbury MSS., I, 323; Acts of the Privy Council, VIII, 163. See also Cal. State Papers, Domestic, I, 474.
on a smaller and less frequent scale. To these the Council also granted letters of assistance. 89

In some of its orders in behalf of London, however, the Council was careful to explain that transportation was to be allowed only if scarcity would not be the result and food prices would not rise. 90 The Commissioners of Restraint were to see that no uncalled-for amount was transported and the gathering was to be done in a secret manner so that "it causeth not a furder dearth." 91 Moreover, the persons gathering the foodstuffs were to be screened and only "such as be auctorized by the Lord Mayour under the Seale of that Citee" were to be allowed to do so. 92 The Council took the position that it had to assist London, "in respect of a faire greater proporcion of corne spent there nowe by the increase of the Citee then heretofore hath been," 93 but that they did not want their assistance to bring scarcity or a price rise to a local area. 94 It was the Council's hope that its local agents would interpret its orders in this regard in the same spirit that the Council made them.

Sometimes, however, the Council felt it necessary to override concern regarding local scarcity. 95 Provisions for London, for the household of the


90Acts of the Privy Council, VIII, 143; IX, 299.


92Acts of the Privy Council, VIII, 143-144.

93Acts of the Privy Council, IX, 299.

94Ibid. See also Acts of the Privy Council, VIII, 145.

95Gras, pp. 109, 228; Acts of the Privy Council, VIII, 217. See also Acts of the Privy Council, VII, 309.
Queen, and for the military had sometimes to be gathered, whatever the result in local areas. The Council attempted to distribute the burden attached to these needs, but it felt that when the situation demanded it, local considerations had to be disregarded. When, for instance, it was necessary to gather provisions from a certain area for the navy, it required its local agents to exert every effort to gather such provisions, notwithstanding the likelihood of scarcity in that area.

There is no doubt, however, that provisioning of the Queen's household, of London, and of the military—in ships, in Ireland, and elsewhere—was a burden to local authorities and somewhat of a problem to the Council. Under color of gathering provisions for government use, for instance, foodstuffs were gathered for private sale and the gatherers sometimes created disorder by their zeal or rapaciousness. When given information that such things were happening, the Council investigated and sought to punish those responsible.

These attempts to control the export and national distribution of foodstuffs were complemented by orders dealing with the distribution of foodstuffs

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within local areas. Laws were in existence, for instance, which required that anyone practising the trade of a middleman had to meet certain qualifications and be licensed by the Justices of the Peace. These laws were intended to prevent the engrossing and forestalling of grain and other food items within a particular local area, and so allow the free flow of foodstuffs from producer to consumer. They were complemented by town ordinances which also attempted to prevent thecornering of the town food supply by an individual or groups of individuals and tried to give the consumer—especially the town poor—the right to buy grain in an open market from a plentiful supply, at reasonable prices. These regulations were wholeheartedly supported by the Council.

Thus, on May 29, 1573, the Council wrote to the Sheriff and Justices of the Peace in Hertford to take steps to see that corn was brought to the markets and "that it be sold without discet to enhance the prices, that no fermours be sufferid to buye, nor badgers, and to ordeine punishments to soche as shall breake their orders in that behalf." On October 24, 1574, it wrote to the Sheriff and Justices of the Peace in Derbyshire giving them directions for regulating the sale and price of corn. Other letters directed local officials to take action against those breaking the law and requested that restraint

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103 Holdsworth, IV, 375-379.

104 Gras, pp. 90-93. See also Cal. State papers, Domestic, I, 250.


be exercised relative to the issuing of licenses to middlemen.\textsuperscript{107} The Council even went so far in one instance as to order the Justices of the Peace of one county to call in all licenses given to middlemen, "who unordinately, by procuring hands from one Justice of Peace to another, bought up corn to sell it dearer again."\textsuperscript{108} These Justices were also ordered at their next Quarter Sessions to issue only so many licenses as they should think convenient and to publish the names of those given licenses in every town to the end that by forestalling, regrating, "or other corrupt practices," the price of corn would not be raised.\textsuperscript{109} In other instances, the Council interested itself in the quality of food sold to the people. On March 20, 1578, for instance, it directed the Treasurer of the Queen's household and the Master of the Rolls "to examine certain defaultes or bred within the Citye of London and Liberties adjoyninge."\textsuperscript{110}

In this spirit, other food items were also regulated by the Council. The manufacture and distribution of beer was controlled, mainly because of its effect upon the grain supply. In the early part of 1577, for instance, the export of beer was prohibited because it was believed that production for the export market was enhancing the price of grain.\textsuperscript{111} At the same time, the supply of grain that the brewers could avail themselves of for the domestic trade was severely limited by rules regarding the types and quantity which they could use

\textsuperscript{107}\textit{Acts of the Privy Council}, VIII, 192.

\textsuperscript{108}\textit{Ibid.}, 197.

\textsuperscript{109}\textit{Ibid.}, 197.

\textsuperscript{110}\textit{Acts of the Privy Council}, VIII, 213. See also \textit{Salisbury MSS.}, I, 357.

\textsuperscript{111}\textit{Acts of the Privy Council}, IX, 280; \textit{Salisbury MSS.}, II, 147.
for their brewing. 112 The retail sale of game birds as poultry was even pro-
hibited, and also the hunting of such birds with "nettes and other gynnes," be-
cause of the threat of scarcity.113 The Council even concerned itself with the
maintenance of monopolistic markets for certain items and ruled on the price an
innkeeper could charge for a meal and a drink.114

Thus, the Council attempted to exercise supervision over almost every dis-
tributive channel of English foodstuffs. In this attempt it did not act with-
out knowledge. It went to great lengths, for instance, to ascertain prevailing
situations in local areas. Its county agents were ordered to visit the towns
and ports of their areas to check the supply of grain and other food items on
hand, to find out what amount had been recently exported, to what places and by
what authority, and what had been imported into the area.115 Moreover, it had
the Sheriffs call together juries to make presentments of the situation in
smaller areas, and it used the machinery of the General Sessions and the Quar-
ter Sessions to obtain information.116

Furthermore, the Council's efforts to control the trade in grain and other
food items had a certain amount of public support behind it.117 London, for
instance, wholeheartedly supported both its attempts to control the export of

113 Acts of the Privy Council, X, 39, 72, 81-82, 330.
114 Acts of the Privy Council, VIII, 335; X, 316. See also Acts of the Privy
Council, IX, 344; X, 339, 410-411.
Papers, Domestic, I, 519.
117 Cal. State Papers, Domestic, I, 253, 449, 559.
grain, and its favorable attitude toward importation. The Lord Mayor often wrote to the Council in support of a policy of prohibition and even sent his own agents to check reports of non-compliance with restraint orders. As a growing city, London wanted grain to come to it and not be transported overseas out of the counties. The Council, which was sensitive to London's wants, went to great lengths to ascertain its needs and often helped the Lord Mayor to provision the city.

In addition, letters were written to the Council from other localities requesting that the export of grain be prohibited. These letters gave information about the food supply situation in the writers' area and sometimes pointed out weaknesses in the Council's system. Acting upon this information, the Council was able to increase the effectiveness of its regulations. All in all, the Council had many good sources of information and it tapped them all.

Despite forceful orders based on excellent knowledge, and a certain amount of public support, the Council was unable completely to control the trade in

118 Gras, pp. 223-229. See also Cal. State Papers, Domestic, I, 603.

119 The Lord Mayor of London to Lord Burghley, May 10, 1573, in Queen Elizabeth and Her Times, II, 478; Gras, p. 225. See also Acts of the Privy Council, VIII, 107; Cal. State Papers, Domestic, I, 449.

120 Gras, p. 225.

121 Ibid., pp. 222-223.


123 Tudor Economic Documents, I, 156-161.

124 See pp. 30-32.

125 Cal. State Papers, Domestic, I, 252, 253-263, 460, 477, 508. See also Cal. State Papers, Domestic, I, 527.
foodstuffs. It could not, for instance, completely control the export of grain. It checked the reports of its county agents against those of the customs officials in this regard and organized its system so that one set of officials checked the other, but still it could not completely stop the export of grain from the numerous creeks and havens of England. The customs officials in the ports sometimes countermanded the licenses to export given by county agents when export was prohibited and a corrupt customs official was sometimes uncovered, but still grain was exported. As one writer put it, the Council planned well, but the execution of its orders was not all that could be desired. Perhaps this was so because the agents it had to rely on were, as another correspondent put it, "dumb dogges, being corrupted with offam Cerberi."

In its attempt to control the internal distribution of foodstuffs, the Council also could not claim complete success. This is evident from the orders sent to the Sheriffs, Justices of the Peace, and Justices of Assize to apprehend and try offenders against the pertinent laws of the realm and corresponding Privy Council orders.

129 Acts of the Privy Council, VIII, 103, 150.
130 Salisbury MSS., II, 70.
131 Sir Thomas Challoner to Sir William Cecil, September 27, 1559, in Queen Elizabeth and Her Times, I, 10-11.
It is interesting to note, moreover, that the Council sometimes ran into opposition on the question of the extent of its powers and those of its instruments. Customs officials sometimes complained that the special agents appointed to control the export of grain were exceeding their authority. Furthermore, the Council sometimes felt compelled to explain to the gentlemen of this or that county the spirit behind its orders and by what authority it made them. On December 15, 1565, for instance, it explained to certain questioners that the Queen had given her warrant to it (or any six of its members) to license the export of grain since the Queen was not able to sign every letter pertaining to such matters. And, on November 27, 1573, it replied to a letter from Devon, "in which there was a declaration touching a scruple conceived that the Statute of Navigacion made in quarto Regis Edward shuld by ... Commission (of restraint) be taken away," that such was not the intention of the Council. They stated in their letter that "this restrainte was made in this tyme of dearth and scarcity amongst her Majesties subjectes, so here after in tyme of more

133 Cal. State Papers, Domestic, I, 263, 264.

134 Ibid., 449. See also Acts of the Privy Council, IX, 312.
store they might transporte ... according to the said Statute."136

Thus, the question of supply was the main factor in the Council's attempts to regulate the trade in foodstuffs. However, it was the problem of supply on a local level—rather than the development of national distributive channels—that most concerned it. The Council was sensitive, for instance, to complaints by local groups of scarcity in their areas and favored their requests for local embargoes.137 At other times it reprimanded its county agents for allowing grain to pass from county to county and ordered them "to have care to the provisions of their owne county, and not to suffer any (grain) to passe to any other shiere" unless they received word "from the justices that they have need thereof for their relief."138 The Council did not intend that one area should starve while another basked in abundance,139 but neither did it want one area demuded of its grain supply for the benefit of another.140 It sometimes violated this principle by its solicitude for the needs of London, the household of the Queen, and the military, but on the whole its actions were not based on a policy of favoring supplier adjustment to the market. Its actions, therefore, were not altogether consistent with the government's parliamentary position.141


140Acts of the Privy Council, IX, 155-156.

141Gres, p. 229.
CHAPTER III

INDUSTRY AND DOMESTIC TRADE

During the first twenty years of Elizabeth's reign, the Privy Council participated in six aspects of English industrial development. It tried to inspire satisfactory enforcement of the laws designed to foster certain English industries and to control the growth of others. It attempted to regulate the trade in raw materials, it made rules for the sale of finished goods, and it intervened in commercial relationships to preserve harmony and the quality of English products. At the same time, it exercised its influence and authority in favor of new industrial establishments deemed essential for the welfare of the state.

The Privy Council attempted, for instance, to secure satisfactory enforcement of a law passed in 1563 benefiting the fishing industry. This law imposed restrictions upon foreigners in the English fish market, removed restraints upon the export of fish, and provided for the compulsory eating of fish in certain proportions on Wednesdays and during Lent.¹ Its object was to expand the domestic market for English-caught fish and thereby increase the number of English ships and mariners engaged in the industry. The government championed its passage through Parliament, against considerable opposition, in the belief

that it would enhance the military position of the country by strengthening the
navy. A flourishing fishing industry, it was thought, would provide a reservoir
of trained men and suitable ships that could be tapped for naval duty as need-
ed.\(^2\)

In support of this idea, the Privy Council wrote letters to local officials
throughout the realm ordering them strictly to enforce the provisions of the
law.\(^3\) The Lord Mayor of London, for example, received many of these letters.
On March 14, 1564, the Council wrote ordering him "to make proclamation for
keeping of Lent, . . . to appoint some butchers for the sick, and to see com-
mon tables and victualing houses not to abuse the law."\(^4\) Another letter was
sent to him on February 9, 1566, containing similar admonitions. He was to ap-
point certain men to handle meat during Lent "to the extent that such personnes
as be or shalbe notoriously sickes may not be unprovided of fleashe," but he was
to see that no other Londoner handled or ate meat on fast days during the lenter
season.\(^5\) The Council, however, later ordered him to license the butcher of the
French ambassador to handle meat for the sole use of his master.\(^6\)

In 1572, the Council appealed to the Lord Mayor's sense of duty in an at-

\(^2\) Eliz., c. 5. Statutes of the Realm, IV, pt. I, 427; Salisbury MSS., I,
165; Cal. State Papers, Domestic, I, 220-221, 233; Heckescher, II, 34-35; Lipson,
III, 117-118; Read, Cecil, pp. 271-277; J. E. Neale, Elizabeth I and Her Par-
Council, VII, 206.

\(^3\) Acts of the Privy Council, VII, 327-328. See also Rye and Hereford MSS.,
p. 40; Cal. State Papers, Domestic, I, 512.


\(^5\) Ibid., 325-326.

\(^6\) Acts of the Privy Council, VII, 330. See also Acts of the Privy Council,
IX, 62, 300.
tempt to achieve strict enforcement. On March 11, 1572, they sent letters to the Justices of the Peace and Sheriffs of various counties ordering them to see that their localities observed the rules concerning meatless days. Privy Council records indicate that similar letters were also sent to the Lord Mayor, the Justices of Assize, and other county officials in 1574, 1575, 1576, and 1579.

Despite its many letters, however, the Privy Council was unable to inspire strict enforcement of the law passed by Parliament to benefit the fishing industry. Butchers continued to handle meat during Lent and other provisions of the law were violated. As early as 1572, the fishermen of Rye brought this situation to the attention of the town's representatives and urged that Parliament be persuaded to pass a new law "for the mayntenance of the fishermen of this realm." Writers interested in the fishing problem echoed this request. In 1581, Parliament did pass another law which confirmed the widespread non-observance of the old, but which attempted again to stimulate the English fishing industry by restricting the domestic market to fish caught by

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8 Ibid., 74.
10 Cal. State Papers, Domestic, I, 609, 111; Lipson, III, 120.
11 Rye and Hereford MSS., p. 18.
12 Robert Hitchcock, "A Polite Plat for the honour of the Prince, the great profit of the public State, relief of the poor, preservation of the rich, reformation of rogues and idle persons, and the wealth of thousands that know not how to live" (London, 1580), in An English Garnet, Social England Illustrated A Collection of XVIIIth century tracts, intro., Andrew Lang (New York, [1903]), P. 71, 93; Lipson, III, 148-150. See also Cal. State Papers, Foreign, VII, 528.
Enforcement failure of the first law did not mean abandonment of the principles on which it was based.

From 1575 to 1578, the Privy Council was also involved in attempts to secure satisfactory enforcement of the laws designed to aid the English cap-making industry. In the sixteenth century, locally made hats were being driven from the market by foreign manufactured hats of more exotic materials. This change of fashion assumed the proportions of a serious social question as more and more English cap-makers became unemployed. In the first twenty years of Elizabeth's reign two laws were passed to remedy the situation. The first, enacted in 1566, restricted the type of cap an Englishman could wear according to his station in life. The second, passed in 1571, ordered every English subject above six years of age, except ladies and gentlemen, to wear caps of wool on Sundays and holidays.

As in the case of the law made to benefit the fishing industry, a captive market was to be used to stimulate the English cap-making industry.

The English cap-making industry, however, was not stimulated by these laws. In 1575 the cappers of Lichfield testified to this fact by petitioning the Queen for a commission to execute the laws and asking that the fines that would be

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14 George Unwin, Industrial Organization in the Sixteenth and Seventeenth Centuries (Oxford, 1904), pp. 71-72. The decline of the Cappers in Chester, however, was balanced by the rise of the Company of Glovers. George Unwin, Industrial Organization, p. 72; R. H. Morris, Chester in the Plantagenet and Tudor Reigns ([Chester], [1893]), pp. 404n., 461n.

collected be given to them because of their poor and needy condition. The Queen granted their request and the Privy Council was ordered to see that the necessary arrangements were made. It in turn commanded the Solicitor General to draw up the necessary papers, cautioning him "to take care thereof and to dispatch the suitours with as good expedicion as may be."

In 1578 the Council was confronted with the problem of enforcing the cap-wearing laws in Wales and the territories immediately adjacent to it. Two men held a patent from the Queen giving them the right to execute the law for the benefit of the poor cap-makers, but had been denied permission to exercise this right in the Wales area by the local authorities, "unless they could bring farther warrant from their Lordships." The patentees appealed to the Council for this warrant and were told that they had to convince the Council of their honesty under the original patent before additional authority was given to them. In order to convince the Council, they had to present testimony that they had given the poor cappers of the places where they had executed the law their rightful share of the forfeitures collected according to the patent.

On October 11, the Council wrote to the Vice-President and Council in the Marches of Wales that the required testimony had been presented to them and therefore the patentees should be allowed to execute their patent in the area under the jurisdiction of the Council of Wales, "so long as they shall behave them selves as appertaineth." The very next day, however, the Council ordered

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16 *Salisbury MSS.*, II, 116.
19 Ibid., 341.
the Sheriff of Norfolk to apprehend one of the patentees for abuse of his authority, "taking from him his said Letters Patentes, and to sende them, togeth-
er with his personne, unto their Lordships under safe garde." In their let-
ters to the Vice-President and Council of Wales and the Sheriff of Norfolk the Council had explained that the Queen had granted the patent for the execution of the 1571 law in the belief that it would help the cap-makers, but it is evident that satisfactory enforcement of this law was not obtained by this de-
vice, or by the Council's interest in its proper execution.

In contrast to its solicitude for the cap-makers, the Privy Council also tried to secure satisfactory enforcement of the laws against the rural cloth-
making industry. During the 1550's, a series of laws were passed by Parliament to check the exodus of weaving from the towns. The Weavers' Acts of 1555 and 1558, for example, stipulated that clothiers were in the future to establish themselves only in towns or places where the clothing industry had been carried on for ten years. They also limited the number of looms country clothiers and weavers could possess and prohibited their hiring out looms to others. In 1563 these restrictive laws were climaxed by the famous Statute of Apprentices which attempted to stop the growth of the rural clothing industry by restrict-

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21 Ibid., 340.
ing its labor and trainee supply.\footnote{24} Under this act, the mobility of rural workers was narrowed in favor of agriculture and the number of apprentices that a rural weaver could retain was limited to his sons or the sons of parents having "landes (etc.) to the clere yerely value of three poundes at the leaste of an estate of inheritance or freehold \ldots \ldots "\footnote{25} Rural weaving also came under a provision of this law which prohibited anyone "to sett up occupy use or exercyse any craftes \ldots nowe used or occupied excepte he shall have bene brought uppe therin seven yeres at the least as Apprentice \ldots \ldots "\footnote{26}

These laws, however, could not put back the clock. The cloth-making industry had experienced boom conditions in the first half of the sixteenth century and rural cloth-making had so established itself in some parts of the country that it could not be eradicated.\footnote{27} Cumberland, Lancaster, Westmoreland, and Wales, for example, were exempted from that part of the law limiting the class from which the rural weaver could draw his apprentices.\footnote{28} As the years passed, other sections of the country were also granted exemptions from


\footnote{26} Ibid.


various provisions of the laws.\textsuperscript{29} The spirit of these laws, however, remained in force.\textsuperscript{30}

There seems to be no doubt, moreover, that responsible opinion supported the spirit behind these laws.\textsuperscript{31} The multiplication of people engaged in the clothing industry seemed to pose a threat to the stability and well-being of the realm. Prosperity occasioned a weakening of the class structure—which was deplored—and periodic depressions produced unemployment riots and the grave danger of widespread rural disorder.\textsuperscript{32} During Elizabeth's reign, for instance, there were clothing riots in Essex and Suffolk necessitating Privy Council action.\textsuperscript{33} At one time, the Spanish ambassador reported that the rioters were in contact with other sections of the country having a rural clothing industry.\textsuperscript{34} Disorder, the nightmare of Elizabethan statesmen, seemed to be connected with


\textsuperscript{33} Cal. State Papers, Simancas, I, 570-571; II, 179-180, 181, 182; Cal. State Papers, Domestic, I, 270.

\textsuperscript{34} Cal. State Papers, Simancas, I, 570-571.
depression conditions in the clothing industry.\textsuperscript{35}

To meet this situation, therefore, the Privy Council followed a policy of requiring employers to retain their workers in periods of depression\textsuperscript{36} and attempting to control the number of people that would be affected by such conditions.\textsuperscript{37} At the same time, it recognized that an ideal of a stable, predominantly agricultural community, could not be realized in its entirety and that modifications of existing laws were necessary to prevent the baleful spectacle of widespread evasion and hardship.\textsuperscript{38} Insofar as the Council faced up to this problem, it admitted the impracticality of this ideal.

Available evidence indicates, however, that the provisions of the Statute of Apprentices affecting rural industry were enforced.\textsuperscript{39} There were many prosecutions for failures to carry out its regulations in the courts of quarter sessions, held by the Justices of the Peace in the county assizes, and in the common law courts at Westminster.\textsuperscript{40} Moreover, the Council supported the actions of persons, half common informer, half amateur inspector, who enforced the laws with the hope of making a profit. Part of the fines levied upon their

\begin{itemize}
\item \textsuperscript{35} \textit{Salisbury MSS}, II, 251.
\item \textsuperscript{36} \textit{Cal. State Papers, Domestic}, I, 243.
\item \textsuperscript{37} Through its support of laws which embodied this principle. See "Reasons to move a forbearing of the restitution of the intercourse to Antwerp," pp. 145-147.
\item \textsuperscript{38} Hackescher, I, 233-239; Unwin, "Merchant Adventurers' Company," p. 189.
\end{itemize}
victims when they were convicted were usually given to them as compensation for their services.\textsuperscript{41}

One such common informer and amateur inspector was a man named Peter Blackboro. In 1575, the Privy Council gave him a circular letter to the Justices of the Peace informing the Justices that he had the Council's permission to search for violations of the clothing laws.\textsuperscript{42} Blackboro, however, soon ran afoul of the Justices of the Peace in Dorset and Somerset. They protested to the Lord Treasurer, Burghley, against his exactions and the Council had to call both parties before them to settle the dispute. As a result of this hearing, a general pardon was issued covering the cloth-makers involved and the Council felt it necessary to start amendment proceedings with regard to the Weavers' Act of 1558.\textsuperscript{43} In 1576, Parliament so modified this law that all those parts of Dorset, Somerset, and Wiltshire in which cloth-making had been carried on for ten years were exempted from its operation.\textsuperscript{44}

The interesting part about this case, however, is the Council's efforts to secure compensation for Blackboro. Since the general pardon and the subsequent modification of the Weavers' Act of 1558 had deprived him of his chance to realize a profit through legal action, the Council ordered that the clothiers of the three counties involved contribute something toward the expense incurred by Blackboro in enforcing the laws. The Council's first order was dated May 8,

\textsuperscript{42}Unwin, "Merchant Adventurers' Company," p. 189.
\textsuperscript{43}\textit{Acts of the Privy Council}, IX, 16, 73, 121.
On September 18 and 19, it gave a similar order. On October 25, it explained to its local agents that contributions were to be taken from all the clothiers in the three shires, rather than from only those mentioned in his suits. In January, 1577, the Council ordered the matter to be considered at the next Quarter Sessions, where the Justices were to "either accomplish their Lordships' request, or else certify what causes they have to the contrary." On June 1, 1578, they wrote another letter to the local authorities in which they stated that they marveled that nothing had yet been done for Blackboro. Blackboro had informed the Council that their letters in his behalf had been opened and read, and then given back to him without action being taken, and the Council sarcastically wrote "yet for that it maye be that eythere the partee delivered not the letters unto them or else followed not his suit as he should have done, they are required uppon receipt and perusinge of their Lordships' said former letters, presently sent unto (them) by one of the Messengers of her Majesties Chamber" to act accordingly, reporting their actions to the Council. If they did not follow the Council's orders they were to explain the reasons for their refusal and advise "by what other means they thincke this poverty maye be relieved." There is no evidence to indicate, however, that Blackboro ever received any contributions from his intended victims.

Another device employed by the Council in an attempt to secure satisfac-

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45 Acts of the Privy Council, IX, 121.
46 Ibid., 205.
47 Ibid., 220.
48 Acts of the Privy Council, IX, 263.
49 Acts of the Privy Council, X, 238.
tory enforcement of the laws against rural industry was that of the special ad-
visory commission. On February 6, 1577, the Council wrote to "Sir Henry Sherr- 
ington, Sir Henry Knyvett, Mr. Jasper More and Mr. John Fenraddock, or to any
ij or two of them," asking them to investigate the decay of cloth making in
various towns. They were to ascertain the cause of this decay consulting "able
and sufficient persons that have knowledge therein and speciallie by Peter
Blackborowe," and then they were to advise the Council how the situation could
be redressed.50 Eight months later, on September 9, the Council sent another
letter to Sir Henry Sherrington, Sir John Davers, Sir John Soucha, Sir James
Maryn, knightes, in the county of Wilteshire," telling them that "her Majestie
is crediblie informed that through the not putting in execucion the lawes con-
cerning clothiers and clothe making diverse townes of this realme are latelie
decayed, the inhabitauntes and artificers living by the same greatly spoiled
and impoverished, the realme by those defaults dishonered, and her Highnes de-
frauded of her custome heretofore had by the same." Therefore, the Council de-
sired these men to investigate and advise how the situation could be corrected
by consulting those clothiers "as can and will open thabuses thereof, and espe-
cially one Peter Blackborowe, who by his often complainte . . . hathe ben an
humble suiter to have the same reformed."51 On the same day, letters of a like
sort were also sent to men in Gloucestershire and Somersetshire.52

From these letters, it is evident that the Council was not satisfied with
the enforcement of the clothing laws. Despite indictments, trials, and convic-

50 Ibid., 157-158.
52 Ibid., 29.
tions of offenders on all levels of the court structure, compliance had not been secured. Contemporary writers claimed that the laws were good, but they were not properly executed. On the basis of the Privy Council's actions with regard to the attempted execution of the laws in Dorset, Somerset, and Wiltshire, it is possible to say that circumstances did not favor rigid application. Moreover, it would appear that the Privy Council believed this to be true, for it did not attempt to enforce the clothing laws in a doctrinaire manner. Despite its dissatisfaction with the existing situation, the Council felt it necessary to seek advice on how the laws could be enforced; it did not try to execute them by fiat. In seeking this advice, and then acting accordingly, the Council bowed to the politico-economic realities of the age and let expediency dictate its policy.

This approach to the problem of economic law enforcement was also used by the Council with respect to the domestic trade in raw materials. It was a principle of Tudor economic policy that the artificer should have first claim to the raw materials used in his trade. As was the case with the trade in foodstuffs, therefore, the activities of middlemen were restricted by a whole series of enactments. These enactments were based on the belief that middle-


54The Council recognised that the manner in which these laws were observed was largely dictated by custom and that a variety of enforcement practices had to be tolerated.—Eyre and Hereford MSS., pp. 45-48, 335; Lipson, III, 283.


563 & 4 Edw. VI., c. 9, 5 & 6 Edw. VI., c. 7, 5 & 6 Edw. VI., c. 15, 1 Mariz., St. 3, c. 8, 1 Eliz., c. 8, 1 Eliz., c. 9, 1 Eliz., c. 10, 5 Eliz., c. 8, 8 Eliz., c. 11, 14 Eliz., c. 4, 18 Eliz., c. 9, Statutes of the Realm, IV.
men operated solely for private gain and were, because their operations seemed to narrow supply channels and increase prices, a general hindrance to those that had to convert raw materials into something else in order to earn their living. 57

Because of this belief, for example, the activities of wool merchants were watched closely by the Council. It made a point of warning wool buyers to conform to the spirit as well as the letter of the laws, and it ordered local authorities to punish those who refused to conform. On October 31, 1576, for example, it sent two special messengers "to warne certain wolles buyers within the Cities of London, Northampton and other places to appere before their Lordships, those of London within iiiij 67 daies after the admonicion and the other within vj daies." 58 In July of 1577, it sent letters "into sundry shieres of the realme for the restrainte of certen brogers and others disorderly buying and forestalling of wolles." 59 On September 2, 1577, it issued orders for the punishment and appearance of certain men who had acted contrary to the regulations set down for the buying and selling of wool. 60

In its orders of September 2, 1577, the Council's position with regard to the buying and selling of wool is clearly revealed. It ordered men to be punished because they had purchased wool with the intent of selling it again "with

60 Acts of the Privy Council, X, 2h-25.
in the realm at higher prices, to the great decrease of clothing... which if it should not in type be refounded might breed great inconvenience to the whole realm." It ordered other men to make their "undelayed appearance" before the Council because they too had purchased wool for resale at enhanced prices "to the impoverishing of the clothiers them selves and a great number of any personers and other poor people, whose only maintenance depended upon making of clothes." Moreover, the operations of these men were disliked because they were performed for the operator's "most privat gains and commoditie, contrarie to the lawes and orders in that behaulfe provided." 

Other evidence, however, indicates that the Council realized some toleration had to be accorded middlemen or the economic wheels of certain areas would not be able to turn. In this realization it followed the example of Parliament. During the reign of Edward VI and that of Philip and Mary, Parliament had passed acts legalizing the activities of middlemen who supplied wool to the clothiers in the Norwich and Halifax markets. It may reasonably be inferred from this that in these centers, the majority of the large class of independent manufacturers living there owed their continued business existence to the credit furnished them by the wool dealer. The Privy Council was cognizant of the part played by the supplier in keeping people at work, for on February 3, 1577, 

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61 Ibid., 24-25. See also Acts of the Privy Council, X, 31.

62 At the same time, the Council was cognizant of the fact that its restrictive policy was not working despite its orders, and it asked the Staplers for advice on how the situation could be remedied.--Acts of the Privy Council, IX, 366.

63 Ed. VI., c. 6, 2 & 3 Phil. and Mary, c. 13. Statutes of the Realm, IV, pt. I, 11-12, 288.

while it was attempting to enforce the regulations of restraint, it issued a
general order confirming an exemption granted by the Queen to Norwich for the
"buying of fine woles to be employed in the townes for the setting of pore men
a worke."65

Thus, as in the case of the clothing laws, the Council found it necessary
to make exceptions to what was regarded as sound and orthodox policy.66 In
many cases this power to make exceptions was delegated to a company or an indi-
vidual, either as a reward for past services to the Crown or for a stipulated
price.67 Needless to say, the person or company to whom this power was dele-
gated expected to make a profit from it, and relief from economic laws diffi-
cult to apply came to be contingent upon the payment of a fee.68

Under this arrangement, for instance, exceptions were made relative to
laws dealing with the leather trade. The leather industry was subject to re-
strictions rivalling that of the clothing industry and persons engaged in the
handling of leather found it very difficult if not impossible to adhere to the
laws designed to control their trade.69 At first, the Privy Council attempted
to enforce these laws, but in the middle 1570's, dispensations had to be grant-
ed in order to prevent open defiance of both the Privy Council and the laws.

p. 12; Lipson, III, 354-356.
68 Price, pp. 12-1h.
69 1 Eliz., c. 8, 1 Eliz., c. 9, 1 Eliz., c. 10, 5 Eliz., c. 8, 8 Eliz.,
c. 1h, 1h Eliz., c. 1h, 18 Eliz., c. 9. Statutes of the Realm, IV, pt. I, 368,
369-370, 370-371, 429-436, 497, 590, 619-620; Rye and Hereford MSS., p. 57;
In 1574 and 1575, the Council wrote local officials that restrictions regarding the leather trade should be eased and that leather dealers should be made to post bonds for the observance of these easier conditions. In 1575 it informed its agents that the Queen had granted one Edward Dyer the right to make exceptions relative to the leather laws and that arrangements should be set up so that Dyer could administer his grant. On February 16, 1576, for instance, the Council wrote "to all Mayors, Bailiffs and head officers of Cities and others which have or shall have the appointments of searchers and sealers of leather" to bond these searchers and sealers not to allow any leather to pass that was not "well wrought, sufficiently tanned, and by the wrytings indented of the said Edward Dyer, or his Deputie or Deputies, accordinge to her Majesties letters patents to him granted." Of course, Dyer's "wrytings indented" could only be obtained for a price.

Exceptions regarding the retailing of goods were also regulated by letters patent. In at least one instance, however, the Council was unable to control a patentee and had to accept a situation not envisioned when the patent was granted. This instance involved the retailing of imported wines.

On January 3, 1575, the Council wrote to the Lord Mayor of London that he

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71 Acts of the Privy Council, IX, 89, 267; Rye and Hereford MSS., 57. See also Cal. State Papers, Domestic, I, 500.

72 Rye and Hereford MSS., p. 57.

73 Price, p. 114.


should "cause bandes to be taken with expedicion to her Majesties use of the vinteners within the Citie, that none of them shall sell any wines of Spaine above xxli the tonne and wines of France not above xvijli the tonne, and that none be admitted to sell wines that shall refuse so to be bounde." Dealers in French wines were again singled out near the end of this letter. If they refused to conform "to the prices aforesaid," the Lord Mayor was not to license them "to sell any wines by retale or in gross till they shalbe licensed by their Lordships."76

Exactly a year later, the Council again ordered that French wines should not be sold above prices established by the government. On May 19, 1576, it repeated this second order in letters to the Sheriffs, and other officials of Essex, Suffolk, Norfolk, Sussex, Southampton, Dorset, Somerset, Devon, Cornwall, Lincoln, York, and Chester.77 Six days later, however, the Council had to deal with a case involving the violation of its wine sale orders. In retrospect this case marked the beginning of the end regarding its attempt to control the retail price of French wines.

On May 25, 1576, the Council found some London merchants guilty of selling French wines above the established price. These merchants were committed to the Fleet and fined 10 shillings for every "pce of wine" sold above the set rate. On the same day, the Lord Mayor was ordered to do likewise with other offenders.78 Two days later, this order to the Lord Mayor was repeated.79

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78 Ibid., 128-129.
July 15, 1576, moreover, the Council sent instructions to the Lord Mayor and Aldermen of London dealing with arrangements that were to be made for enforcement of the Council's wine sale orders within the city.\textsuperscript{80} Despite these attempts to obtain conformity with the government's wine price regulations, however, London merchants continued to sell French wines above the established rate.\textsuperscript{81} In this activity, the Vintners' Company played the leading role.

The position of the Vintners' Company was a straightforward one. They held a patent giving them the right to control the French wine trade for their own account and to sell such wines without limitations as to price. In selling their wares above the established rate, therefore, they were only acting in accordance with the provisions of their patent.\textsuperscript{82}

Of course, the Privy Council opposed the position of the Vintners. The Vintners' patent could not be recognized as having more authority than the Council's orders. On July 30, 1576, the Council wrote to the Master and Wardens of the Vintners' Company that the Company's actions in doubling the price of wine without reason under cover of the grant given them by the Queen had "given her Majesty good occasion utterly to revoke her grant made unto them." Therefore, the Master and the Wardens were to report to the Master of the Rolls to post bond that the Company would not sell wines above the established rates and that any member found doing so would be disfranchised.\textsuperscript{83} Individual bonds were also to be taken from each member of the Company and each retailer was to

\textsuperscript{80}Acts of the Privy Council, IX, 164.

\textsuperscript{81}Ibid., 261, 283.

\textsuperscript{82}Acts of the Privy Council, IX, 176-177.

\textsuperscript{83}Ibid.
be bonded "in the somme of a s\$ to her Majesties use for the observacion of
... the prices of wines to be sold by retaile." Because they were bonded
the Council hoped that "the said Wardens shall be provoked to looke more dili-
gently to their charge, and the retailers to be the more terrified to attend" against the government's price policy.

These arrangements, however, did not stop the upward spiral of wine prices
and the Council attempted to reinforce them with others. Customs officials
were ordered to bond merchants at ports of entry that the wine these merchants
were bringing into the realm would be sold below the governmental maximum. The Customers of London were also ordered to report to the Council on the
amount of wine brought into London "by merchauntes as by the Vinteners," and
the Lord Mayor was directed to use the Customers' report to investigate how and
at what price this wine was retailed. On February 3, 1577, the Council sent
a letter to the Lord Mayor admitting that merchants were not observing the wine
maximum and asking him again to enforce energetically the wine price regula-
tions. Eight months later, on October 12, the Council asked the Lord Mayor
to advise merchants preparing to bring wine into England from France that the
Council expected them to observe the wine rules. The Council stated that these
rules would be enforced and that merchants would have to take the consequences
if they attempted the voyage and afterwards were found not to be observing the

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85 Ibid. See also Acts of the Privy Council, IX, 192.
87 Ibid., 261.
88 Ibid., 283.
laws, "being thereof advised before hande."\(^{39}\)

Although superficially firm, this last letter to the Lord Mayor really represented a weakening of the Council's position regarding the sale of French wines. The price at which French wine was sold could not be controlled and two months later the Council accepted the situation. What was formerly an exception now became the rule. On December 30, 1577, the Council directed the Lord Mayor to allow the Vintners' Company to sell their wine at their own price and to discharge them from the bonds they had to post a year before.\(^{90}\) On January 23, 1578, a similar letter was sent to the Master of the Rolls. In this last letter there is a hint of the pressure the Vintners' Company had used against the Council. Since the Company and its members had been required to post bond not to sell wine above the stated price, not only had the price of wine continued to climb, its purchase had become more difficult as well. Because they were obliged to observe the wine maximum, the Vintners, for a time, had "discontinued their occupieng."\(^{91}\) In its letters to the Lord Mayor and the Master of the Rolls, the Council called this customer lock-out a "great hindrance" to the Vintners, but there is no doubt that it was also a hindrance to wine drinkers and represented embarrassment for the Council.\(^{92}\)

In contrast to its attempts to neutralize the right of exception granted the Vintners' Company by patent, the Privy Council responded to the complaint of a man holding a patent for the sole right to export guns by issuing orders


\(^{90}\) Ibid., 126-127.

\(^{91}\) Ibid., 150.

for the regulation of the armament trade. In 1574, "Raffe hogge the Queene
maisties gonestone maker and gondounder of yron" complained to the Council that
his position was being jeopardized by the "maynie furnesses that Howe of Late
years leave ther owne trade of casting of Sowes for making of yron, and fault
to casting of gonnnes and shot or yron and carye them to the seay syd to dyvers
and sundry places, ... and when they are in the sey they goe in to France and
in to flanders with them without any lycence at all." He advised the Council
to issue orders for the regulation of this situation, "for ther is above ccce
tonnes cast yearly and all this will not be sold nor bought to remaine within
the Realme and ye ther be not order taiken ther is mor abowt to sett up works
to cast gonnnes bothe here and in wayells, and they being cast will maybe sail
one ways or other, ether by lawfull meanes or by stelthe."94

Confronted with this report, the Council lost no time in acting. It or-
dered the appearance of those manufacturers of guns whose names had been fur-
nished by Hogge and it assigned men to find out the names of other manufactur-
ers and their place of operation.95 Furthermore, it made these manufacturers
post bond that they would not found or sell iron ordnance except under special
license from the Queen.96 On June 19, 1574, it climaxed this activity by is-
suing a set of rules designed to solve the problem posed by Hogge. In the fu-

93Acts of the Privy Council, VIII, 254-255; Cal. State Papers, Domestic, I,
476, 472, 526.

94Tudor Economic Documents, I, 287. See also Cal. State Papers, Domestic, I,
474.

95Acts of the Privy Council, VIII, 186; Cal. State Papers, Domestic, I, 474,
475, 477, 583.

96Cal. State Papers, Domestic, I, 475, 477.
ture, all iron ordnance was to be brought to the Tower Wharf for sale. Moreover, it could only be sold to English merchants or resident foreigners that were owners or part owners of a ship. These ship owners would be required to post bond that the ordnance they purchased would only be used on English ships and not be resold outside of the realm. The bonds thus posted were to be delivered every six months to the exchequer where suits could be instituted for nonfulfillment. Yearly reports by the makers of iron ordnance and surveys of ships would be made to see if suits should be initiated. Ship owners were made responsible for the ordnance carried on their ships and would have to explain satisfactorily any change upon returning from a voyage or face punishment for breaking the Council's regulations. Furthermore, no new ordnance-making establishments were to be set up without license from the Queen.97

Thus, the Privy Council accepted Hogge's advice and attempted to gain control of the flourishing trade in iron ordnance. As in other instances, however, circumstances persuaded it to violate its own regulations. Licenses were given for exportation to foreign countries and the stipulation that all iron ordnance had to be delivered to the Tower Wharf for sale was allowed to be bypassed because of its inconvenience. It was the Council's policy that exceptions were permissible provided that the spirit of the rules remained in force, and the structure established by them was not damaged beyond repair.98

This concern for the spirit also prompted the Council to intervene in commercial relationships to preserve harmony and the quality of English products. In the sixteenth century, the organization of industrial activity was undergoing

a change. Amalgamations of kindred crafts were taking place and leadership of these organizations fell to men possessing financial resources that could be used for the enhancing of their position. As a result of this movement, struggles for power developed within some commercial organizations, and controversies over interests sprang into being between others. The medieval idea of equity lost its force and considerations of advantage gained the upper hand.

Considerations of advantage, for instance, prompted the cloth-finishers of London to oppose the exportation of unfinished cloth and finally to persuade Parliament in 1566 to pass a law prohibiting the export of such cloth from Suffolk and Kent while requiring that merchants exporting cloth from other dis-


101 Unwin, Industrial Organization, pp. 93-97. This study is content to cite Unwin for this statement as it is not concerned directly with the development of business organizations and ethics, but it seems evident that new business principles and practices which were developing contributed to the Council’s interference in commercial relationships in the interests of harmony, or equity. However, the gilds retained their regulatory functions, e.g., regulation of apprenticeship obligations and the technical aspects of trade. They were encouraged by the government to exercise their power in this regard.--5 Eliz., c. 8., 8 Eliz., c. 11. Statutes of the Realm, VI, pt. 1, 431-432, 494-495; Stella Kramer, The English Craft Gilds and the Government, An Examination of the Accepted Theory Regarding the Decay of the Craft Gilds, Studies in History, Economics, and Public Law Edited by the Faculty of Political Science of Columbia University, Vol. XXIII, No. 4 (New York, 1905), 88-123; Lipson, III, 331.

tricts ship out one finished cloth with every nine unfinished. Considerations of advantage also motivated the London cloth-finishers to complain incessantly to the Council that exporters were not observing this law.

Of course the Council was not untainted with the same attitude that motivated the cloth-finishers, but in dealing with this problem, it attempted to strike a balance between the interests of the exporters and those of the cloth-finishers so that harmony would be preserved. Moreover, it attempted to install a spirit of mutual advantage into the situation to cement this harmonious balance.

In 1565, for instance, before Parliament prohibited exportation from Kent and Suffolk, the cloth-finishers registered a strong complaint with the Council that the sending of cloths to Flanders to be worked was causing unemployment. On the basis of this complaint, the Council asked some exporters to appear before it. These exporters defended their actions by citing the inferiority of the English dyeing and finishing to that done in Flanders and the Council ordered the London cloth-finishers to work 500 cloths to be compared with those finished in Flanders. If the English work was just as good as that of the workers of Flanders, the Council promised to see that the cloth-finishers of London were protected.

105 For example, both the Council and the cloth-finishers wanted to keep Englishmen at work.—Acts of the Privy Council, VII, 277-278; Cal. State Papers, Domestic, I, 253.
106 Acts of the Privy Council, VII, 304-305; IX, 70.
The records of the Privy Council indicate that it was again confronted with this cloth-finishing problem in 1575 and 1576. In these years, it attempted to bring about a solution by negotiating an agreement between the cloth-finishers and the exporters which was to ensure that "no controversye or complainte may hereafter arrayse betwene them." Moreover, the Council later acted in behalf of the spirit as well as letter of this agreement.

This approach to the problem of commercial controversy was also followed by the Council when business disputes between individuals came to its attention. On January 7, 1577, for instance, it wrote to the Master and Wardens of the Company of Merchant Taylors that whereas "certaine her Majesties Justices of the Common Benche, piteing the long and difficulte suite depending before them betwene John Eden and John Toppe, men of their Cunpanye, did the last Trinitie Terme by their writing unto them frindelie admonishe them" to intercede and bring about a settlement, the Merchant Taylors should do so, "forasmuch as the frindelie admonision of the said Justices tendeth onlye to the ending of said sute." In October, the Council was forced to accept the fact that the Master and Wardens of the Company could not end this controversy and it appointed a special commission to deal with the matter. This commission found the chief point at issue "to concerne a certaine copartenership had be-

109 Acts of the Privy Council, IX, 70.
110 Ibid., 163.
111 Acts of the Privy Council, IX, 265.
twene the said Eden and one John Toppe, and the question to be whether that co-partnership be still in force, yea or no. Furthermore, it recommended that the controversy be returned to the courts for determination. By this time, however, Toppe could not be found, Eden was in prison for debt, and the issue was clouded by accusation made against the Master and Wardens of the Merchant Taylors' Company. Trial by jury, therefore, seemed out of the question and the Council placed the matter on its agenda again.

While it intervened in commercial relationships to preserve harmony, the Council also attempted to protect the quality of English products. On October 25, 1576, for instance, it asked the Master of the Rolls and the Solicitor General to meet with some merchants and cloth-makers for the purpose of devising ways to correct faults in the English cloth-making process. As far as the Council was concerned, there seemed to be "deceptfull making of cloth through this realmes contrarye to the lawes and statutes ordeyned in that behalf," whereby "not only the clothes of this realmes are litell accompted of beyond the seas, but also the merchauntes by means of their imperfection are daylie grete losers and not able to utter them as they have donne in tymes past, and for that it is a thing necessary to be reformed, being the greatest commodite this realmes hath."

It is interesting to note, moreover, that the same agents used by the Council to enforce the laws against the rural clothing industry were also used

113 Ibid., 140.
114 Ibid., 169.
to execute the Council's policy in behalf of English product quality. Privy Council records indicate that Peter Blackboro was active in denouncing makers of inferior cloth and the Justices of the Peace were required to see that cloth manufactured in their counties conformed to the standards established by law.\textsuperscript{117} Furthermore, the President of the Council of Wales, the President of the Council of the North, and the Lord Mayor of London were also used to uphold the purity of English products.\textsuperscript{118} Attempts to defraud the consumer through the sale of inferior products aroused the ire of the Council and when, for example, the soap-makers of London petitioned for the right to use a store of "naughtie oyles.\textsuperscript{119} in order to avoid a financial loss, the Council was quick to point out that it would be better for a few to suffer than "infinite number" receive harm through the use of bad ingredients.\textsuperscript{120}

Thus, the Council's orders were geared to what it considered to be the best interests of the realm. During the period 1553-1578, responsible opinion as to what constituted the best interests of the realm also included the notion that England had to sever its dependence upon foreign materials and products. Dependence upon foreign countries for things not available in England infringed prevailing mercantilistic principles and complicated the problem of national security. Elisabeth and her advisers, therefore, embarked upon a deliberate policy of making England self-sufficing so far as natural resources permit-

\textsuperscript{117}\textit{Acts of the Privy Council, IX, 360-361, 385.}

\textsuperscript{118}\textit{Acts of the Privy Council, IX, 27. For an example of quality control by authority of Letters Patent, see \textit{Acts of the Privy Council, I, 13.}

\textsuperscript{119}\textit{Acts of the Privy Council, X, 439.}

\textsuperscript{120}\textit{Ibid., 440. See also Cal. State Papers, Domestic, I, 607.}
They encouraged the establishment of such industries as glass-making and paper-making through the granting of Letters Patent. Patents conferring exclusive privileges were also given to companies and individuals who offered to prospect for such minerals as alum and copper and develop the mines thus found. The search for sources of saltpetre was supported in the same way and plans for the domestic manufacture of salt were given much attention and favor. Moreover, the establishment in England of foreigners who knew how to make new types of cloth was not impeded.

In this endeavor to make England self-sufficient, the Privy Council played an ambiguous role. Many of its members were personally interested in one way or another in the success of these new ventures, but there is little evi-

121 Lipson, III, 353-354.


126 For example, the Earl of Pembroke, the Earl of Leicester, and Sir William
dence to suggest that the Council functioned as an overall board of directors. It did attempt, however, to further the development of those industries in which its members were particularly interested.

The problem of domestic cloth dyeing, for example, particularly interested the Council because of its relationship to commercial harmony and mercantilistic conceptions of the balance of trade.\textsuperscript{127} Attempts to increase the effectiveness of English dyeing through the importation of foreign processes, therefore, received the support of the Council.\textsuperscript{128} In one instance, the Council ordered county officials and Mayors of towns to aid a Portuguese, who "being lately arrived in this realme, hathe offered to put in practise certain experiments for the dyeing of cloth," because the Council had been informed that "some commodite is like thereby to grewe to the whole realme, and specially to such as occupy the trade."\textsuperscript{129}

Development of mining within England also held particular interest for the Council, especially the development of mines that would contribute such ores as calamine, copper, iron, and lead, for further industrial and military use.\textsuperscript{130}

Cecil all held shares in the Mines Royal, incorporated in 1568. Moreover, at various times they were vitally involved in the organisation of companies for the production and distribution of salt within England.--Select Charters of Trading Companies, A.D. 1530-1707, ed. Cecil Thomas Carr (London, 1913), pp. 4-5; Hughes, pp. 31-33, 35-37.


\textsuperscript{128}Acts of the Privy Council, XI, 147.

\textsuperscript{129}Acts of the Privy Council, IX, 381-382.

Prospectors for these ores were given letters of support by the Council and local officials were ordered to welcome foreigners imported to work the mines these prospectors discovered. Furthermore, the Justices of the Peace in areas where these foreigners worked were required to support them against local prejudice.

From time to time, the Council also acted in support of other ventures. Salt, for instance, was not plentiful in England during this period. In 1574, the town of Rye warned the Lord Warden of the Cinque Ports that it was very short of salt and "except some foresight be therein had, in tyme it will be farre worse." Furthermore, it advised the Lord Warden that unless something was done, the town would have to bargain for salt outside of the law. During the first twenty years of Elizabeth's reign, attempts were made to remedy this situation by issuing patents for salt manufacture within the realm. One such patent attempted to produce salt from the distillation of sea water and make its sale a national monopoly. Nothing came of this project, but in 1575, the Council recognized the value of producing salt in this manner by ordering the Bailiffs and Burgesses of the town of Wiche in Worcester to see that

1800 (London, 1926), pp. 1-20; Heckscher, II, 32-33; Scott, I, 31. The Cal State Papers, Domestic, contain numerous entries relating to information received by Cecil and other members of the Council with regard to the establishment and progress of mining projects, especially for the years 1564-1568.

133 Rye and Hereford MSS., p. 36.
134 Hughes, pp. 31-44.
the "farmers of certain salt fattes, placed by the Lady Stafford there, shuld not be dispossessed there, but continew in such sorte as heretofore they have done."136

In the settlement of foreign cloth-makers within England the Council exercised a more comprehensive control. Because it kept close track of the number of these people in England and where they were located, the Council could and did control their movements to areas where their economic skills were needed and could be used.137 Requests from the foreigners themselves to be allowed to live in certain areas were approved or refused by the Council on this basis.138 Requests from towns and other areas within England to be allowed to import foreigners were also conditioned by the Council's desire to see that the foreigners were not unfairly used.139

Despite its interest and control over the settlement of alien cloth workers, however, it is evident that the Council did not play a commanding role in the new industrialisation of England. Most of the government's work in this regard was done outside of the Council Chamber, mainly by Cecil.140 This was in keeping with the economic atmosphere of the time. A tradition of authori-

136 Acts of the Privy Council, IX, 68. For an account of the project's demise, see Edward Hughes, "The English Monopoly of Salt in the Years 1563-71," The English Historical Review, XL, No. CLIX (July, 1925), 334-350.

137 See pp. 151-157.


139 Cal. State Papers, Domestic, I, 410. See also Tudor Economic Documents, I, 317-318.

140 Both the Cal. State Papers, Domestic, I, and Salisbury MSS. contain numerous entries pertaining to the correspondence carried on by Cecil in connection with industrial matters. For an account of Cecil's policy see Cunningham.
tarian control in the sphere of industry had been inherited by the Tudor state from the medieval gilds and from the towns. But the accession of Elizabeth occurred when profound changes were taking place in the economic structure of society. These changes imperilled the whole system of industrial regulation as it had been built up in the Middle Ages for they changed the conditions on which the system was based. Elizabeth's Privy Council, however, could not divorce itself from the tradition and system which the state had inherited. It, therefore, limited itself mainly to the enforcement of old conceptions when possible and the making of exceptions when enforcement was not possible, except, perhaps, in military matters. The work connected with the new industrialization of England was done by only a part of it.

\[1h1\] Lipson, III, 207.

\[1h2\] Holdsworth, IV, 314-319; Lipson, III, 207.

\[1h3\] For a discussion of the Council's role in the development and use of England's military strength, see pp. 203-206.
CHAPTER IV

FOREIGN TRADE

English foreign trade in the sixteenth century was dominated by the exportation of cloth.¹ As the century progressed, this exportation passed through three phases. The first half of the century experienced a rise in the number of cloths sent outside the realm. In the third quarter of the century there was a contraction in exports and, at least, two very bad business slumps. As the Tudor age drew to a close, a period of comparative stability came into being in which cloth exports remained fairly steadily at a level below that reached at the peak of the earlier boom.²

Up to the middle of the 1520's, the cloth-export expansion story is simple enough. Contributing factors to this story probably were peace, the redrawing of the lines of an international division of labor along with the migration to England from the Netherlands of certain types of cloth-making, and the rise of


The rise of Antwerp was in all probability the major impetus, for as the century progressed, London seemed to become an economic satellite of this Low Country city. This happened by mutual agreement, however, for Antwerp was by far the best outlet for the English cloth.

The influence of Antwerp upon English exports continued to operate until the 1560's, but in the 1520's it was joined, and in the 1540's it was overshadowed by another factor, exchange depreciation. During the second quarter of the century, silver prices fell in England and rose on the continent. As English goods thereby became relatively cheap, there was a natural increase in their sale abroad. It appears, for instance, that depreciation in the 1520's was followed by a jump in the number of cloths exported. Moreover, it would seem that the depreciation of the 1540's was accompanied not only by a boom in textiles, but also by a recovery in wool shipments.

As export expansion grew to depend more and more on exchange depreciation, its economic significance changed. One result was the acceleration of the division of national resources into rural industry dependent upon the export

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5 Ibid., 99.
trade. In the opinion of many, this was not healthy for the realm. Moreover, as exports became more costly in terms of the social changes needed to produce them, so they tended to become less lucrative in terms of the foreign wares which they purchased. Contemporaries were aware of the extraordinary clearness of foreign goods, even to the point of attributing this clearness to the rise in the domestic price level. The natural result of the depreciation of sterling, therefore, was an unfavorable balance of trade.

During the 1550's, this unfavorable balance of trade led to a series of ups and downs in the level of cloth-making and cloth-exporting. In 1551, for instance, the government of Edward VI decided to try to correct the high price level in England. A re-evaluation of the currency was attempted. As a result of this, sterling went up in Antwerp, but there was no corresponding fall in internal prices. For the next three years there was a painful and protracted struggle to establish a new equilibrium until in 1554 the exchange collapsed again and cloth exports zoomed to a new high.

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9 Ibid.


This very high level of cloths exported to Antwerp could not be maintained for long. In 1556, for example, the government had to stop all shipments to the Netherlands for four months to ease the glut on the Antwerp market. Similar conditions came into being in the remaining years of the fifties, and the opening years of Elizabeth's reign found cloth trade at a level below the peak of the boom.  

In a certain sense, this contraction in cloth exports was welcome to some Elizabethan merchants and statesmen. They held that the cheapness of English goods abroad and the dearness of foreign goods in England could be corrected by limiting, or controlling, the number of cloths offered for sale. Moreover, this theory was compatible with the idea that the development of rural industry should be deflated in favor of the towns and that the number of exporters should be drastically reduced. Unrestricted export competition, it was


14 Journals of the House of Commons. From November the 8th 1547, In the First Year of the Reign of King Edward the Sixth, to March the 2d 1623, In the Fourth Year of the Reign of King Charles the First (London, 1803), I, 16; "Howe to Reforme the Realme," Drei volkswirtschaftliche Denkschriften, pp. 64-65, 69-75.

claimed, raised domestic prices and reduced those of exports.16 Furthermore, it contributed to the undermining of the social hierarchy17 and the increased number of borrowings which weakened the exchanges.18 In the interests of correcting the unfavorable balance of trade brought about by boom conditions, these merchants and statesmen not only advocated controlled sales, they also suggested that entrance into the export trade be controlled by such things as apprenticeship regulations and supervising companies.19

Side by side with these theories and proposals, there also existed the fear that England was becoming too dependent upon one foreign power because of its seemingly uncontrolled cloth trade. The advent of Elizabeth to the throne brought about a period of economic nationalism in English history. Statesmen like Burghley deplored that England should be dependent upon any foreign power and endeavored to reduce this dependence to that which seemed needful and unavoidable.20 These leaders advocated such things as a reduction in the impor-

16Cl. State Papers, Domestic, I, 201.
tation of luxury items to weaken English dependence upon countries producing these items,\(^2\) encouragement of domestic industry at the expense of foreign industry,\(^2\) and monopolization of the carrying trade into England by English ships.\(^2\) Moreover, they supported the quest for new markets and new sources of wealth,\(^2\) even when this quest brought England into conflict with such nations as Portugal and Spain. A predominant foreign trade that was mainly dependent upon one outlet was not palatable to them.\(^2\)

At the time Elizabeth became Queen of England, the foreign trade of England was already assuming a world-wide character. A high degree of specialization had been attained and England maintained export-import connections with

\(^{21}\)"Inconveniences of enlarging any power to bring any more wine into the realm," in Conyers Read, Mr. Secretary Cecil and Queen Elizabeth (New York, 1955), p. 372. See also Salisbury MSS., I, 287.

\(^{22}\) Salisbury MSS., I, 163. See also 5 Eliz., c. 7. Statutes of the Realm, IV, pt. I, 428-429.

\(^{23}\) "Arguments to prove that it is necessary for the restoring of the Navye of England to have more fishes eaten and therfore one daye more in the weeke ordeyned to be a fish daye, and that to be Wednesdaye, rather than any other," Tudor Economic Documents, II, 106. For a discussion relative to the laws enacted in this regard see E. Lipson, The Economic History of England (London, 1929-1931), III, 113-120; Laurence A. Harper, The English Navigation Laws, A Seventeenth-Century Experiment in Social Engineering (New York, 1939), pp. 25-33.

\(^{24}\) Ramsay, pp. 25-30.

\(^{25}\) "Memorandum Prepared for the Royal Commission on the Exchanges, 1564," Tudor Economic Documents, III, 357-358; "Reasons to move a forbearing of the entercourse to Antwerp," Tudor Economic Documents, II, 45; Sir Thomas Chaloner to Sir William Cecil, September 29, 1559, in Queen Elizabeth and Her Times, I, 11.

\(^{26}\) A speciall direction for divers trades of marchaunderise to be used for soundrie places upon advertisements, aswell for the chusinge of the time and wares for every of those places. Most Beneficiall for those that use the trade of marchaunderise," ed. Conyers Read, The English Historical Review, XIX, No. CXV (July, 1914), 516-524.
Europe, America, Africa, and Asia. The 1550's, however, were productive of
or gave rise to an attitude toward foreign trade that opposed letting these
connections develop their own character. Faced with the problem of recurrent
depressions in the cloth industry, the men of the middle sixteenth century
fused the ideas and prejudices of the middle ages into a loosely coordinated
body of doctrine which gave rise to a series of foreign trade conceptions.
Concern for the implementation of this doctrine and its corresponding concep-
tions constituted the Privy Council's main interest in foreign trade during the
first twenty years of Elizabeth's reign.

Thus, the Privy Council supported the restrictive privileges of trading
companies designed to maintain order in various branches of English foreign
trade. Throughout the reign of Elizabeth, for instance, the Merchant Adventurers' Company supplied the only authorized channel for the largest and most
lucrative part of the foreign commerce of England. It enjoyed a monopoly of
the trade carried on by English subjects with the Low Countries and Germany, by
corporate of which it controlled not only the importation of most of the articles
of foreign manufacture used in England, but also the exportation of the leading
manufacture of England, its cloth. Because of this, its relations with the
Privy Council were of necessity very close.

These relations, however, were not one-sided. In the early part of Eliza-

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27 Lipson, II, 18h.
30 Acts of the Privy Council, VII, 117-148, 257, 291; Cal. State Papers,
Domestic, I, 247; Salisbury MSS., I, 301-302, 337.
beth's reign, for instance, the merchants objected to a new import on cloth. The heads of the company were called before the Council to explain their refusal and a series of meetings had to be held before their acquiescence was secured. Furthermore, the company did not entirely agree with some of the nationalistic actions of the government for they usually resulted in trade embargoes detrimental to commerce. Its use by the Council to pay off foreign debts was also accepted with reluctance because of an exchange loss which had to be absorbed by the exporter. All in all, however, the close relationship which existed between the government and the Merchant Adventurers seemed to benefit both parties.

Perhaps because it expected so much from the Merchant Adventurers' Company, the Council undertook to protect it against interlopers and to help enforce its internal regulations against its own members. Moreover, it extended this protection to other monopolistic trading companies, such as "the fellowship of

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32 Cal. State Papers, Domestic, I, 235. See also Cal. State Papers, Foreign.
33 See pp. 114-115.
35 Sir William Cecil to Sir Thomas Smith, December 30, 1564, in Queen Elizabeth and Her Times, I, 182; Cal. State Papers, Domestic, I, 243, 579; Salisbury MSS., I, 288, 289-290, 314, 323. See also Cal. State Papers, Domestic, I, 405, 471.
English Merchants, for Discovery of new trades." 36 This organization, commonly
called the Russia Company, was formed in 1553 by a number of London merchants
who hoped to tap the wealth of the East through the discovery of a northeast
passage. 37 The attempts to discover this passage brought them into contact
with Russian territory and they determined instead to divert their attention to
the prospects of opening a profitable trade with and through that country. 38
In 1554, the Czar formally authorized the free passage of English ships to
Russia "with good assurance on our part to see them harmless." 39 It was also
promised that a further concession of a free mart in Russia should be drawn
up. 40 In 1555, the London organization sought and obtained a charter from the
English monarch which conferred the sole right of entry into Russia upon it as
well as into any other countries that would be discovered by it in the future
and which had not been "commonly frequented" 41 by Englishmen. 42 The Company
could license persons not free of its privileges to trade within the specified limits, but when not so licensed, these persons were subject to the loss of their ships and cargoes, one-half of the forfeiture being payable to the Crown, the other half to the company. 13

In 1558 an event occurred which seriously endangered the privileges granted the Russia Company by its charter. This was the taking of Narva by the Russians. Through this capture, Russia obtained an outlet on the Baltic and a new trading route was opened up. English traders who were not members of the Company were eager to take advantage of this opening.14 They contended that the charter of 1555 only gave the company the monopoly of the trade to the dominions of the Czar as they then existed; Narva, being outside those limits, might be used as a depot by any English merchant.15 Accordingly, expeditions were dispatched by London merchants not members of the company and by others of Newcastle-on-Tyne, Boston, and Hull.16

The records of the Privy Council indicate that it was called upon to support the company’s efforts to stop this interloping traffic. For example, the company complained to the Council in 1564 that William Bond of London continued to trade to Narva despite its protest and it requested that the Council take action to restrain him and his partners.17 As a result of this complaint, Bond

served in the Public Record Office Philip and Mary (London, 1936-1939), II, 55-59; Hakluyt, II, 301-316.

13Hakluyt, II, 312-316.
14Scott, II, 41; Willan, pp. 67-68.
15Willan, pp. 70-71.
16Scott, II, 41.
17Cal. State Papers, Domestic, I, 246; Willan, pp. 68-69.
was told to discontinue his trading to that area and when he refused, he was committed to prison for "his contemptuous behaviour in traphikeng to Narva, contrary to a comandement gevin him by the Boorde by the Queenes Majesties ordar." While Bond languished in prison, the Council attempted to arrange a reconciliation satisfactory to both him and the company. On December 16, 1564, after some concessions had been obtained, Bond was released from prison, but he had to promise not to engage illegally in the Narva trade again.

Such actions on the part of the Privy Council, however, failed to halt invasions of the company's charter. In 1566, the company was forced to make application to Parliament for confirmation of its privileges. It obtained an act generally recapitulating the privileges of the previous grant and extending the area of its monopoly to include all territory then or at any future date under the dominion of the Czar, also "Armenia, major and minor, Media, Hyrcania, Persia or the Caspian Sea" or any other country reached from any of these or from the Northern seas and that might be discovered in the future. In defer-

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19 Ibid., 178-179.
50 Ibid., 180.
51 Willan, p. 73.
52 Cal. State Papers, Domestic, I, 280; Scott, II, 41; T. S. Willan, "The Russia Company and Narva, 1558-51," The Slavonic and East European Review, XXXI, No. 77 (June, 1953), 405-419.
53 Hakluyt, III, 88.
54 Sir Simonds D'Ewes, The Journals of all the Parliaments During the Reign of Queen Elizabeth, both of the House of Lords and House of Commons, revised by Paul Bowes (London, 1682), 112, 125, 131, 133; Hakluyt, II, 87-88. See also Cal. State Papers, Domestic, I, 299.
ence to established interlopers, it was also stipulated that merchants residing at Newcastle, Boston, or Hull who had "traded the course of merchandize by the space of ten years" might become members of the company if they would, before December 25, 1567, "contribute, joyne, and put in stocks to, with and amongst the said company, such summe and summes of money, as any of the said company, which hath throughly continued and contributed to the saide newe trade from the years 1552, hath done, and before the said 25 of December 1567 shall do for the furniture of one ordinary, full and intire portion, or share."55 Even after the passage of this act, however, the Privy Council had to take action in behalf of the company against interlopers. On February 9, 1573, for instance, it sent a letter to the Lord Keeper ordering him to make arrangements, according to law and in a manner he thought best, to restrain those not of the Russia Company from engaging in trade reserved to the company.56 A monopolistic foreign trade to Russia and the Baltic Sea area was not overwhelmingly popular, but the Privy Council supported it in the interests of order and because of the financial benefits the government derived from the company which conducted it.57

Side by side with its attempts to protect monopolistic trading companies from interlopers, the Council also used its authority and influence to help these companies enforce their internal regulations. Most of these companies, for instance, had rules against their members being both retailers and wholesale merchants.58 These regulations, in effect, prevented a retailer from be-

55 Hakluyt, III, 91.
56 Acts of the Privy Council, VIII, 82.
57 Cal. State Papers, Domestic, I, 522, 526; Scott, I, 30.
coming a member of such companies and, therefore, denied him the right to trade on his own account to those areas covered by charters' privileges. In many cases, enforcement of these rules meant the narrowing of trade channels and hardship for small merchants who had combined both foreign trade and domestic retailing under their own auspices.

Thus, small merchants trading to Spain and Portugal were harmed by the formation in 1577 of a company to control the trade of these areas. Spain was one of the pivots of the English commercial world and merchants in provincial ports as well as those of London maintained a flourishing traffic with this Iberian country. Even the Spanish Ambassador remarked on how close the commercial ties were between his country and England. His letters to his master even show a fair volume of trade being carried on clandestinely during times of restraint. The formation of the Spanish Company, however, tended to stifle the development of a broad trade for it required that its members not


60 Acts of the Privy Council, I, 330-331. Proposals for the establishment of such a company had been made as early as 1574. These proposals were supported by some Merchant Adventurers who deplored the lack of order in the Spanish trade. Cal. State Papers, Domestic, I, 433, 489, 501; Unwin, "Merchant Adventurers' Company," p. 181.


63 Cal. State Papers, Simancas, II, 32, 37, 237, 289. For the comments of Philip II and the Duke of Alba regarding this point see Cal. State Papers, Simancas, II, 137, 186-187.
engage in retailing. Moreover, the Council helped it to enforce this regulation.

On August 11, 1577, for instance, the Council wrote to its agents in Bristol to "require all such of that citie as are retaylers and artificers trading Spaigne to forbearre any more to traffique in that countrye, being specially prohibited by her Majesties Letters Patentes graunt for a Corporacion to suche as trade those contrys." In September of 1577 the Council also ordered the "Lord Chief Justice of England" and the "Lord Chief Justice of the Comon Pleas" not to grant writs of habeas corpus to those arrested by the company for violation of its regulations. Moreover, on December 2, 1578, the Council wrote to the Mayor of Bristol ordering him to take action against "one Philippe Langley" who contrary to the ordinances of the Spanish company and "his othe at his admission into the Societie, dothe continew the trade of a notorious retailer, and refuseth to be ordered by the said Companie." If the Mayor could not persuade Langley to listen to reason, he was to bond him to appear before the Council so that "suche order maie be taken with him as shalbe thought convenient." Furthermore, the Mayor was to deal in a like manner with any others who should act like Langley.

Not all provincial merchants, however, acted like Langley. There were those who also wanted the foreign trade of their cities to flow through exclu-

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64 Acts of the Privy Council, X, 16.


sive hands.\textsuperscript{67} Before the formation of the Spanish Company, for example, restrictive charters had been granted to men of this type in Exeter and Bristol.\textsuperscript{68} These two charters engendered much opposition, however, and Bristol's grant even had to be repealed.\textsuperscript{69} Similar conflicts raged in cities like Chester and York.\textsuperscript{70} Attempts to divide the functions of retailer and wholesaler were not too popular, but in the interests of order and because of the benefits the government derived from restrictive companies, the Privy Council supported this separation. Its concern for an organized foreign trade was not confined only to London and its companies.\textsuperscript{71}

But the Privy Council's support for organized trading companies was not limited to protecting them from dissatisfied outsiders and violators of their

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\textsuperscript{71} Moreover, by granting charters to local trading organizations, Elisabeth's government discouraged the national unification of foreign trade. However, London was favored at the expense of the provincial towns and there was a strong tendency for trade to concentrate in that city.---Tudor Economic Documents, II, 49-50; Heckscher, I, 415-455.
internal rules. It also backed attempts to open up new markets and discover sources of precious metals. When relations with Spain reached a point where the establishment of the Merchant Adventurers in the Low Countries seemed no longer advantageous, the Privy Council used its power and influence to establish the company in Germany, first at Emden and then at Hamburg. Moreover, it took a direct interest in the success of Martin Frobisher's voyages to tap the supposed riches of Baffin Land, which he had discovered while trying to find a northwest passage to China.

It will be recalled that, according to its charter, the Russia Company had the exclusive right of trade with all countries discovered by it to the north, northeast, or northwest of London. However, no expedition had been sent by it to discover a northwest passage to China during the first twenty years of its existence. About the year 1569, Martin Frobisher began to plan such a voyage. He applied first to the merchants without result, because of the


74 Hakluyt, III, 87; Scott, II, 41.

75 Scott, II, 76.

76 Collinson, p. 70.
Russia Company's charter. Then Frobisher obtained the support of Ambrose Dudley, Earl of Warwick, and a letter was sent by the Privy Council to the Russia Company urging the company either to attempt the discovery itself or to license others to do so. The Russia Company, however, maintained that there was no good evidence to support the feasibility of proposals such as Frobisher's, and it replied that it had already at great expense discovered one-half of the northeastern passage, and "proposed to do the rest as soon as they might have good advice."78

This answer irked the Council. It interpreted the Russia Company's attitude as an excuse for delay and in a further communication ordered the company to attempt to discover a northwest passage to China immediately or allow others to do so.79 After the arrival of this order, the company licensed Frobisher and any partners who might venture with him to attempt the westward voyage.80

Frobisher made three voyages to northern North America.81 After his first one, the hope that he had found a rich source of precious metals secured for him and his partners a charter of incorporation with certain customs privileges82 and Privy Council support for the operations of the company formed according to it.83 For his first voyage, Frobisher had experienced difficulty in

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77 Manhart, p. 33; Scott, II, 76.
78 Scott, II, 77.
79 Manhart, p. 33.
80 Collinson, p. 89.
81 Ibid., pp. 71-76, 121-157, 225-316.
82 Collinson, pp. 111-113; Scott, II, 78. See also Cal. State Papers, Domestic, I, 533, 540.
83 Some doubt exists as to whether or not the company operated strictly in
raising capital. When he returned with what seemed to be very rich gold ore, little difficulty was experienced in raising funds for a second voyage. Because the second voyage returned a large quantity of this same ore, there was also small difficulty in securing a considerable subscription for a third voyage.34

These voyages, however, did not make a return in ready money. The company accumulated a large quantity of ore, but it had no means of refining it. Furthermore, most of the capital subscribed was used to fit out the expeditions and the company experienced difficulty in paying off the sailors when they returned.35 In this situation the Privy Council used its authority and influence to collect additional money from subscribers or forced them to pay up their original subscriptions.36 On October 16, 1577, after the return of Frobisher from his second voyage, it ordered an additional levy for the payment of mariners and soldiers who returned with him.37 On January 19, 1578, it ordered another levy for the erection of refining mills and furnaces.38 After the re-

accordance with the provisions of the charter prepared for it. There can be no doubt, however, that the expeditions of Frobisher were backed by an organization operating on the principle of a joint-stock company. --Manhart, pp. 45-47; Scott, II, 77-81.

34 Cal. State Papers, Domestic, I, 513; Scott, II, 80.

35 Manhart, pp. 56-59; Scott, II, 79-80.

36 Moreover, the Lord Mayor was required to "deal as effectually as he can with some of the substancials merchantaes of the Citie, not being venturers, to contribute so much thereto as may ratellie answer the overplus of that which hath ben laide above the receipts." --Acts of the Privy Council, IX, 391.

37 Cal. State Papers, Domestic, I, 559. See also Cal. State Papers, Domestic, I, 558.

38 Cal. State Papers, Domestic, I, 581.
turn of the third voyage, it supported the company's quest for working capital by giving it authority to collect an additional £6000 by a levy and called upon the Lord Mayor "to persuade" any that might prove recalcitrant.89 Even noblemen were not exempted from the Council's activities on behalf of Frobisher's company. In December, 1578, for instance, it ordered the Earl of Pembroke to pay up his subscription to Frobisher's third voyage.90 Moreover, the Council indicated its support for the operations of the company and its hopes for their success in other ways.91

It is interesting to note that this support was of no avail. The ore brought home by Frobisher proved to contain just enough precious metals "to ornament a few drops of sealing-wax on the report embodying this finding."92 This failure was frustrating, but no great harm had been done to the realm or to the Queen's subjects who had conducted these expeditions.93 Earlier attempts to open up new markets or tap new sources of wealth, however, had placed the realm in somewhat of an awkward position and had resulted in harm being done to some of the Queen's subjects. The support given by the Privy Council to these ven-


90 Cal. State Papers, Domestic, I, 608. See also Salisbury MSS., II, 176, 194.


92 Scott, II, p. 81. For an indication of the extensive efforts made by Frobisher's backers to produce gold from what was probably marcasite, see Cal. State Papers, Domestic, I, 567, 568, 570, 571, 580, 581, 582, 584, 585, 586, 605; Cal. State Papers, Simancas, II, 567-569, 576, 595, 618; Salisbury MSS., II, 212.

93 Of course, the subscribers lost their money. For an account of the financial aspects of Frobisher's voyages, see Scott, II, 76-82.
tures was not unqualified, but evidence indicates they had at least the implicit support of Elizabeth's government.

In 1561, for example, Elizabeth was taken into partnership with some merchants who were trading into West Africa despite Portuguese monopolistic claims to that region. For a voyage made in that year, Elizabeth provided four ships and undertook to spend £500 in provisioning them. The other persons interested in the voyage supplied trade goods to the value of £5000. 94 Toward the close of 1562 similar arrangements were made for another voyage. 95 In 1564 another partnership was established and in 1566 another voyage was undertaken. 96 This later expedition is the last mentioned for a considerable period. 97

Naturally, the Portuguese Ambassador protested that these expeditions violated Portuguese rights. 98 His protests were directed to the Privy Council. The Council, however, refused to consider them valid. 99 In this regard, the Spanish Ambassador reported that Cecil said the Pope had no right to partition the world and to give and take kingdoms to whomever he pleased. 100 Although other protests were made to it, by both the Portuguese and Spanish Ambassadors,

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95 Cal. State Papers, Domestic, I, 215; Scott, II, 6.
96 Cal. State Papers, Domestic, I, 247; Hakluyt, VI, 266-284; Scott, II, 7-8.
97 Scott, II, 8.
100 Cal. State Papers, Simancas, I, 218.
the Council refused to deviate from this general position. The substance of
its answers to these Iberian protests was that Englishmen had a "right to go to
all lands or provinces belonging to friendly States without any exception, and
those who forbid them to do so will be excluded from their (the English) domin-
ions."101

It is important to note, however, that the Council did not exercise the
direction over these African expeditions as it did over Frobisher's ventures.
It tried to maintain the fiction that these voyages were purely private adven-
tures and that the Council had no power to prohibit private trade.102 But
toward other expeditions of a like sort, international considerations forced
the Council to abandon this seemingly open-handed attitude. Such was the case
with regard to the expeditions of John Hawkins and his designs to open up trade
with the Spanish dominions in the New World.

John Hawkins made three voyages to the West Indies with the covert support
of Elizabeth and some of her ministers.103 The pattern he followed in all
three voyages was to descend upon the African coast, purchase or seize Negro
slaves there, and then sell these slaves in Spanish America. He engaged in
some supplementary trade as well—in hides from America and in ivory, gold, and
spices from Guinea. But the slave trade was the most important part of his

101 Ibid., 260.
102 Cal. State Papers, Simancas, I, 216. See also Cal. State Papers, Simancas,
I, 5, 26.
103 Cal. State Papers, Simancas, I, 504, 584-585, 588, 593, 616, 652, 656;
Cal. State Papers, Domestic, I, 299; Read, Cecil, p. 129; Scott, II, 5-9; James
A. Williamson, Sir John Hawkins, the Time and the Man (Oxford, 1927), pp. 137-
138.
Against the continuation of this trade, the Spanish Ambassador used all his wiles. He protested to the Queen and to the Council, and he even cultivated Hawkins' acquaintance in order to try to induce him to accept service with Spain. The Ambassador could not prevent the first two voyages, but he was able temporarily to frustrate plans for a third. In 1566 he received information that Hawkins was again preparing to go to the West Indies. After his agents had confirmed this, the Ambassador protested directly to the Queen. The Queen promised to take such steps as were necessary and presented the matter to the Council. A few days later, the Council ordered its agents at Plymouth not to allow Hawkins and his associates to sail, but to send them to appear before the Council. When Hawkins appeared before the Council, he promised not to sail to places prohibited by the King of Spain and the Council ordered the Judge of the Admiralty to place him and his associates under bond to adhere to that pledge. After these bonds had been taken the Council ordered Hawkins' ships released to depart when they would.

104 Scott, II, 8-9.
106 Ibid., 548, 556, 584-585.
109 Acts of the Privy Council, VII, 316; Cal. State Papers, Domestic, I, 280, 281. An associate of Hawkins, John Lovell, did go to the West Indies despite this pledge. He left as secretly as possible on November 9, 1566, and returned in September, 1567, a month before Hawkins left on his third voyage. --- Spanish Documents Concerning English Voyages to the Caribbean 1527-1568, selected by Irene A. Wright (London, 1929), pp. 16-18.
In reporting this matter to his master, the Spanish Ambassador said that the Council delayed so that Hawkins would have time to dispatch his ships before the embargo order arrived. Furthermore, he recounted a conversation with Cecil in which Cecil said that the Council did not agree in prohibiting English subjects from trading with Spanish America, but that the Queen had ordered the prohibition to be made. Councillors like Leicester and Clinton were financially interested in Hawkins' ventures and hesitated to use the weight of the Council against themselves.

This conciliar interest in the trading affairs of John Hawkins finally did bring about a third voyage. In the summer of 1567, the Spanish Ambassador found out that Hawkins was fitting out ships for another voyage. It appears that this voyage was to be directed against the dominions of Portugal, so that when the Ambassador protested he was given assurance that Hawkins would not touch at places in the New World prohibited to Englishmen by the King of Spain. In September, 1567, however, it would seem that Elizabeth, with the concurrence of Cecil, authorised a change of plan. The old pattern was to be repeated. After Hawkins had set sail, there was no news from him for over a year, but the Queen continued to insist that he was under strict orders not to trade in prohibited places. When he did return, he had to report that he

110 Cal. State Papers, Simancas, I, 588.
111 Cal. State Papers, Simancas, I, 642, 646; Salisbury MSS., I, 347; Read, Cecil, p. 429. See also Clements R. Markham, ed., The Hawkins' Voyages During the Reign of Henry VIII, Queen Elizabeth, and James I (London, 1878), pp. 5-7.
113 Cal. State Papers, Domestic, I, 299, 300; Read, Cecil, p. 429.
114 Cal. State Papers, Simancas, II, 1.
had lost part of his fleet through a violent encounter with a Spanish naval
force in the harbor of San Juan de Ulua near Vera Cruz.\(^{115}\) This report con-
tributed to an Anglo-Spanish commercial crisis in which the Privy Council
played a small part.

Even before trouble arose in connection with Hawkins' voyages, Anglo-
Spanish commercial relations had experienced very great strain. Elizabeth had
been hardly seated on the throne when the economic connections between England
and the Netherlands entered a new phase. Formerly, the economic bonds between
the two countries had been very strong because of the cloth trade. The Mer-
chant Adventurers had even acknowledged at one time that "one country cannot
well live without the other."\(^{116}\) Yet, in the early 1560's, this relationship
was marred by attempts on the part of Antwerp merchants to deprive the Merchant
Adventurers of their privileged position,\(^{117}\) and by attempts on the part of
English governmental officials to force foreign merchants to pay higher customs
duties and otherwise to restrict their trading position in England.\(^{118}\) Further-
more, the actions of English Channel pirates and the legislative favoritism
shown to English shipping irked the Spanish rulers of the Netherlands.\(^{119}\)

\(^{115}\) Sir William Cecil to Sir Henry Norris, January 30, 1569, in Read, Cecil,
p. 435; Cal. State Papers, Domestic, I, 323, 329, 331, 337.

\(^{116}\) Cal. State Papers, Foreign, VII, 528; Lipson, II, 197.

\(^{117}\) Pepys MSS., p. 56; Salisbury MSS., I, 289; Lipson, II, 197-198.

\(^{118}\) Cal. State Papers, Foreign, III, 91; Lipson, II, 197-198.

\(^{119}\) 1 Eliz., c. 13, 5 Eliz., c. 5. Statutes of the Realm, IV, pt. I, 375-376,
423-425; Cal. State Papers, Simancas, I, 24-25; 52, 56, 61, 63, 65, 79, 92-93,
163, 212, 215, 222-223, 228-229, 300-301, 345-346, 347, 354-355, 373, 375-376,
379, 386; Harper, pp. 25-26; Read, Cecil, pp. 288-290; Unwin, "Merchant Advent-
In 1563, relations reached such a stage that Low Country ports were closed to English ships by Spanish authorities and the merchants of the Netherlands were forbidden to export anything in English vessels. This action provoked the Council to arrange for the transference of the English cloth trade from Antwerp to Edam. Furthermore, in 1564, Elizabeth placed an embargo on all imports from the Low Countries and the Council assumed the task of enforcing this embargo. On November 4, 1564, for example, it issued orders for halting of English imports from the Netherlands. Only ships driven into English ports by storms or other difficulties which contained prohibited wares were to escape the penalties set forth for violation of this order. On November 7, it sent this order to customs officials at Dover, Sandwich, Pevensey, and Rochester. Subsequent letters relate its supervision over the sale of prohibited cargoes seized from ships driven into English ports by force of the weather or from those trying to break the embargo. On November 9, for instance, it wrote to "the Customers of Quinborough" to "permit and suffer con

120 Cal. State Papers, Foreign, VI, 303; Lettenhove, III, 556; Lipson, II, 198; Read, Cecil, pp. 290-291.

121 Acts of the Privy Council, VII, 141; Cal. State Papers, Domestic, I, 239, 241; Lettenhove, III, 275, 361, 371; Hagedorn, I, 172; Lipson, II, 198-199; Read, Cecil, pp. 291-292. On the ground that the Merchant Adventurers had "found out the trade" to Germany the Company was granted a charter which defined its future territorial limits.--Lingalbach, pp. 229-236.

122 Robert Steele, A Bibliography of Royal Proclamations of the Tudor and Stuart Sovereigns and of Others Published under Authority, Bibliotheca Lindesiana, Vols. V-VI (Oxford, 1910), I, 63; Lipson, II, 198; Read, Cecil, p. 292.


124 Ibid., 159-160.

125 Ibid., 162, 165, 166, 167, 171.
Jacob Poppen of Holande, late driven by tempests into that port of Quinborough with waineskotte, hoppes, barreled fishe and other wares, to make sale of the same at prices reasonable and thereupon to depart with his shippe.\textsuperscript{126} And on November 23, it ordered the customer at Feversham to allow a Fleming supposedly forced into that port by the weather to depart with his ship and cargo "ye his informacion be true." If the Fleming could not "justyfye his allegacion," the customer was to stay him "according to the former order."\textsuperscript{127} Throughout the period of the embargo, jurisdiction of this sort was exercised by the Council.

Negotiations for the resumption of commercial intercourse began in the spring of 1564. For the most part they were handled by the Spanish Ambassador and Sir William Cecil. After six months of negotiations, trade was reopened on January 1, 1565.\textsuperscript{128} Soon after the resumption of trade, however, revolt broke out in the Netherlands and advice began to be sent to the Council that the Merchant Adventurers should move again.\textsuperscript{129} The Council considered this advice and participated in the making of arrangements to establish the Merchant Adventurers in Hamburg.\textsuperscript{130} In 1567 this German city made a concordat with the company

\textsuperscript{126} Ibid., 162.

\textsuperscript{127} Acts of the Privy Council, VII, 167.

\textsuperscript{128} Sir William Cecil to Sir Thomas Smith, December 30, 1564, in Queen Elizabeth and Her Times, I, 182; Cal. State Papers, Simancas, I, 326, 328-329, 348, 349-354, 355-359, 368, 379, 398; Lettenhove, II, 148-153; Steele, Proclamations, I, 64; Lipson, II, 200-201; Read, Cecil, 292-294. See also Acts of the Privy Council, VII, 308.

\textsuperscript{129} Sir Thomas Gresham to Sir William Cecil, September, 1566, in Lettenhove, IV, 353; Read, Cecil, p. 422.

in which many privileges were accorded the company in return for the monopoly of its traffic in Germany.\textsuperscript{131} Shortly afterward, the first shipment of English cloth was sent to this German outlet.\textsuperscript{132} The Privy Council supervised the transportation of this merchandise.\textsuperscript{133}

This confirmation of the newly established trade connection with Hamburg was accomplished none too soon. Tension had been increasing between England and Spain over Spanish efforts to suppress the revolt of the Netherlands, and when some ships conveying bullion to the Low Countries for the payment of Spanish troops were driven into English ports by the weather, Elizabeth confiscated their cargo. This happened about the same time that news of Hawkins' misfortune reached England and Spain.\textsuperscript{134}

This time, however, the break was more vindictive.\textsuperscript{135} In retaliation for Elizabeth's confiscation of the money consigned to the Spanish military forces,

\begin{itemize}
\item \textsuperscript{131}Richard Ehrenberg, Hamburg und England im Zeitalter der Königin Elisabeth (Jena, 1896), pp. 90-100, 312-326; Lipson, II, 201; Umwin, "Merchant Adventurers' Company," p. 211.
\item \textsuperscript{132}York Mercers and Merchant Adventurers, pp. 179-180; Lipson, II, 201.
\item \textsuperscript{133}Cal. State Papers, Simancas, II, 138, 142, 144-145, 155, 158, 165, 176, 182, 185, 187-188, 190. See also Cal. State Papers, Domestic, I, 366, 367; Salisbury MSS., II, 139.
\item \textsuperscript{134}Cal. State Papers, Domestic, I, 323, 324, 325, 326-327, 328, 339, 363; Cal. State Papers, Simancas, II, 83, 83-84, 88, 90, 90-91, 91-92, 93-94, 95; Lettenhove, V, 205; Lipson, II, 202; Scott, I, 50-51; Sir William Cecil to Sir Henry Norris, January 3, 1569, in Read, Cecil, p. 435.
\item \textsuperscript{135}In 1564, the conflict was primarily an economic struggle between London and Antwerp. In 1569, the controversy was dominated by religious and political considerations and had taken on the aspects of an ideological war.---Sir William Cecil, "A short Memorandall of the State of the Realme," in Samuel Haynes, A Collection of State Papers Relating to Affairs in the Reigns of King Henry VIII, King Edward VI, Queen Mary, and Queen Elizabeth, From the Year 1542 to 1570 (London, 1740), pp. 579-598; Lipson, II, 198.
\end{itemize}
the Spanish governor of the Low Countries arrested the persons and goods of English merchants while at the same time prohibiting intercourse with England.\footnote{136} Corresponding action was taken immediately in England against Spanish merchants\footnote{137} and the Privy Council was assigned the job of supervising the acquisition and distribution of the spoils.\footnote{138}

The duties undertaken by the Council in this regard included the assigning of men to find, seize, and tally Spanish goods according to the authority of the Queen's commission, as well as the determination of what goods should be distributed to what English subjects in reprisal for the merchandise these subjects claimed to have been deprived of by Spanish authorities.\footnote{139} Eventually this task became too detailed for the full Council to handle and a committee was appointed to superintend the situation created by the actions of the confiscatory commission. This committee seems to have been composed of Burghley, the Earl of Lincoln, the Earl of Sussex, and the Earl of Leicester.\footnote{140}

The reprisal procedure supervised by this committee is of some interest. First of all, it appears that the facilities of the Admiralty Court were used to receive inventories of the goods seized from Spanish subjects.\footnote{141}

\begin{footnotes}
\item[136] Lettenhove, V, 256; Scott, I, 51.
\item[137] Cal. State Papers, Simancas, II, 99-100; Steele, Proclamations, I, 67-68; Lipson, II, 202.
\item[140] Cal. State Papers, Simancas, I, 385, 435.
\item[141] Ibid., 364.
\end{footnotes}
January 17, 1572, for example, the Judge of the Admiralty wrote to the Mayor of Rye ordering him to certify in writing, within ten days, "what goods, wares, merchandises, ready money, ships or other vessels belonging to any subjects of the King of Spain have been arrested or stayed in your port... how the same have been disposed, and also to let us know of such as you know or vehemently suspect to have concealed such goods." Furthermore, definite days were set aside for the examination of claims for restitution from confiscated Spanish goods. On March 2, 1572, for instance, the Mayor of Rye was told that hearing of this sort would be held in Rye on Saturdays and Mondays at the Guildhall. Moreover, confiscated Spanish valuables seem to have been actually parcelled out to English subjects presenting a valid claim for redress and a start made toward the selling of that amount of merchandise not needed for purposes of restitution. At the same time, however, steps were taken to protect Spanish subjects from the loss of their purely private possessions.

While this survey and division of Spanish merchandise was being carried out, steps were taken by the Spanish authorities in the Netherlands to effect a reconciliation. Elizabeth, however, refused to deal with the envoys sent over by the Spanish governor on the pretext that these envoys had no authority to

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142 Rye and Hereford M398, p. 12.
143 Ibid., pp. 13-14.
145 Read, Cecil, 433-434, 435.
to speak for the king.\textsuperscript{116} Thus, the Council was assigned to handle them.\textsuperscript{117}

At first, the Council assumed as adamant a position as the Queen and refused to stop the seizure and sale of Spanish goods.\textsuperscript{118} After a long period of negotiations,\textsuperscript{119} however, commercial intercourse between England and the dominions of Spain was reopened by the Treaty of Bristol in August, 1574.\textsuperscript{150}

From the reports of the Spanish Ambassador, it is evident that the Privy Council played a supervisory role in the making of this treaty. The actual negotiations on the English side were carried out by commissioners appointed for that purpose, but the commissioners were in continual contact with the Council's views.\textsuperscript{151} Moreover, the Council consulted merchants during the course of negotiations and dealt directly with the Spanish concerning particular points.\textsuperscript{152} It would seem, therefore, that the slow progress of the negotiations was its responsibility. According to the Spanish Ambassador, the Council

\begin{itemize}
\item \textsuperscript{117} Cal. State Papers, Simancas, I, 128, 329; II, 128, 134; Cal. State Papers, Foreign, II, 23, 26.
\item \textsuperscript{118} Cal. State Papers, Foreign, X, 85-86; The Earl of Leicester to Thomas Randolph, May 1, 1569, in Queen Elizabeth and Her Times, I, 314; Sir William Cecil to Sir Henry Norris, in Read, Cecil, p. 435; Cal. State Papers, Simancas, II, 219-220, 299, 303, 305-306.
\item \textsuperscript{119} Some of the leading documents relating to these negotiations can be found in Cal. State Papers, Foreign, IX, 516-518, 523, 527, 559; X, 42, 85, 151, 586-587; XI, 3; Cal. State Papers, Simancas, II, 1-502.
\item \textsuperscript{150} Salisbury MSS., II, 81; Frederick C. Diets, English Public Finance 1558-1611 (New York, [1921]), p. 15.
\item \textsuperscript{152} Acts of the Privy Council, VII, 294; Cal. State Papers, Foreign, X, 85-86; Cal. State Papers, Simancas, II, 298, 355, 373.
\end{itemize}
was not overly eager for a settlement because it believed that the advantage was on the side of the English. On March 10, 1571, he wrote that "the robberies and seizures have been going on as usual, and these people are now so obstinate in them that it will be very difficult to reform matters."

This obstinacy, moreover, was not limited to Anglo-Spanish commercial matters. The Council was also obstinate in its attitude toward the Hanseatic merchants. Furthermore, this obstinacy was buttressed by the Merchant Adventurers, who were in a position to press for governmental favors. Throughout the first twenty years of Elizabeth's reign, therefore, the Council used its authority and influence to whittle down the privileges of the Hanseatic merchants in England and to support English invasion of their home territory. In January, 1576, Hanseatic merchants were excluded from Blackwall Hall, the cloth purchasing center in London. In retaliation, the Hanse induced Hamburg to withdraw the privileges it had granted to the Merchant Adventurers. This further provoked the Council to issue a decree which abolished the privileges of the Hanse in England and placed them on the same footing as other foreigners. Attempts to effect a reconciliation were futile and by 1580 the breach

154 Ibid., 296.
was complete. 160

Thus, during the first twenty years of Elizabeth’s reign, the Council followed a policy of channeling the trade of England through restrictive companies while at the same time using commercial organizations in an attempt to increase the power and freedom of England’s international position. 161 This policy had called for deliberate and comprehensive action. Moreover, it included an interest in practically everything connected with English foreign trade. In line with this interest, the Privy Council exercised jurisdiction over such things as the suppression of piracy, restitution of pirated and wrecked goods, mercantile cases, trading monopolies regarding particular products, 162 marine insurance, licenses to ship restricted products, 163 and control of ship movements. 164

Piracy, for example, occasioned many a headache for the Council. 165 Throughout the period under discussion it was rampant in the channel and adjacent European waterways. In an attempt to bring it under control, the Council issued special orders to its regular agents, 166 supervised the establishment of

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162 Salisbury MSS., II, 140.


165 Sir William Cecil to the Earl of Sussex, July 25, 1561, in Queen Elizabeth and Her Times, I, 66; Rye and Hereford MSS., p. 39; Cal. State Papers, Domestic, I, 305; Cal. State Papers, Simancas, I, 552. See also Sir William Cecil to the Earl of Sussex, March 3, 1561, in Queen Elizabeth and Her Times, I, 168-169.

a special piracy commission composed of gentlemen throughout the realm and directed naval activity against pirates when that was considered necessary. This problem is a story in itself, however. Suffice it to say that the Council never did adequately control it—perhaps because so many Englishmen in high places did not want it controlled and the efforts it put forth in an endeavor to do so are subject to varying opinions. On February 15, 1563, for example, the Spanish Ambassador reported that the Council was lukewarm in its attempts to suppress the piratical actions of Englishmen. But on August 7, 1564, a new Spanish Ambassador wrote that in his opinion the English government was doing its best to put down piracy in the waters surrounding the British Isles.

Whatever spirit animated the Council regarding its anti-piracy measures, it is clear that the Council took an interest in the restoration of captured merchandise to its rightful owners whenever possible. As in problems of a like nature, however, it worked within the legal principles of the time and there was a costly process of litigation before restitution could be accom-


169 Cal. State Papers, Domestic, I, 513, 590; Cal. State Papers, Simancas, I, 520-521, 529, 533, 173, 483, 539, Salisbury MSS., I, 286-287; II, 162. Moreover, in 1571 the "men of Aldborough" had to pay a fine for "trafficking with pirates."—Cal. State Papers, Domestic, I, 432.

170 Cal. State Papers, Simancas, I, 300-301.

171 Ibid., 373. See also Cal. State Papers, Simancas, II, 293.

plished.\textsuperscript{173} In an attempt to simplify this process as much as possible, the Council used and supported the jurisdiction of the Admiralty Court.\textsuperscript{174} Conflicting jurisdictional claims between the Admiralty Courts and other courts of the realm,\textsuperscript{175} resistance to the Admiralty Court orders,\textsuperscript{176} and non-sympathetic juries,\textsuperscript{177} prevented this simplification from becoming as effective as it might have been. At any rate, Privy Council interest in the restitution of goods captured by pirates did not prevent the Spanish Ambassador from complaining about the delays and the decisions regarding such restitution.\textsuperscript{178}

As part of its overall interest in the foreign trade of England, the Council also concerned itself with the salvage of ships and cargos wrecked on the English coast.\textsuperscript{179} In its attempt to control this problem, the Council also used and supported the jurisdiction of the Admiralty Court,\textsuperscript{180} but it did not limit itself to this intermediary in order to implement its will. On March 4, 1564, for example, the Council ordered the Justices of the Peace in Sussex to find and deliver oil wrecked on the Sussex coast to its rightful owner, a For-

\textsuperscript{173} \textit{Cal. State Papers, Simancas}, I, 163, 375-376, 386, 394.


\textsuperscript{175} \textit{Acts of the Privy Council}, VII, 12, 293.

\textsuperscript{176} \textit{Acts of the Privy Council}, IX, 88.

\textsuperscript{177} \textit{Cal. State Papers, Simancas}, I, 373, 375, 449.


\textsuperscript{180} \textit{Acts of the Privy Council}, VII, 163, 205.
tuguese merchant, even though in the possession of noblemen who claim it as "goodes wrecked." 181

In general, however, recovery of wrecked goods as well as the restitution of valuables involved litigation and, more often than not, this litigation was supervised by the Admiralty Court with the approval of the Council. In many cases, the Council also used the facilities of the Admiralty Court in an attempt to settle mercantile cases where wrecked goods or pirates' booty was not the point at issue. 182 Moreover, it called upon all officials to treat foreign commercial complaints fairly and decide them with speed "to thend that the Queen's subjects may have the like regard had unto them" in foreign countries. 183

This concern for the position of English traders in foreign countries also prompted it to use the government's prestige in support of their claims against foreign merchants and governments. 184 For example, it ordered English envoys abroad to forward the suits of English merchants and it used the threat of reprisal action to get satisfaction regarding their claims. 185 In some instances,


however, the Council had to restrain certain Englishmen and English cities from taking such action on their own authority or by authority of English common law courts. The niceties of international relations were upset by these actions and the Council refused to leave them uncontrolled.186

In conjunction with its efforts to control the reprisal activities of Elizabeth's subjects, the Council also tried to make them live up to commercial agreements made in good faith.187 One of its most extensive efforts in this regard was made in behalf of merchants not satisfied with the results of marine insurance agreements. Upon complaint of a merchant that insurance money due him had not been paid, or had not been paid in full, the Council usually appointed a special commission to deal with the matter or had an official like the Lord Mayor of London or the Judge of the Admiralty appoint such a commission.188 If this commission could not settle the matter, the Council took it upon itself to do so.189 Attempts to evade obligations fairly made were disliked by the Council for they "tendeth to the derogacion of so aientent a custome as assurance amongst merchautes"190 and brought discredit to the realm.191

186 Acts of the Privy Council, X, 97, 107; Rye and Hereford MSS., p. 54. See also Cal. State Papers, Domestic, I, 492, 492, 502; Rye and Hereford MSS., 13, 43, 44, 54.


190 Ibid., 196.

191 Ibid., 337.
Because of this concern for fair play, the Council tried repeatedly to obtain information regarding the principles followed by assurers. By clarifying and publishing these principles, the Council hoped to lessen the chance of fraud and make the settlement of controversies easier. Thus, on December 6, 1574, it asked the Lord Mayor, "by conference with suche as be most skilfull in these cases," to certify "what lawes, orders, and customes are used in those matters of assurance, to thend they may be put in ure accordinglie." This request was repeated on December 19, 1574, May 9, 1575, June 13, 1575, and November 8, 1575. Even as late as June 13, 1576, however, the Council seems not to have obtained the information it wanted. Its interest in marine insurance matters, however, continued unabated.

During the first twenty years of Queen Elizabeth's rule, therefore, the spirit and form of English foreign trade was greatly influenced by Privy Council action. The general impression of its achievement in the field of industrial regulation, and perhaps even more of domestic trade, is that it did not lead to much in the direction of greater conformity to the established code, nor did it give much of an impetus to the new forces of industrialization. But in foreign trade this impression is not valid. The Privy Council did succeed to a remarkable extent in organizing English foreign trade according to doctrines and conceptions derived from considerations of order, national power, and other ideas commonly tied together by the name of mercantilism.

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193 Acts of the Privy Council, VIII, 326, 374, 397; IX, 43.
194 Acts of the Privy Council, IX, 163.
CHAPTER V

FINANCE: PUBLIC AND PRIVATE

In the sixteenth century, English economic relations rested upon a financial foundation. As part of this foundation, credit occupied a ubiquitous position. It formed part of the small cultivator's existence and was connected with the struggle of the craftsman to maintain a position of independence within the industrial organization. As Tawney has shown, borrowing was a normal and necessary incident in the life of the peasantry. In a world where seasons are uncertain and six months intervene between sowing and harvest, the need for credit was inherent in the nature of things.\(^1\) If the craftsman did not suffer to the same extent as the small cultivator from the uncertainty of the seasons, his dependence upon credit was also intimate and direct. Unless he wanted to become a wage-earner, he had to find an opening to set up shop and possess the means to take advantage of it. Credit enabled him to gain these two things. Through its use, the craftsman was given the opportunity to acquire a shop with stock and to possess working capital. For the craftsman, whether or not to make use of credit was not the question. The question was on what terms it could be obtained.\(^2\)

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\(^2\)Ibid., pp. 27-28.
This ubiquity of credit also permeated upward into the ranks of the
landholding aristocracy and gentry. These classes made use of credit to meet
current expenses of their establishments, to stave off creditors, or to renew
debts. Moreover, their financial embarrassments contributed to the land ques-
tion of the day, for they mortgaged their lands to receive the credit they
needed and these lands fell into the hands of persons determined to make a
profit through the more rigorous methods of estate management. It was this
type of landlord, for example, that enclosed common land and evicted tenants-at-will or copy holders.

Credit also played a prominent part in the development of industry within
England. In the woollen industry, for example, credit was used to bridge the
gaps between successive production and distribution stages. The grazier sold
wool on credit to the clothier who in turn advanced credit to his spinners and
weavers. Unfinished cloth was put out to be dyed and finished and when it was
ready for export the clothier could get an advance from the Merchant Adventur-
ers or the cloth-workers at Blackwell Hall. More often, however, the clothier
gave long credit to the exporting merchant and was paid by the latter when the
cloth was sold.

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3 Ibid., pp. 31-35.
4 Edmund Lodge, Illustrations of British History, Biography, and Manners, in
the Reigns of Henry VIII, Edward VI, Mary, Elizabeth, & James I, Exhibited in a
series of Original Papers Selected from the MSS. of the Noble Families of
Howard, Talbot, and Cecil (London, 1838); vii, 91-111; Salisbury MSS., i, 573-
574; Tawney, Introduction to A Discourse Upon Usury, pp. 35-41.
J. M. Cowper (London, 1872), pp. 132-133; Tawney, Introduction to A Discourse
Upon Usury, pp. 39-42. See also Rutland MSS., i, 79.
6 Tawney, Introduction to A Discourse Upon Usury, pp. 43-49.
In the extractive industries, credit presented special difficulties and special opportunities. Not only was the interval before any return could be obtained even longer than in the production of cloth, there was the additional factor that, because of the backward condition of the English mining science and the scarcity of professional technicians, a considerable investment was necessary before a start could be made with the extraction of minerals. The smaller extractive enterprises, therefore, functioned on the credit advanced by their distributors. When mining was carried on upon a larger scale, other means had to be used and the joint-stock company came into prominent use.7

This development of a commercial organization designed to meet credit conditions in the mining industry was paralleled by similar developments with regard to foreign trade. By the third quarter of the century, the financing of foreign trade had become sufficiently profitable to form the main business of a special group of brokers and discount houses.8 The discounting of bills on Antwerp and other commercial centers formed the main means of export and import payments. In theory, the bill of exchange might be a mere instrument for the transference of money from place to place, but, in practice—since even the simplest transaction involved the element of time—even a bill payable at sight was necessarily an instrument of credit.9

Since credit was such an important factor in the financial foundations of English agriculture, industry, and foreign trade, it was also part of the finan-

7 Select Charters, pp. 4-15; Scott, I, 39-41; II, 384; Tawney, Introduction to A Discourse Upon Usury, pp. 50-52.

8 Tudor Economic Documents, III, 106-107; Burgon, I, 98-99; Tawney, Introduction to A Discourse Upon Usury, p. 67.

9 Tawney, Introduction to A Discourse Upon Usury, pp. 68-72.
cial foundations of the English government. The government's ability to finance its operations, for example, rested not only on the credit relations of the people who paid its taxes, but also on its ability to secure credit on its own account.\textsuperscript{10}

Thus, Privy Council interest in financial affairs was the product of two different, but interconnected, lines of credit development. The Council exhibited concern for the proper use of private credit\textsuperscript{11} and it participated in credit operations for reasons of state. Under this latter heading, for example, the Council supervised the obtaining of government loans in foreign countries and prevailed upon the Mayor and Common Council of London to guarantee these loans in the name of the city.\textsuperscript{12} The maintenance of Elizabeth's credit in those countries where loans were obtainable also constituted an important part of its financial function. The greater part of its work in this regard was connected with the financial and commercial operations of the Merchant Adventurers. It was partly because of this connection, for example, that the company acquired monopolistic privileges from Elizabeth's government.\textsuperscript{13}

Privy Council use of the Merchant Adventurers to maintain and facilitate Elizabeth's credit in those countries where the company was established resulted from advice given the Queen and Council by Sir Thomas Gresham. Gresham ad-


\textsuperscript{11}Tawney, Introduction to \textit{A Discourse Upon Usury}, pp. 162-165.


\textsuperscript{13}Umsen, "Merchant Adventurers' Company," pp. 133-134, 150.
vocated that the Merchant Adventurers be compelled to pay the government's debts abroad from the receipts of their half-yearly shipments of cloth.\(^{14}\) After each half-yearly shipment of cloth to Flanders by the Merchant Adventurers, sterling rose in the Antwerp market as high as twenty-five Flemish shillings to the pound, since there was a keen demand for bills in England. The ordinary rate was lower and Gresham's plan included the idea that the government should profit by the margin. The Merchant Adventurers would pay the most pressing debts of the Queen in Flanders at the higher rate and would be reimbursed in London according to the lower rate. On a £30,000 loan, the government would save about £4,500 by the difference between the value of sterling in Flanders and in London at the times of borrowing and repayment.\(^{15}\)

As mentioned before, the Merchant Adventurers did not willingly subscribe to this plan, for they were liable to lose heavily on the difference in exchange rates.\(^{16}\) In order to implement it, government pressure was necessary. When the Merchant Adventurers were about to transport their cloth overseas, an order was issued to stop the ships from sailing. As soon as the company agreed to the wishes of the government, this embargo was raised. Satisfaction of its credit demands was obtained for the government through its control of ship movements and foreign trade.\(^ {17}\)

\(^{14}\) Sir Thomas Gresham to the Queen, 1558, in Burgon, I, 483-486; Sir Thomas Gresham to Sir William Cecil, March 1, 1559, in Burgon, I, 257-262. See also Tudor Economic Documents, II, 153-154.

\(^ {15}\) Sir Thomas Gresham to Sir William Cecil, March 1, 1559, in Burgon, I, 260-261; Tawney, Introduction to A Discourse Upon Usury, pp. 84-85.

\(^ {16}\) Scott, I, 26.

\(^ {17}\) Cal. State Papers, Domestic, I, 161; Scott, I, 26.
This operation was used mainly to settle debts outstanding in Flanders. At various times, however, during the first twenty years of Elizabeth's reign, needed money could not be raised in the Low Countries. When this situation occurred, the Privy Council supervised attempts to tap other money markets on the continent and sought loans from the Queen's subjects. During the crisis of 1569-1570, for example, as well as during the winter of 1575-1576, great efforts were made to obtain a loan in Germany, and in 1563 letters of privy seal were issued to various people requiring them to loan the government £100 each. On production of privy seals issued in Queen Mary's time "of meaner sums," this £100 was scaled down by the subtraction of the advance already made.

In 1569, this device was again employed by the Council to raise money. During March and April, letters were sent to persons appointed as collectors requiring them to obtain a loan on privy seals from designated people. Repayment was promised in November of 1571.

There seems to have been a good deal of opposition to this particular loan. Thomas Gawdy, Esq., of Norwich, for example, petitioned to be excused


20 Diets, pp. 26-27, 38.

21 Sir William Cecil to Sir Thomas Smith, November 19, 1562, in Queen Elizabeth and Her Times, I, 109; Diets, p. 17.

22 Diets, p. 17.

23 Ibid., p. 25.
from lending 100 marks because he had lent Queen Mary £10 which had not been repaid, because he was heavily in debt as a result of building, and because he supported a wife and many children. Moreover, he maintained that he had received nothing from his ancestors and since he was not "any great meddler in the trade of law" he could not enhance his financial position in that fashion.24

The Cinque Ports also were vigorous in their efforts to get out of the loan. In 1563 they had protested to the Council that their charters exempted them from forced loans assessed in accordance with letters of Privy seal25 and in 1569 they protested again.26 This time, moreover, evidence indicates that their position was supported by legal opinion.27 At first the Council refused to dispense the Cinque Ports from having to give the money required of them. The representatives of the ports were commanded to appear before the Council to explain their position and after their appearance they were ordered to go home and pay the money or present proof of their inability to do so.28 On January 31, 1571, however, an order-in-council was issued at last discharging the inhabitants of the Cinque Ports from the loan, since it violated the rights granted them by their ancient charters.29

In the counties, refusal to pay had the effect of provoking an investiga-

26Diets, p. 25.
29Cal. State Papers, Domestic, I, 406; Diets, p. 25.
tion to the true estate of those that refused. On June 5, 1570, for example, the Council ordered an investigation to be made of the economic position of "William Whelesey, being appointed to lend the sume of £11, hath exhibited a bill ... alleging divers debts by him owing, and thereby his insufficiencie to lend the money required at his handes, offering nevertheless to lend the sume of £1 11 ... ."30 On November 13, the Council wrote to "Mr. Wilbrane, Recorder of London," to investigate the case of "one John Godderd of Shawford" who had been asked to lend the sum of £50. Godderd had petitioned the Council to have this amount reduced, "alleging his inhabilitie to performe the same by reason that he hath paid for a sonne of his for whose trouthe he stode bound unto the Lady Champion in the sume of £11, and unto a woman in the same house, whom he had abused, in the sume of £1 11." In order to get to the truth of the matter, the Council ordered Wilbrane "to repaire unto the said Ladye Champyon and to know of her whether the said Godderd had paid any suche money, and yt he so dyd, wherefore the same was paid, to whom and at what tympe, and of that he shall have learned herein to signifiye with spede."31 Other letters excusing persons from having to pay the sum required of them or ordering immediate payment unless further proof and an appearance before the Council indicated that a designated lender should be excused, indicate the Council's determination to get as much money as possible from this loan in the fairest way.32 At one point, a man was even imprisoned because he "hath neither made payment thereof nor yet used himself in such sorte as shuld have besaid him" and was allowed

31 Ibid., 400-401.
to remain imprisoned "for a good space . . . ." In this case, however, the Lords also ordered an investigation of the prisoner's contention that he was unable to pay the £50 required of him.33

At the same time that it dealt with protests and requests for reductions, the Council urged its collectors to send up the names of men able to afford a loan which were omitted from the original lists sent to them. Apparently, some of the collectors took this admonition seriously and forwarded the names of those able to lend from £20 upwards. The Council replied to these collectors that it did not mean that any persons should be dealt with "for so mean sums" and ordered the collectors to confine their attention to men able to lend at least £50.34 Moreover, in September of 1570, the Council attempted to find out how much money had been raised in this fashion. It wrote to its collectors asking them how many Privy Seals they had received since the first sending, to whom they had been directed, and what sums of money had been collected. In an effort to retain control of the money thus raised, the Council also ordered the collectors to report into whose hands the money was paid over, and what amount of loan money, if any, the collectors still retained. If any collector still had loan money in his possession, he was ordered to turn it in immediately.35

Foreign loans and forced loans, however, were not the only connections the Council had with the credit operations of the Queen's government. In order to lessen the government's need for loans it supported the efforts of the Lord

33Ibid., 404.

34Diets, p. 25.

Treasurer to improve the normal peace-time revenues\(^{36}\) and it upheld such things as patents granted for the main purpose of obtaining money.\(^{37}\) During the last weeks of 1558, for example, various committees of the Council seem to have been appointed to study the navy, the land grants of Mary's reign, the household and wardrobe expenditures, the "state of the customs and what is meet to be re-formed therein presently and what in a Parliament,"\(^{38}\) the yearly revenue in lands and customs, the charges issuing out of the same, the debts owing by the crown, and the debts due to the crown.\(^{39}\) In subsequent years it approved plans for the simplification and unification of crown lands and for stricter control of the customs in order to improve the revenue derived from these sources.\(^{40}\)

On either June 17 or 18, 1571, for instance, it wrote to the Archbishop of York telling him that a commission had been granted to search out concealed religious lands that should have come to the Queen, and ordering him to support the activities of this commission.\(^{41}\) Other letters to customs officials in various ports, as well as other evidence, testify to the Council's concern for the im-

\(^{36}\) Dietz, pp. 19-21.


\(^{38}\) Dietz, pp. 19-20.


plementation and strict accounting of all customs charges.\textsuperscript{h2}

In previous chapters, mention was made of the Council's role regarding patents.\textsuperscript{h3} Patents, however, were not only granted to make exceptions, or to help establish a new industry on English soil, or to define a foreign trade monopoly. They were also issued to get an established trade into the hands of a favored individual in order to benefit financially both him and the crown. Whatever financial considerations might have played a part in the granting and execution of patents of the regulatory type, patents were also granted for the paramount purpose of securing financial advantage both for the crown and the favored grantees, who divided their profits with the Queen by the payment of rents.\textsuperscript{h4} As in the case of patents of the regulatory type, the Council also undertook to enforce patents mainly concerned with the production of revenue.

Thus, on December 21, 1578, the Council wrote to the Mayor of Exeter ordering him to bond "John Hoyle and Thomas Walker, . . . together with John Hoyle, their servante" for an appearance before the Council regarding a matter of violence committed against "Thomas Page deputed for the execution of her Majesties Letters Patentes" granted for the sole importation of playing cards. Furthermore, the Mayor was to order these culprits to travel to London in company with the bearer of the Letter, "one of the Messengers of her Majesties Chamber," so that "no delayes be used for the deferring of their said appa-


\textsuperscript{h3} See pp. 14, 55-57, 68, 85.

Previous to this, the Council had ordered the appearance of a former Mayor of Cambridge who was accused of committing a similar offense while discharging his mayoralty duties.\textsuperscript{45} The reason behind the Privy Council's efforts to uphold this playing card import monopoly is revealed in a letter written by the Council to the Master of the Rolls in connection with another violation of the Queen's patent. In this letter, the Council states that a patent was granted to "Half Bowes and Thomas Beddingfieldes, esquires, Petitioners unto her Highness," for the sole importation of playing cards in consideration of the fact that it would yield "one hundred markes" a year to the crown. However, one "John Acheley" of London violated the Queen's grant by making and selling cards before or without the permission of the patentees, "thereby the gentlemen are not onlie defrauded of their benefitte, but also her Majestie like to loose her rent growing therof by them." In this case, however, the Council hoped that some accommodation could be arranged "which their Lordships rather wishe by reason the said Acheley dothe by his cardmaking set manie personnes on worke" which would otherwise be idle.\textsuperscript{47}

In addition to supporting efforts aimed at improving the normal peace revenues of the crown and enforcing revenue patents, the Council also attempted to lessen the government's need for credit by strictly administering subsidies granted by Parliament. During the first twenty years of Elizabeth's reign, Parliament granted subsidies in 1559, in 1563, in 1566, in 1571, and in 1576.

\textsuperscript{45} Acts of the Privy Council, X, 431.
\textsuperscript{46} Ibid.
\textsuperscript{47} Acts of the Privy Council, X, 434-435.
Elizabeth placed considerable reliance upon these parliamentary grants and the Privy Council endeavored to enhance the Queen's credit position by virtue of them. 48

Thus, on April 17, 1563, the Council wrote to the Earl of Rutland, Lord President in the North, Sir Marmaduke Constable "and three others," giving them instructions regarding the collection of the subsidy granted that year in the East Riding of Yorkshire. 49 In this letter the Council boasted that no pressure had been put on Parliament regarding this grant and that it had been willingly given because the members of Parliament had perceived "that the charges of the defence of the realm must far surmount this their gift and contribution." 50 This attempt to entice the North on to what the Council represented as the parliamentary bandwagon apparently failed, however, for two months later the Council wrote to these same collectors again, complaining of delay and ordering immediate payment in the North of the 1563 subsidy. 51

In 1566, the Privy Council again issued instructions for the collection of this form of tax. While insisting that the required sum be collected, it cautioned its collectors not to assess any man beyond the limit to which he could pay and still retain his economic position. 52 As manager of the realm, the Council was interested in seeing that the Queen's subjects remained in a sound

48Mietz, pp. 16-17, 21-22, 24, 27, 44.
50Rutland MSS., I, 8h.
51Ibid., 89.
economic condition so that they could continue to share in the financial bur-
dens of the government. Moreover, the Council considered petitions asking to be relieved of having to pay the subsidy. As in the case of the forced loans, these petitions usually resulted in the Council's ordering an investigation to be made of the petitioner's economic status and the allowance of justifiable reductions. On February 12, 1566, for example, the Lord Mayor was ordered to investigate the case of one "Augustine de Nale, strainger" who claimed he was assessed more than his substance could bear. On the basis of this investigation, the Mayor was to "take order that he may be so mitigated and assessed in such reasonable sorte as his substance may in reason and conscience here."

Permission to reduce the amount of money required of a person according to his economic status, however, did not mean that the Council was not interested in a swift and plentiful collection. On March 9, 1566, for instance, it wrote to its collectors that it was concerned lest the subsidy not be collected by April 1, and ordering them to adjust their work so that all the money would be collected by that date. At a later date, it temporarily rejected a suit made to the Queen by the Spanish Ambassador that Spanish merchants resident in England, but only acting as factors for others, should not have to pay the subsidy. In this regard, the Council ordered the Lord Treasurer to give order that these

53 This was in accord with the ideas advanced by those contemporary writers who maintained that the strength of the ruler depended upon the economic well-being of his subjects. "How to Reforme the Realme in Settyng them to Worke and to Restore Tillage," Drei volkswirtschaftliche Denkschriften, pp. 60-61; Discourse of the Common Weal, p. 35.


merchants not be molested, but that no other favor be "used towards them then is shewed to the subjectes of this realme; and to call unto him the Governour of the Merchauentes, and to understand his opinion concerninge the same." It would seem that the opinion of the "governour of the Merchauentes" was stronger than the Council's determination, for two months later a warrant was issued discharging these merchants from having to pay the subsidy.

Despite the Privy Council's interested administration of this 1566 subsidy, the money raised from it was considerably below that raised from the earlier grants of the Queen's reign. When motion for this subsidy was moved in the House, it was coupled with another motion for the reviving of the suit touching the declaration of a successor. The succession, of course, was a matter forbidden to Parliament by the Queen, but it was of such vital interest to the Commons "that they fell upon it with the greatest avidity until ordered by the Queen's express command to abandon it." Even the Queen's command, however, failed to bring the house back to the matter of the subsidy, for the question was raised whether the Queen's prohibition violated Commons' freedom of debate. In order to quiet dissatisfaction and unrest, therefore, and possibly to hasten action on the subsidy bill, the rate of the subsidy was reduced by one-third, from four shillings in the pound on land to two shillings, eight pence, and

58 Cal. State Papers, Domestic, I, 294.
60 Neale, p. 137.
61 Diets, p. 23.
from two shillings, eight pence on goods to one shilling, ten pence. 62 In this form, the subsidy bill was passed. 63

In connection with the 1566 subsidy, the government had tried to depart from the time-honored principle that subsidies were war measures, and had suffered a tactical defeat. During the next five years, therefore, the crown was reluctant to turn to the Commons for help in the form of a subsidy. Instead, reliance was placed upon the surplus which had accumulated in the treasury during the years of comparative peace and good financial management, upon the levy of the 1569 forced loan, upon advances made by the merchants of London, and upon the income derived from such revenue-producing transactions as the sale of export licenses and other revenue-producing devices. 64

Furthermore, attempts were made to preserve the Queen's credit by meeting the expenses involved in the maintenance of such things as bridges and harbors through the exploitation of other sources of income. In 1567, for example, the Council issued a proclamation in behalf of a national lottery, "to the intent that such commoditie as may chance to arrive thereof after the charges borne, may be converted towards the reparacion of the Havens, and strength of the Realme, and towards such other publique good workes." 65 Moreover, the Council tried to finance the repair of Dover harbor in a similar way. After having been rebuilt by Henry VIII, Dover had fallen into great disrepair and decay.

64 Dietz, pp. 24, 25-29.
65 Steele, Proclamations, I, 66. See also Cal. State Papers, Domestic, I, 312, 314, 323.
Since it was the best naval base on the Channel, it was a national concern that repairs should be made. Soon after the accession of Elizabeth steps were taken toward its repair and after some wrangling over who was to pay for this repair, the Council decided that the nation as a whole should meet the charges. As early as 1565, it wrote to the Lord Warden that it considered repairs to the harbor of Dover "to be a matter of such importance that it cannot well be brought to passe without some generall assistance of the whole realtime, which is to be ordered at Parliament, beinge now at hande." Perhaps because of the difficulties experienced by the government in connection with the 1566 subsidy, this intent seems not to have been realized and it was not until 1577 that the Council determined again to lay the burden of repairs upon the nation. At the same time, however, it wanted this burden to be imposed in a way that should be least grievous and burdensome to all subjects. After long deliberation, the Council decided that it would "find no better means" than by "some small fine to be presently set, by way of license, upon all ale-houses, inns and taverns throughout this realm."

Accordingly, letters were sent "into all the shires throughout the realtime to inquire what number of innes, tavernes and alehouses are in every shiere, for a taxacion to be laide upon them towards the repayring of the de-

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69 *Diets*, p. 45.
caised haven of Dover.70 This census was taken,71 but nothing further was done by the Council until 1580, when it ordered the Justices of the Peace to call in all old licenses for the keeping of ale-houses and to levy a fine of two shillings and six pence for every new license. During this interval, plans were also advanced for the taxation of Catholic recusants as a means of paying for the repairs to Dover haven, as well as other projects, but these plans were not brought to fruition until later.72

This attitude of the Council toward the renovation of Dover's harbor, however, was not extended in its entirety to other public works projects. In general, the Council relied upon local funds to finance such things as the repair of bridges, piers and port facilities. It allowed its authority to be used in the solicitation of these funds, but it was reluctant to commit the government to any new extraordinary expenses. In 1573, for example, Yarmouth asked the Council to advance money toward the repair of its harbor. The Council accordingly dispatched some men to view the harbor, ascertain what repairs had already been completed, what was yet to be done, and how much money had already been spent, "to thintent that upon thinhabitantes sute they may appon the particular knowledge thereof deale with the Quenes Majestie for sum relief thereto.73 The relief that the Council secured for Yarmouth, however, con-

70Acts of the Privy Council, IX, 336. See also William Fleetwood to Lord Burghley, July 30, 1577, in Queen Elizabeth and Her Times, II, 64.

71Cal. State Papers, Domestic, I, 480, 555, 557, 558, 562-566, 568, 570, 572, 581; Metz, p. 45.

72Diets, pp. 45-47.

sisted mainly of an export license for corn and its support relative to the raising of money in Norfolk, Suffolk, and the town of Norwich. On May 24, 1573, for example, the Council wrote letters to the Sheriffs and Justices of the Peace in Norfolk and Suffolk, to the Bishop of Norwich, to the Mayor and Aldermen of Norwich, and to the Justices of Assize of the district asking them to procure contributions for the repair of Yarmouth's haven. That the Council was serious in its support for this project is indicated by a later letter it sent to the Justices of the Peace in Suffolk calling them to task because Suffolk had as yet not made any Yarmouth contributions. In this letter the Council stated that it hoped Suffolk would not be "inferior" to Norfolk regarding the renovation of Yarmouth's haven, a project worthwhile and "beneficial for their country." It cannot be doubted that the Council intended that Suffolk should make some contribution in accordance with the Council's request.

This method of financing needed projects was also adopted by the Council in other instances. In 1574, certain inhabitants of Devon and Somerset conceived the idea of "the making and repayings of a haven at Seaton in the county of Devon." They transmitted their idea to the Council along with a request for a "licence under the Grete Seal to gather the voluntary devotion of her Majesty's subjects throughout the realm." Accordingly, the Council instructed the Lord Keeper "to consider of their devise, and to alter and add what he shall think meet for the due gathering of the money and thmployment thereof.

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75 Acts of the Privy Council, VIII, 106.

to the purpose intended."77 The Lord Keeper in turn conferred with the Attorney General and Solicitor General in order to "drawe such a Bill, as the same being signed by her Majestie may be sufficient and convenient for this purpose and reasonable for her Majestie to graunte."78

In other instances, however, the Council was not so accommodating. It refused to allow contributions to be raised outside of a particular area if it thought that the inhabitants of that area might have enough money to finance the project themselves or if it seemed wise not to go beyond established arrangements.79 Thus, when the town of Scarborough asked for help in the financing of repairs to "their decayed pierce," the Council asked the Archbishop of York first "to conferre with them of their own estates and habilities" and then to report "yt any side may be from the Quenes Majestie without direct charge."80

On August 22, 1565, it wrote to the Justices of the Peace in Huntingdon that it could not sanction the gathering of a "benyvolence of the counties of Huntingdon, Cambridge and Bedforde" and the purveyance of "stone, tymber, carriages, workemen and other necessaries" for the repair of a bridge. The Council told these Justices that their request could not be granted, "for that there is a Statute that lymyteth how that and all other decayed bridges through out the realme are to be repayred, which Statute they are willed to consider and put in execution, the order and authoryte whereof their Lordships can in no wyse gyve their consentes to have broken, lest other places of the realme . . . see to

78 Ibid., 325.
have the like relief by extraordinary means.\textsuperscript{81} It is interesting to note, however, that in later years the Council did allow "extraordinary means" to be used relative to the financing of bridge (and road) repairs.\textsuperscript{82}

The obtaining of loans, however, plus support for plans and devices to lessen the government's dependence upon loans, did not constitute all of the Privy Council's financial functions. It also participated in attempts to maintain the Queen's credit through the reformation of the coinage and the control of foreign exchange transactions.

Thus, the Council used its power and influence in behalf of an orderly displacement of debased money by a restored coinage during 1560-1561. Its functions in this regard were mainly regulatory.\textsuperscript{83} Furthermore, it ordered its agents to suppress rumors of new detachments\textsuperscript{84} and it exhibited diligence and care regarding the apprehension and punishment of counterfeiters.

In 1559, for example, it ordered that two counterfeiters lodged in the Tower were to be examined and made to tell the names of their accomplices.\textsuperscript{85}

On January 27, 1564, the Duke of Bedford was informed that no mercy was to be accorded some captured counterfeiters, even though the Duke might want to extend such mercy. These counterfeiters were to be interrogated for information and, by implication, torture was to be used if necessary to secure the desired

\textsuperscript{81} Acts of the Privy Council, VII, 248-249.

\textsuperscript{82} Acts of the Privy Council, IX, 17, 103-104, 117, 120, 131, 135, 150. See also Acts of the Privy Council, VIII, 289-290.

\textsuperscript{83} Cal. State Papers, Domestic, I, 159, 164, 170; Rutland MSS., I, 73. See also Salisbury MSS., I, 151.

\textsuperscript{84} Acts of the Privy Council, VII, 378; Cal. State Papers, Domestic, I, 193, 194; Shrewsbury and Coventry MSS., p. 50.

\textsuperscript{85} Acts of the Privy Council, VII, 92, 97.
information from them. Moreover, the Council requested its agents to act against these counterfeiters so that "their poonishment maybe a terroor to others of like lewde disposition." 87

Other cases of counterfeiting also received the Council's careful attention. In December of 1573, the Attorney General was asked to consider the case of some counterfeiters taken at Oxford. 88 The next day the Council issued a commission of oyer and terminer 89 to the Mayor of Oxford so that he could determine the case. In this instance, the Council also requested that the relative examination documents were to be returned to it with one piece of the false coin as evidence. 90 On December 26, 1573, the Council ordered the Sheriff of Wiltshire "to apprehend one Fraunces Browninge, gentlemen, and send him up hither under serue garde, being suspected of false couyninge." 91 In subsequent letters the Council ordered its agents to apprehend, examine, and present for trial before the Justices of Assise, persons connected with the practice of falsifying the Queen's coin. 92 Sometimes if a counterfeiter indicated a will-


89 "This was a commission addressed to certain of the king's justices and others directing them or any two or three of them to enquire concerning certain crimes committed in certain counties 'saeque omnia audiendum et terminandum.' The commissions might be either general, to enquire into all crimes committed within the area of the commission; or special, to enquire into a particular case, or in a particular place, or into certain specified crimes."—Holdsworth, I, 274.


91 Ibid., 173.

ingness to talk in order to save himself, the Council requested that he be delivered into their hands for judgment. In one instance, this change of venue saved a counterfeiter from the consequence of his crime. On May 31, 1574, the Council ordered a counterfeiter who wanted to save himself to be sent before it under guard.\(^{93}\) In June, 1574, this man was committed to the Marshalsea.\(^{94}\) The next month, however, the culprit was discharged "for having voluntarily acknowledged his offence."\(^{95}\)

Attempts to maintain the government's credit by protecting the standard of its coinage had its counterpart in the Privy Council's endeavors to control the foreign exchange mechanism. From a very early date, the machinery which exchange transactions offered for the collection of customs, for insisting on the importation of bullion, and for restricting its export, had led the crown to exercise, in theory at least, control over them.\(^{96}\) In Elizabeth's reign, these reasons were supplemented by the desire to keep light foreign coins out of circulation and to prevent undervalued English coins from being transported abroad,\(^{97}\) to check the depreciation of sterling in foreign money markets, and to control a condition affecting the important question of prices. Moreover, since it was by exchange transactions that the government raised and paid its largest foreign loans, exchange control involved the whole problem of credit in

\(^{93}\)Acts of the Privy Council, VIII, 250.

\(^{94}\)Ibid., 251.

\(^{95}\)Cal. State Papers, Domestic, I, 482.

\(^{96}\)Tawney, Introduction to A Discourse Upon Usury, p. 136. See also Acts of the Privy Council, VII, 364; IX, 262-263.

Domestic prices, for example, were thought to be raised by speculative exchange movements which artificially deflated the value of sterling in foreign countries. During the reign of Edward VI, prices rose to such a point as to threaten the social order and contemporary writers attributed the situation to a fall in the foreign value of sterling due to illegitimate speculation.

England had a debased currency during this period, but even acute writers explicitly denied a direct connection between debasement and the price level. The government attempted to control the price level at this time by suspending private exchange business, but, as has been noted, this attempt failed.

The climax of this struggle was reached during the eighteenth year of Elizabeth's reign. By this time, however, the government exhibited an awareness that the value of sterling abroad was connected to its intrinsic domestic value through its concern for a correctly valued coinage. But as a debtor state, the greater part of whose loans were held abroad (at least to 1575), and as a heavy buyer of foreign munitions, the government felt that it was

98 Tawney, Introduction to A Discourse Upon Usury, p. 137.

99 "Policies to reduce this Realme of England unto a prosperous Wealthe and Estate" (Goldsmith's Library, MS. no. 10), cited in Tawney, Introduction to A Discourse Upon Usury, p. 145; "Memorandum Prepared For the Royal Commission On The Exchanges, 1564," Tudor Economic Documents, III, 347; William Lane to Sir William Cecil, January 8, 1551, in Tudor Economic Documents, II, 184. See also Heckscher, II, 238.

100 Tawney, Introduction to A Discourse Upon Usury, pp. 144-145.

101 "Policies to reduce this Realme of England unto a prosperous Wealthe and Estate" (Goldsmith's Library, MS. no. 10), cited in Tawney, Introduction to A Discourse Upon Usury, p. 145.

102 Diets, p. 27; Tawney, Introduction to A Discourse Upon Usury, p. 146.

103 See p. 206.
necessary for it to exercise some control over the movement of sterling in foreign money markets, beyond that of maintaining a stable mint per ratio. "The control of exchange transactions was regarded as a necessary element in the policy of deflation, the first step towards which had been the recoinage of 1560." 104

Thus, a proclamation was issued in 1559 temporarily suspending exchange business and in 1564 a Royal Commission was appointed to investigate the problem. 105 The memoranda submitted to this commission, as well as memoranda drawn up in connection with Parliamentary consideration of a usury bill in 1571, show that depreciation of sterling abroad was still considered to be the result of disreputable exchange transactions. A return to the policy of controlling exchange transactions seemed to be the only effective way of dealing with the problem. 106

In 1575, Elizabeth's government took the first step towards nationalising exchange transactions by the appointment of Lord Burghley as Royal Exchanger. Through this appointment, Burghley received the power to appoint exchange brokers, to grant licenses to merchants, and, in short, to conduct a banking business. 107 As a follow-up to Burghley's appointment, two proclamations were

104 Tawney, Introduction to A Discourse Upon Usury, pp. 146-147. See also Walter Scott, A Collection of Scarce and Valuable Tracts, On the Most Interesting and Entertaining Subjects: But Chiefly such as Relate to the History and Constitution of these Kingdoms. Selected from an Infinite Number in Print and Manuscript, in the Royal, Cotton, Sion, and Other Public as well as Private Libraries; Particularly That of the Late Lord Somers. 2nd ed. (London, 1809-1817), I, 141.

105 Tudor Economic Documents, III, 346; Tawney, Introduction to A Discourse Upon Usury, p. 147.


107 Tawney, Introduction to A Discourse Upon Usury, p. 150.
issued in the following year placing the exchange business under control of the Council. The first proclamation ordered the existing statutes with regard to exchange business to be put in force. In the second proclamation, the Council promulgated a series of rules "for the government and order of the Eschaunge, that the same may be used and kept according to the laws and statutes of the Realme...".

These rules embodied the substance of previous suggestions. After reciting that "by the laws and statutes of the realme no man ought to make any exchange or rechaunge of money but such as her majesty shall authorise, or their leefull deputys," notification was given of the appointment of two haberdashers and a grocer—"men well acquainted with the manner of exchaunges and rechaunges from and to the city of London and to and from foreigne parts" as exchange agents of the Queen. Private exchange dealing by unauthorised persons was henceforth prohibited. Moreover, these regulations stipulated that monetary exchanges should be made "as near as possibile may be and as times of trade may suffer" to par, and only "for the use of known marchauntes." A tax of one farthing in the noble, or in all three halfpence in the pound, was imposed upon each party to the transaction.

Thus, suspension of private exchange business was intended to raise the value of sterling and thereby enhance the credit of the government and the country. But this particular attempt to make foreign exchange business a

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108 Steele, Proclamations, I, 76.

109 The main lines of the policy adopted by the government were set forth in a memorandum prepared in 1571.—Tudor Economic Documents, III, 367-370.

110 Steele, Proclamations, I, 76.
state monopoly aroused a great deal of opposition in London and seems to have been a complete failure.\textsuperscript{111} The merchants, for example, refused to accept quietly the dictates of the Privy Council. Their opposition to the Council's rules was ostensibly concentrated on the proposal to tax exchange transactions, but, in reality, it was directed against any attempt to bring the money market under the control of the state.\textsuperscript{112} The system of credit financing in foreign trade had grown to a position of independence and refused to bow meekly to Tudor paternal tutelage.

This opposition on the part of the merchants, however, was not received kindly. Lord Burghley took the trouble to secure a list of people who declined to obey "the new order for the exchange" and also a report on their "unlawful traffic."\textsuperscript{113} There are also some indications that there was a disposition among Privy Council members to treat the leaders of the opposition as disaffected persons. Notwithstanding this, it appears that the protests of the merchants produced the desired effect, and that the Council's proclamation was withdrawn.\textsuperscript{114}

Exchange transactions, however, were only part of the general business of the money market. The financiers who dealt in bills of exchange also subscribed to government loans and held the mortgages of the gentry. In the first part of this chapter mention was made of the fact that Elisabethan economic re-

\textsuperscript{111}Tawney, Introduction to \textit{A Discourse Upon Usury}, p. 151.

\textsuperscript{112}Tudor Economic Documents, II, 169-173; Georg Schanz, \textit{Englische Handelspolitik gegen Ende des Mittelalters} (Leipsig, 1861), II, 642-647.

\textsuperscript{113}Salisbury MSS., II, 143.

\textsuperscript{114}Tawney, Introduction to \textit{A Discourse Upon Usury}, pp. 152-153.
lations rested upon a financial foundation and that within this foundation credit was noted for its ubiquity. Because of its position, credit oiled the economic wheels of England. But sometimes this oil could become so overpowering that it seemed to make these wheels slip instead of turn. When interest rates seemed to be prohibitively high, when bankruptcies increased, when foreclosures seemed to be prevalent, and when debtors appeared to fill the prisons, credit was considered to be a danger to the well-being of the state. Its ubiquitousness could be exploited by the discontented and was, therefore, a menace to public order. 115

Excessive opportunity regarding credit financing of cloth exports in the 1550's, for example, was thought to have contributed to the spread of the cloth industry into rural areas, to "boom and bust" conditions within the industry, which complicated good government, to cut-throat competition in the field of foreign trade, which lowered the prices of English wares abroad, and to the rise in prices and interest rates, which constituted a danger to the solvency of both the government and private individuals. 116 Moreover, this official opinion with reference to the ubiquitousness of credit at particular times received support from clerical elements who thought in terms of the religious condemnation of usurious practices. 117 This attitude, however, was received by a somewhat divided public. The sentiment of even the most conservative classes

115 Ibid., pp. 130, 150.
116 Tawney, Introduction to A Discourse Upon Usury, pp. 130, 162. See also Scott, I, 53-54.
had no objection to the use of credit, provided that it was regular and the income derived from it reasonable. Besides, as we have noted, many people based their livelihood on the making of necessary credit arrangements. Within these arrangements, however, there was a wide range of credit transactions whose character was more ambiguous. These transactions were liable to be classes as usurious and, as such, receive the opprobrium of the general public.\footnote{118Tawney, Introduction to A Discourse Upon Usury, p. 122.}

During the reign of Elizabeth, usury was still considered a scandalous vice and various methods were used to combat it. It was forbidden by law under stringent penalties, and proceedings were taken against the usurer.\footnote{119Cal. State Papers, Domestic, I, 490, 613; Tawney, Introduction to A Discourse Upon Usury, pp. 128-125.} Protests were addressed to the Privy Council against people suspected of usurious practices.\footnote{120Tawney, Introduction to A Discourse Upon Usury, p. 125.}

Moreover, various projects were proposed for the lending of money at a low rate of interest on a national scale}\footnote{121Cal. State Papers, Domestic, I, 602, 535; Tudor Economic Documents, III, 370-377; D'Ewes, p. 178.} and local or corporate organizations actually did provide facilities for borrowing on reasonable terms. At the same time, an attempt was made to achieve the same result by private charity or through the administration of the Elizabethan poor relief system.\footnote{122Tawney, Introduction to A Discourse Upon Usury, pp. 125-128.}

Confronted with this somewhat divided attitude, the government was torn by conflicting interests. Its necessities compelled it to court at least the large financiers, but both tradition and interest united it with the opposition
against the supposed usurious use of credit. In this matter, it chose whenever possible to support restrictions against the spread of credit innovations by controlling the rate of interest that could be agreed to by both borrower and lender and by otherwise supervising the credit contract.

Thus, the Privy Council participated in attempts to enforce the laws against usury. Moreover, it tried to increase the practical effectiveness of the laws and to supplement their deficiencies. Its action in this regard was similar to that taken in controversies between landlords and tenants. In 1576, for example, it appointed a very strong commission "for the hearing and ordering of the causes betwene certain prisoners remaining in her Majesties Bench for causes of debt or trespas betwene partie and partie." Because this commission "tended to the relief of sundry poore men that have fewe or none to sue for them," the commissioners were required "by some agreement amonge themselves some of them may appointe from tyme to tyme to sitt in the said Commission to examine the state of the cause, to call the partes before them and to take such order betwene them for the relief of the prisoners and satisfying of the creditours as by the said Commission is appointed." Moreover, the Council energetically supported the activities of this commission. It warned those "refusing contemptuously to appere before her Majesties Commissioners deputed to treate with the creditours of suche as remaine prisoners for debt in her

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123 Sir William Cecil to Sir Thomas Smith, February 27, 1564, in Queen Elizabeth and her Times, I, 126; Tawney, Introduction to A Discourse Upon Usury, p. 122.

124 Tawney, Introduction to A Discourse Upon Usury, pp. 162-163.

125 Ibid., p. 164.

Majesties Bench” that they had better “make their apparaunce at all tymes when they shalbe so required, and not to faile at their perill.”127 Furthermore, the Council took cognizance of cases in which the commission had failed to get the creditors to agree to a composition, “that thereupon their Lordships may deal therein according to equity and conscience.”128

In addition to helping those who were already prisoners for debt, the Council endeavored to prevent others from falling into that category. It issued orders in favor of men in economic difficulties that virtually prevented their creditors from proceeding against them.129 On August 24, 1578, for instance, it issued the following: “A Protection for William Nuthawse of Southamton, marchant, that none of his creditours do molest or trouble or arrest his goodes, merchandises or suerties for viij monethes after the date hereof . . ..”130 Furthermore, it made an effort to see that the laws against usury were enforced on the local level by local authorities.131 The administration of these laws became part of the regular routine of the Justices of the Peace and presentments were made at the Quarter Sessions.132 Moreover, the Council took cognizance of petitions complaining of irregularities in the handling of credit problems and it endeavored to exercise a moderating influence

127 Ibid., 209.
131 Tawney, Introduction to A Discourse Upon Usury, pp. 162-163.
132 Tudor Economic Documents, II, 163-164.
between debtor and creditor by trying to arrange a compromise, sometimes by
means of a specially appointed commission or arbitrator. 133

At the same time, the Council did not intend that debts contracted legiti-
mately should not be paid. On November 11, 1564, for example, it ordered "the
Mayor and Bailifes of Guideforde to staye one Raphe Cleverleye, remaining in
wares there upon a condampnacion of debt, untill they shall have advertised the
Lorde and recieve furder order from them after the satisfaction of the debt." 134

Ten months earlier, the Council had ordered a debtor immediately to pay his
debts because he "hath by indirect means shifted him self from the answering"
of his debt, "so as no ordinary processe of laws can be executed upon him." 135

As late as November 16, 1578, the Council again took action against a debtor
who was trying to get out of paying his debt seemingly for spurious reasons.
In this instance, the difference in when a new year started between the Julian
and Gregorian calendars seemed to be involved. The debt was dated July 15,
1577, and was due January 15, 1578. The Council, however, accepted the credi-
tor's contention that the debt should have been paid according to the old cal-
endar and directed that the debtor remain in prison until payment was made. 136

Despite its own use of credit, therefore, the Privy Council's financial
policy was essentially a conservative one. Its actions were directed toward
the restriction of credit and not toward a more prolific use of credit func-

133 Acts of the Privy Council, VIII, 128; Cal. State Papers, Domestic, I, 490;
Tudor Economic Documents, II, 164-167.


135 Acts of the Privy Council, VII, 195. See also Acts of the Privy Council,
VII, 47.

tions and facilities. In the realm of public finance, for example, it approved efforts of such men as the Marquis of Winchester and Lord Burghley\(^\text{137}\) to establish governmental operations on something of a pay-as-you-go basis.\(^\text{138}\) Moreover, hope for the establishment of an operational capital fund was included in the support given by the Privy Council to such things as domestic prospecting and foreign adventuring.\(^\text{139}\) At the same time, the Council attempted to help the Queen's subjects to establish their financial affairs on a stable basis. Because of its concern for order, and its interest in economic efficiency, the supervision of private credit transactions presented itself to the Council as analogous to the problem of enclosures, the maintenance of the food supply, the regulation of industry, the control of foreign trade, and other measures by which it attempted to check the disarrangement of customary economic relations. For reasons of state, credit had to be regulated.\(^\text{140}\) But like its efforts in favor of the small cultivator, the Privy Council did not follow a comprehensive credit control plan; its efforts in this regard were, therefore, somewhat capricious and irregular.

\(^{137}\) The Marquis of Winchester held the position of Lord Treasurer from 1550 to 1572. Sir William Cecil, later Lord Burghley, held it from 1572 to 1598. Even during Winchester's period as Lord Treasurer, however, Cecil was active in the financial affairs of the Crown.—Dietz, pp. 6, 32-35.

\(^{138}\) Dietz, pp. 7-48.

\(^{139}\) The idea that a state had to have more money available than its neighbors in order to be powerful was strong at this time.—Dietz, p. 28; Heckscher, II, 146-147.

\(^{140}\) Tawney, Introduction to A Discourse Upon Usury, p. 162.
CHAPTER VI

SOCIO-ECONOMIC COORDINATION

In previous sections of this study, mention was made of the Privy Council's efforts to restrict entry into some occupations and to prevent the extinction of others. It was also pointed out that the Council attempted to regulate the operations of some commercial organizations and to protect the quality of their products. In addition, a pervading motive behind Privy Council intervention in the economic relations of England was shown to be a concern for order. As a corollary to this motive, the Council also endeavored to make sure that the economic order it wanted to see exist did not flounder because of generally unstable social conditions.

Thus, the Privy Council was very interested in the general problem of unemployment. Unemployment contributed to discontent which in turn produced riots and other manifestations of a disordered social situation. In the clothing industry, as has been noted, the Privy Council attempted to avoid this condition by requiring employers to retain their employees during times of depression. If they could not pay the wages of their employees out of current profits, these employers were expected to use the profits they had accumulated during

1See pp. 12-16.
prosperous years. In contrast to this attitude, the Privy Council also de­

sired that all those able to work should accept a job or should otherwise con­

nect themselves with some organization that could exercise supervision over them.

According to law, for example, every English subject between the age of
twelve and sixty, not having an independent economic position, was required to work either in agriculture, commerce, or industry. Anyone not holding a lawful position could be forced to work "upon request made by any person using the Arte or mystery, wherein the saide person so required hath beyne exercised," and his term of employment was usually set for a year. Moreover, mobility of labor was restricted by requiring workers to obtain a testimonial from the local authorities in their last place of employment which had to be presented to the authorities of the new area where they wanted to work. If a worker could not produce such a testimonial, the law ordained that he "shallbe imprysoned untill he procure a testemonyall . . ., the whiche if he cannot doo within the space of xxj dayes next after the first daye of his ymprysonment, then the sayde persone to be whipped and used as a vagabunde . . . ." Moreover, anyone

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hiring such a person had to forfeit five pounds for every such offense. 1

The attitude of the law, therefore, came close to the belief that every English subject had an obligation to work or otherwise bring benefit to his community through the exercise of his talents. 5 Moreover, it reflected the idea that this obligation should be fulfilled in a static way. 6 Because of the importance agriculture played in this concept regarding the economic life of England, for example, the law even stipulated that "in the tyme of hey or corn harvest" the Justices of the Peace, "and also the custable or other hed officier of every townshipe," upon request "and for thavoydinge of the losse of any corn, grayne or hey, shall and may cause all . . . artyficers and persons as be mete to labour . . . to serve by the daye for the mowinge reapinge . . . in ning of cornes, grayne and hey . . . ." Persons selected for this service could not refuse, "upon paine to suffer ymprisonment in the stockes by the space of twoo daies and one nyght . . . ." 7 Moreover, in the various provisions made by local authorities to assist those who were willing to work but could not find jobs, this obligatory element is also evident. 8 The borough of Lincoln, for instance, passed an ordinance in 1562 which stated that all workmen "and la-


6 Lipson, II, 391. See also Salisbury MSS., I, 162.


bourers out of work to stand every morning at Stonebow for one hour at the
least, with their things they work withal, that those who lack workmen may find
them; on pain of imprisonment."9 The actions of the Privy Council with regard
to the question of manpower utilization reflected both the provisions of the
national law and the ordinances of local communities. For one thing, it de-
fended the idea that every Englishman should be made to work if he could by up-
holding the poor relief laws which embodied this principle.10 One indication
of this approval can be gathered from its support for the establishment of work-
houses for the unemployed.11 Furthermore, in 1563, a man had to defend himself
before the Privy Council against accusations that he had slandered existing
poor relief practices. This man denied that he had said that the poor could be
better provided for by committing them to the rich to be kept or by diverting
the stream of extravagant spending to their use. He also felt it necessary to
deny that he believed in a "community of things."12

At the same time that it upheld the poor relief laws, moreover, the Coun-
cil used the principle of obligatory labor to levy workmen for military con-
struction tasks.13 Its attitude in this regard was similar to its attitude re-

9 Great Britain, Historical Manuscripts Commission, 14th Report, Appendix,
Part VIII, The Manuscripts of Lincoln, Bury St. Edmunds, and Great Grimsby Cor-
porations; and of the Deans and Chapters of Worcester and Lichfield, &c. (Lon-
don, 1895), p. 54.

10 14th Eliz., c. 5; 18 Eliz., c. 3, in Tudor Economic Documents, II, 328-331,
331-334; Acts of the Privy Council, IX, 247; E. M. Leonard, The Early History
of English Poor Relief (Cambridge, Eng., 1900), pp. 92-94, 98-115; Lipson, VII,
416-430.


12 Salisbury MSS., II, 63-64.

garding the impressment of sailors for the navy.14 If the situation required it, local communities had an obligation to provide workmen for tasks which the government felt had to be done and these workmen could not refuse to perform the services required of them.15 On March 19, 1574, for instance, the Council ordered the Justices of the Peace in Dorset to help "Thomas Leighton, esquier, Captan of her Majesties Isle of Garnesey" to impress six masons, twenty-four laborers, and two carpenters for service on the Queen's works in that island, "as heretofore in such like her Majesties workes hath been accustomed." It was also stipulated in this letter that Leighton was "to answer the conduct, transportacion money and wages according to her Majesties usual entertain- ment."16 Moreover, in May of 1575, the Justices in Dorset were again ordered to levy workmen in their county and "send them into thistle of Garnesey, to be there impioled in the Queenes Majesties workes and fortifications."17 Other letters indicate that workmen were obtained in this way for service on the fortifications at Berwick, in Ireland, and for military construction jobs connect- ed with English expeditions to the continent.18 Furthermore, the number of

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16Acts of the Privy Council, VIII, 212.

17Ibid., 375.

18Cal. State Papers, Domestic, I, 120, 216, 219, 225; Cal. State Papers, Foreign, I, 91, 96; II, 560; Beaufort MSS., p. 457; Salisbury MSS., I, p. 256; Shrewsbury and Coventry MSS., p. 50.
workmen raised through impressment sometimes ran into the thousands, each county having to contribute a designated quota when such a large contingent was needed. 19

Because of its concern for the possible results of unemployment and its support for the idea that everyone had an obligation to work, the Privy Council was particularly harsh toward persons who seemingly did not want to work or who otherwise refused to become part of an economic organization. Thus, it wrote many letters to its local agents ordering the apprehension and punishment of persons who appeared to be voluntary vagrants. 20 On August 8, 1562, for example, it wrote "to the Sherif and Justices of peace in the county of Oxon" to proceed "without delaye against the vagabondes naming themselves Egyptians, taken in that countye and committted to Oxfordes Castell, and to remove the rest remaining in Wallingforde Castell to Oxfordes, so as they may receve their tryall together." 21 In July of 1571, it sent a letter to the Council of the Marches, "enjoining that on 20 August, 12 September, and 12 October ensuing, from 7 O'cl. at night until 3 the next afternoon, strict watch be kept in the whole shire, for the apprehension of all rogues, vagabonds, and sturdy beggars," who, were to be "punished by stocking and sharp and severe whipping." 22 More-

19 Cal. State Papers, Domestic, I, 120, 216, 225.


22 Rye and Hereford MSS., p. 329. This order was one of a series that the Council issued between 1569 and 1572 in an attempt to synchronize searches for vagabonds throughout a whole county or groups of counties. In 1571, for exam-
over, on June 14, 1573, the Council ordered the "Justices of Assises of the Countie of Hereford" to arrest some "lewd persons calling themselves Egyptians" and to "trye and execute according to lawe the principall heedes and ringleaders for terror and example."23 The rest were to be proceeded against as "rogues"24 and sent home into their "coutnries" or otherwise used with "such moderation as they shall think good."25

These orders seem to have produced the desired results in the counties. There is a great deal of evidence to indicate that the Justices of the Peace, and other local officials, did make an effort to control the movement of "vagrant persones having no masters nor any certaintie howe or wherby to lyve."26 Reports are plentiful, indicating that "watch and ward"27 was kept and that captured vagabonds "were punished by stockings, with sharpe and severe whippinge."28 Sometimes these reports were combined with reports concerning the eating of meat on prohibited days and church attendance.29 In one report,

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24 For the legislative definition of this term see 1 H. Eliz., c. 5, Tudor Economic Documents, II, 328-329. See also Cal. State Papers, Domestic, I, 137, 139.
27 Cal. State Papers, Domestic, I, 424.
29 Cal. State Papers, Domestic, I, 121, 122.
however, it was stated that "watch and ward had been made for rogues and vagabonds in Cirencester and the seven adjacent Hundreds," but that no suspected persons had been found. Whether or not vagabonds were apprehended, it is evident that local authorities were ready to deal harshly with them. The boroughs of Lincoln and Salisbury, for example, each had ordinances specifying that all "vagabundes, extra-vagrantes, and idel persons" were to be driven away from their cities. In Gloucester, the town council even paid for "byrche to make roddes to beate the Egypcians naked abouste the citie." The term Egyptian, for vagabond, or vagrant, or idle person, of course, covered a multitude of sins. Some persons classed as such did not want to work, others chose to work in an unlawful manner, while some were forced into a wasteful existence by the economic pressures of the period. What united these people and the terms used to designate them was the fact that they seemed to be unsupervised men, that they were unattached subjects. To the Council, one of the benefits of obligatory employment and local responsibility regarding the problem of those not employed was its connotation of supervision. This

33 Beaufort MSS., p. 468.
34 Aydelotte, pp. 1-20; Judges, Underworld, pp. xiv-xxvi.
35 Aydelotte, pp. 3-20.
sort of supervision seemed highly desirable to these statesmen who were concerned for the preservation of law and order and for the maintenance of conditions which made law and order possible.

In this context, therefore, the Council also made great efforts to see that unemployed soldiers returned to the local areas from which they were levied and that refugees were settled in such a manner as to be capable of being supervised. In April of 1573, for example, the Sheriff of Kent was ordered to take steps to see that persons calling themselves soldiers were dispersed, and on May 1 of the same year a general order was issued "to the Queen's Majesties officers of Quinborough, or else where" to command these soldiers, who had been ready to go to the Low Countries, to separate and go home "unless to be taken for vagabonds." Moreover, on December 4, 1575, the Lord Keeper and the Lord Treasurer were ordered to suppress highway robberies and "numbers of tall men calling themselves discharged soldiers of Ireland" who were making trouble for "her Majesty's true subjects."

In order to maintain some sort of control over the influx of refugees into England during the first twenty years of Elizabeth's reign, the Privy Council followed a strict census system. Periodically, local authorities were ordered to take a census of the people in their areas, including foreigners, and on the basis of these reports, plus other information, the Privy Council made its decisions regarding alien settlement and deportation. On December 1, 1567, for example, the Spanish Ambassador reported that a census of London had been or-

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37 Acts of the Privy Council, VIII, 100.
38 Ibid. See also Acts of the Privy Council, VIII, 134.
39 Salisbury MSS., II, 123.
dered and that this census had been conducted with much care. Furthermore, he reported that its purpose had been "to learn who had come to this country since the beginning of the disturbance in Flanders, the numbers, rank and religion of such people and to make proper regulation with regard to them." On October 28, 1571, the Council also wrote to the "Mayor, Customer, Comptroller and Searcher of the town of Rye" ordering them to undertake a census. In this letter the Council indicated that it was concerned lest too many foreigners congregate in one place to the detriment of law and order in that place. At the same time, it showed an interest in getting rid of "unprofitable" immigrants, but Rye was not to deport any until after the Privy Council had been notified and had sent its approval.

In 1572, the Council ordered this resident census procedure to be supplemented by a census taken at the ports of those entering England as refugees. This port census was to be reported to the Council "every forsetane daies or oftener if the numbers do encrease." By this time it was apparent to the Council that many people were fleeing into England since the "universall murders violently committed" in Paris and Flanders and although "common and Christian Charitie" indicated that they should be welcomed, prudence dictated that an account should be kept of those entering the realm.

Information furnished by the census takers moved the Council to act in either of two general ways. If an alien seemed incapable of supervision, ac-

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40Cal. State Papers, Simancas, I, 685.
41Ibid., 686.
42Rye and Hereford MSS., pp. 4-5.
43Rye and Hereford MSS., pp. 21-22.
tion was taken to get him out of England. Other aliens who were not adverse to supervision and who could contribute something to the economic well-being of the realm, were settled in areas where their economic skills could be utilised or they were separated so that their numbers would not constitute a danger to the peace and order of the state.\textsuperscript{44}

Thus, in 1574, the Council directed the Lord Mayor of London and "other of her Majesties officers within the Liberties adjoyninge" to command those foreigners not belonging to a church, "nor registered in any boke," to leave England. A time limit was to be set for their departure and they were not to be allowed to join a church just in order to stay on English soil.\textsuperscript{45} On November 8 of the same year, the Council informed some refugees that they could not move to Lynn from Norwich, "but if they will remaine where they be and conforme them selves to order, her Majestie is pleased to suffer them yf not they may departe the realme and have pasport acordinglye."\textsuperscript{46} Moreover, in 1577, the Council took action against those who were evading its census control by having themselves smuggled into England.\textsuperscript{47} Anything that smacked of an unwillingness on the part of refugees to be orderly incurred the Council's displeasure.

Those aliens who were willing to indicate their orderliness through conformity to supervision did not have to fear the Council's wrath. The only problem that had to be handled by the Council with regard to them was to determine where and in what manner this supervision was to be exercised. In making

\textsuperscript{44}\textit{Acts of the Privy Council}, VIII, 135.
\textsuperscript{45}\textit{Acts of the Privy Council}, VIII, 198.
\textsuperscript{46}\textit{Tbid.}, 311.
\textsuperscript{47}\textit{Rye and Hereford MSS.}, p. 56.
decisions of this sort, the Council considered the economic needs of various localities within England as well as the question of order.

In 1570, for example, some Flemish refugees were allowed to settle at Rye in consideration of the fact that they would be beneficial to the town.\(^4\) Six years later the Council approved the movement of some foreigners from Colchester to Halstead in Essex for a similar economic reason.\(^5\) Previous to this, the Council had supervised a transfer of some foreigners from Sandwich to Canterbury for the benefit of both order and English economic welfare.\(^6\) On October 26, 1574, the Council wrote to the Lord Warden of the Cinque Ports that information received by it indicated that too many foreigners had settled in Sandwich. The Lord Warden was to make inquiries and if there actually was an "overplus," some foreigners were to be removed to convenient places more remote from the sea coast. Furthermore, the Lord Warden was to "further admonish the said officers there to have a due regard to the observacion thereof, that no abuse be omitted."\(^7\)

In answer to this order, the Lord Warden recommended that some Walloons be transported inland to Canterbury, but that all of the Dutch settlers in Sandwich be allowed to remain there. On February 6, 1575, the Council told the Lord Warden that his recommendation with regard to the Walloons was acceptable.


\(^7\) Acts of the Privy Council, VII, 380.

\(^8\) Acts of the Privy Council, VIII, 306.
and that they had written to the Dean and Chapter of Canterbury, as well as to
the Mayor, asking them "what rooms they might have to receive them by Esther or
"Midsomer next, and at prices, and upon returne of their answere" the Council
would inform the Lord Warden what he should tell the Walloons. As for the
Dutch, the Council rejected the Lord Warden's suggestion that they should all
be allowed to remain in Sandwich. The Dutch were to reduce the number of their
families in Sandwich or go elsewhere by midsummer.52

By February 20, the Council had received a favorable answer from Canter-
bury, for on that day they ordered the Lord Warden to transport a hundred Wal-
loon families to that town "by Midsomer Days." Moreover, the Lord Warden was
"to have regard" that the ones he picked to go "not be of the meanest sort;
but choice . . . suche as be makers of Bayes, grograines, etc."53 It is not
clear what happened to the Dutch, but an indication of the dilemma that must
have confronted them can be gathered from a letter written to the Lord Warden
by the Mayor "and Jurats" of Rye with respect to a similar situation faced by
some French refugees. These refugees had been ordered in 1575 to "avoide the
towne by midsomer next" and they did not know what to do. They were loath to go
home, but there seemed to be no other place where they could go. In the mean-
time, the time set for their departure was drawing near. Rye took pity on them
and informed the Lord Warden that "though we could very well spare them, yet
what your Honor shall thinke well of concerning their departure or above we
shall for our partes leike well of also."54 Because of its responsibility for

54 Rye and Hereford MSS., p. 42.
the maintenance of conditions which made law and order possible, the Privy Council felt that it could not always assume such an accommodating position.

It is interesting to note, moreover, that the Council did not relinquish its responsibility for the proper settlement of aliens in England even after it had divided them into what it considered to be safer and more manageable units. The agreements that these safer and more manageable units made with the local authorities in the places where they had to settle were often worked out by Council members and usually had to be approved by the Council before they could be put into effect. More often than not, these agreements included stipulations that the foreigners were to use the poor and idle able-bodied workers of the town in the clothing operations. As a matter of fact, the hope that the settlement of foreigners, who knew how to manufacture the "new draperies" would rejuvenate the economic life of a particular area prompted many a town to invite them or to petition the Privy Council that they be ordered to settle within the petitioning town. But foreign workers were not always welcome in some localities, for they seemed to constitute a threat to the economic endeavors. The Council felt it necessary, therefore, to supervise formal agreements between local authorities and immigrant settlers in order to avoid trouble that

55 Cal. State Papers, Domestic, I, 410; Cunningham, II, 82-83.
56 Records of Norwich, II, 332.
57 The goods introduced into England during Elizabeth's reign by weavers from the continent are usually called by this term.
58 Lincoln, Bury St. Edmunds, Great Grimsby 433, p. 61; Records of Norwich, II, 332. See also Tudor Economic Documents, I, 315-316.
could be caused by unconciliated economic differences or local prejudice. 60

In line with the supervision of working contracts between aliens and local communities, and as part of its attitude toward English labor, the Privy Council also participated in the regulation of employment conditions and wages relative to native workers. For example, evidence indicates that the Council knew some local industries paid wages that were below reasonable levels. 61 Furthermore, it is reasonable to hold that the Council was as eager to have local authorities participate in the fixing of adequate wages as it was to have them enforce statutory apprenticeship regulations. 62 As has been noted before, the Council was determined to protect the poorer sort by keeping down the prices of grain, bread, ale, and beer, but many members also wanted to protect the English laborer through the establishment of reasonable wage-rates. 63

In 1563, therefore, the government supported Parliamentary passage of the Statute of Apprentices, by which the statutory limit on wages contained in previous acts dealing with labor was abrogated. 64 Under the new law, the Justices

60 Cal. State Papers, Domestic, I, 410; Cunningham, pp. 82-83; Philip Morant, The History and Antiquities of the County of Essex Compiled from the Best and Most Ancient Historians; From Domesday-Book, Inquisitions Post Mortem, and other, the most Valuable Records and MSS., &c. (London, 1768), I, 75.


63 Nef, Industry and Government, pp. 47-48. In 1560 the Justices of the Peace in Northamptonshire and in 1561 the Justices of the Peace in Buckinghamshire framed schedules of wages higher than the statutory rates in accordance with a special directive from the Queen. These schedules were sent to Sir William Cecil. -- Tudor Economic Documents, I, 33b-338; Lipson, III, 252-253.

of the Peace were to call "unto them suche discrete and grate persons of the
said Corporate as they shall thinke mete" in order to confer with them "re-
spectyng the plentie or scarcity of the tyme and other surcumstances, neces-
sarily to be considered." After a conference of this sort, the Justices of the
Peace were then "to lymyt rate and appoynte the wage" within the limits of their
authority for "so many of the said Artyficers Handycraftsmen . . . or any other
laborer, servante or woorke men whose wages in tyme past hath bynn by any law
or statute rated and appoynted, as also the wages of all other laborers . . .
which have not been rated, as they . . . shall thinke mete by their discresions
to be rated . . . ." These wage regulations were then to be sent to the Chan-
cery, "wheruppon it shalbe lawfull to the lorde chauncellor of Englannde or
Lorde keper . . . upon Declaracion theroff to the queenes majestie . . . to
cause to be prynted and sent downe . . . into every county . . . x or xij Procl-
amacions or more conteynyng in every of them" the wage rates that had been
made. Furthermore, these proclamations were to contain the "commandement
. . . straightly to observe the same and to all Justices (etc.) . . . to se the
same dulsie and severely observed."65

Proof exists that under the watchful eye of the Privy Council the Justices
of the Peace did fix wages according to the provisions of this law. County
wage assessments exist, for example, for every decade of Elisabeth's reign and
there are clear indications that the wage levels thus set were enforced.66

65_Ibid., 343.
66_Acts of the Privy Council, VII, 230; X, 287; Great Britain, Historical
The Bishop of London; St. George's Chapel, Windsor; Diocese of Gloucester; Cor-
porations of Beccles, Dunwich, Southwold and Thetford; Duke of Norfolk; Earl
Moreover, proclamations establishing wage rates for various counties were sent down to these counties over the signatures of Council members. These proclama-
tions, of course, also enjoined the Justices of the Peace to see that strict
compliance was secured relative to the wage rates thus established.67

In addition to its desire that a reasonable wage be paid to the English
worker, the Council also took an interest in the employment conditions to which
this worker was subject. This interest, however, was sporadic and ill-defined.
It ranged from participation in the enforcement of almost servile working con-
ditions for agricultural laborers68 to concern for a maid-servant whose mis-
trass was accused of "hard dealings."69 In agreement with its attitude toward
other aspects of English economic affairs, the Council wanted social justice
and equity to be accorded the English worker, but its actions in this regard
were colored by its concern for order and a predilection for expediency.

67 Steele, Proclamations, I, 61, 70.

68 These conditions are outlined in "The Statute of Artificers (S Eliz. c. 4),


of Essex; Sir Harvey Bruce, Co. Frewen, H. C. Staunton Esq. and F. Serttens,
Esq. (London, 1914), p. 139; Exeter Records, pp. 50, 50-51; Lincoln, Sury St.
Edwands and Great Grimsby MSS., p. 56; Middlesex County Records Volume I. In-
dictments, Coroners' Inquests-Foot-Mortem and Recognisances from 1 Edward VI.
to the End of the Reign of Queen Elizabeth, ed. John Cords Jeffreson (n.p.,
[1886]), pp. 50-51, 63; Tudor Economic Documents, I, 334, 351-353; R. Keith
Kelsall, Wage Regulation Under the Statutes of Artificers (London, [1938]), ap-
pendix I, pp. 111-112; Lipson, III, 256-257, 315-316; E. H. Putnam, "The Earli-
est Form of Lambard's 'Kirenarcha' and a Kent Wage Assessment of 1563," English
Historical Review, XLI, No. CLXII (April, 1926), 260-273; A. H. Putnam,
"Northamptonshire Wage Assessments of 1560 and 1667," Economic Historical Re-
view, I, No. 1 (January, 1927), 124-134; James E. Thorold Rogers, A History of
Agriculture and Prices in England From the Year After the Oxford Parliament
(1259) To the Commencement of the Continental War (1793) Compiled Entirely From
Original and Contemporaneous Records (Oxford, 1886-1902), IV, 120-123.
With regard to those subjects of the Queen who could not work or who were the victims of economic adversity, the Privy Council sometimes exhibited a certain solicitude. The factor of poverty, for example, often motivated the Council to intervene in the economic troubles of Englishmen. It protected tenants from the threat of eviction "for want of payment of the rent at the time due" and as has been noted before, it intervened in law suits where one party seemed to be at a disadvantage for want of financial resources. Furthermore, it approved the payment of pensions "in consideration of . . . hurtes happened . . . in service in the warras," and it attempted to see that widows received the proper pensions due them from their dead husbands' property.

At the same time the Council showed a tender regard for the children of unlawful men. On July 8, 1562, for example, in a letter written to one "Richard Fensys" thanking him for apprehending some "Egyptians" the Council informed him that "for their children (whose yeres may make declaracion that they were innocent of their parents lewdness) he is required, upon conference with the rest of the Justices herein, to do as they shall thinke requisit." Almost twelve years later, the Council again interceded in a criminal matter in order

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70 Lipson, III, 439-443.


75 Acts of the Privy Council, VII, 112.
to help the dependents of an unlawful person. On July 12, 1574, it wrote to
the Dean of Lincoln ordering him to see that "the wife and children of Thomas
Gower, goldsmith, now prisoner in the Marshalsey, may be relieved with the
goods of the said Thomas," and that "no extremity be used in the keeping back
of the said goods, but that they may be imposed to the use aforesaid." 76
Moreover, there are indications that the Council exercised a beneficial general
supervision over the affairs of hospitals for the sick—which were sometimes
medieval foundations reorganized under public management 77 as well as over
other charitable foundations. 78 That the Council was not immune to the plight
of the poor can be gathered from its answer to an invitation to attend a ban-
quast customarily given upon entry of a new Lord Mayor of London. The members
of the Council could not attend this banquet, nor did they think it was con-
venient to hold it on the date specified because the plague was active within
the city. However, the Council did think that the money usually spent for this
banquet should be bestowed upon the poor and they, therefore, ordered the Lord
Mayor "to give order aswell for the forbearing of the said Feast and also the
distributing of the expences to the pore, and heresof to advertise their Lord-
ships." 79

In ordering the distribution of money to the poor, however, it would ap-

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77 Lipson, III, 416.
78 Acts of the Privy Council, IX, 27, 64; X, 233-234, 369, 390; Cal. State
Papers, Domestic, I, 513. See also Cal. State Papers, Domestic, I, 130, 133,
134, 145, 150, 242, 246, 333, 383, 385, 386, 430, 444, 456, 526; Hist. MSS.
Comm., Report On Manuscripts in Various Collections, IV, 224; Exeter Records,
pp. 6, 77; Salisbury MSS., I, 118; Shrewsbury and Coventry MSS., pp. 123-126.
peared that the Council did not mean that those who made an unlawful practice of seeking alms should benefit. On September 10, 1565, for example, it wrote to the Lord Mayor ordering him to punish a man for counterfeiting licenses to beg along with "all others that be alredye or shalbe hereafter detected of this falte." These counterfeiting beggars were "to be severilye pounished for the same to the terrore and example of others."80 In 1571, the Council wrote again to the Lord Mayor regarding the problem of beggars in London. Too many people were begging in a disorderly manner and the Mayor was ordered to devise some means of punishing the sturdy while helping those really in need, "acording to the lawes and suche orders as were put in execucion in the tyme of King Ed­ward."81 The Council really considered this confusion between truly impotent poor and the rascals who traded on the charity of their fellow men worthy of definition, for in March of 1572 it appointed a single commission to figure out how relief could be given to London's poor without some of this relief falling into the hands of those it considered to be in the same class as vagabonds. As usual, people in this latter group were not to be relieved; they were to be suppressed.82

In order to control social problems according to distinctions of this sort, however, the Council was forced to interfere in other aspects of England's ex­istent mechanism. For one thing, the Council made a serious attempt to see that its local agents were men upon whom it could depend. As stated before, the Council carefully supervised the selection of men for such bodies as the

commission of restraint for corn and victuals, and there is every indication
that it also gave serious attention to the problem of personnel with respect to
the other numerous commissions that were active during the first twenty years
of Elizabeth’s reign. Moreover, the Council made an effort to commend the
members of these commissions when they did a good job, to support them when
such support was necessary, and to otherwise exhibit the government’s ap-
preciation and solicitude for their efforts. In 1566, for example, the Coun-
cil wrote a curious letter of concern to “the Commissiherefore appointed
for the portes to continue the cares herein committed to their trust and yet
not to overcharge themselves or their deputies otherwise then is convenient.”
During the period 1573-1574 when there was a great scarcity of corn in England,
the Council also wrote many letters to various commissioners of restraint
“thanking them for their pains.”

In addition, the Council tried to weed out from the commission of the
peace those Justices who seemed to be unfitted for positions of responsibility
or who were considered to be not reliable because of their religion. In 1561,

83 W. S. Holdsworth, A History of English Law (London, [1922]-1952), IV, 68-
70.


86 Acts of the Privy Council, IX, 280. At the same time, the Council did not
hesitate to criticize the members of a commission when it thought that the com-
mmission was not doing the job for which it was organized.—Acts of the Privy
Council, I, 337.


88 Acts of the Privy Council, VIII, 208. See also Acts of the Privy Council,
VIII, 105, III-115, 115.
for example, it was proposed that no retainer of any other person be appointed a Justice of the Peace. During December of 1564, the Council decided to suspend "Wm. Cardynal, Esquire" from the commission of the peace because of charges that he had used "unfitting words" against the Master of Requests. On November 28, 1576, it sent a note to the Lord Keeper concerning certain persons "to be put out of the Commission of the Peace because their Lordships be certified from the Buisshoppes that they come not to the churche." Five days later, however, on December 2, the Lord Keeper was ordered to replace the names of "Thomas Townsend and marten Barney in the Commission of the Peace for Norfolk," because the Council was now satisfied that they did attend the established church.

It is interesting to note, moreover, that the Council expected its county agents to be well supplied with information. In 1575, for example, the Council ordered the Custos Rotulorum of Northampton—who was no other than Lord Burghley himself—to furnish it with "a certificate of the number and names of all the Hundreds within that County and of the ordinary limits and divisions used by the Justices of the Peace, together with the names of the Justices within each of such divisions, and also of the Coroners and Clerks of the Peace or

89 Cal. State Papers, Domestic, I, 178.
90 Salisbury MS., I, 314.
92 Ibid., 238.
93 For a contemporary account of the power, duties, and importance of this county official see William Lamber[s], Eirenarcha; or of The office of the Justices of Peace, in two Bockes: Gathered 1579. and now revised, and first published, in the 24. years of the peaceable reigne of our gratious Queene Elizabeth (London, 1582), pp. 299-302.
Other local officials also supplied information on almost a day-to-day basis of the problems faced and solved by them. From available evidence, it appears that the Council had enough information that it could use to keep its finger firmly on the pulse of local affairs.

In view of its interest in seeing that reliable men occupied responsible positions on the inter-county and county level, it is not surprising that the Council interfered in the governing of various English towns as well. During the first twenty years of Elizabeth's reign such towns as Berwick, Canterbury, Chester, Dover, Faversham, Norwich, Oxford, Rye, Shrewsbury, and even London were forced to agree at one time or another to the governmental wishes of the Council and its members. In 1565, for example, the Council supported the authority of the Lord Warden of the Cinque Ports against that of the Mayor of Faversham. The Mayor was warned that if he did not satisfy the Lord Warden and could not prevail upon the Council to accept his excuse, he would be punished. For culpable misconduct while in office, the Mayor of Carlisle was imprisoned.

94 Salisbury MSS., II, 99.
95 Salisbury MSS., II, 116-117, 164, 222; Queen Elizabeth and Her Times, II 66-69, 70-72, 72-74, 86-89.
96 In this connection see A Collection of Original Letters from the Bishops to the Privy Council, 1564, With Returns of the Justices of the Peace and others Within Their Respective Dioceses, Classified according to their Religious Convictions, ed. Mary Bateson, in The Camden Miscellany ([London], 1817-1932), IX, 1-83.
97 Acts of the Privy Council, VII, 232; Cal. State Papers, Domestic, I, 186. See also Hatfield MSS., I, 80.
on the complaint of some of Carlisle's inhabitants. Moreover, for a while, Norwich was policed by an official appointed directly by the Council. In 1574, Dover was pressured to accept a man preferred by the Council as town clerk and a commission was even appointed "to examyne certain things objected against Mr. Alderman Hawes, late elected to be Lord Mayour of the Citee of London." On August 30, 1576, the Council warned the municipal authorities in Hereford to see that in electing their Mayor they made choice of none but such "as wilbe contented to accept the othe appointed by the laws of this realme to be taken by such as be appointed to publique offices, and such a one as is well known to be a favorer of the Religion now established." In 1578, the Council suspended the results of an election in Dover because the man elected was not the one that it had nominated and it ordered the people it considered to be responsible for this impolite election to appear before it. Furthermore, the Council supported the result of another poll because the man elected was acceptable to it, and ordered those "that have ben impugners of the said election, yf they shall refuse to allows the same" to appear, "to the number of foure," before it. As a result of this electoral confusion, Dover


102 Ibid., 300.

103 Acts of the Privy Council, IX, 197.


105 Ibid., 91.
formed new rules regarding the election of its Mayor, which the Council approved. 106

Side by side with its interest in seeing that only trustworthy men held local governmental positions, the Council also endeavored to settle the personal and economic differences that existed between the people from which it drew its county officials and that which existed within and between local administrative areas such as towns. Numerous entries appear in the registers of the Council, for example, concerning the appointment of arbitrators to settle private quarrels. 107 Moreover, the Council attempted to settle disputes between London and Rye, London and Norwich, and other town combinations, over rights of entry, for example, and sale of goods within a particular town. 108 In addition, the Council became involved in disputes between royal officials who held positions such as captains of castles and the towns wherein these castles were located. These disputes usually involved the defining of jurisdictional and territorial limits. 109


In this connection, the Council also functioned as a supervising police-
man with regard to fairs held within and outside of towns. On April 20, 1559,
for instance, it appointed "John Ferrers and Humfrey Welles, esquires, to take
care of the well ordering of the walke of the Payre of Tamworth on the parts
of the county of Stafford, so as the peax may be conserved."\(^{110}\) Almost twenty
years later, on October 31, 1578, the Council ordered the suspension of Guild-
ford Fair because of the plague.\(^{111}\) In this instance, however, the Council
promised to take steps to protect the town in case its "graunt of keeping the
said Faire by non usance might hereafter be called in question . . . ."\(^{112}\)
Thus, it is evident that the Council also participated in the granting of privi-
leges to hold fairs.\(^{113}\)

Interestingly enough, the Privy Council also tried to protect the realm
from the carelessness, indifference, or frivolity of its local officials. On
June 25, 1562, for instance, the Lord Mayor and Aldermen of London were admon-
ished to "present themselves on St. Peter's Eve at the Watche, for the better
order of the Cytie, wherein ys not mant that any pompe or pageantes be shewed,
but only that the cyty may be the better ruled."\(^{114}\) In November of 1565, the
Bishop of Durham "and the rest of the Justices of Peace of that Bishopricks"
were informed that "it hath com to the Lords of the Counsell's knowledge that


\(^{111}\) Acts of the Privy Council, X, 362.

\(^{112}\) Ibid.

\(^{113}\) On this point see also Hist. MSS. Comm., Report on Manuscripts in Various Collections, IV, 301-302; Cal. State Papers, Domestic, I, 530, 532, 537, 549.

diers bridges within that Bisshopricke, and namely, that at Newcastell, are
fallen of late into grete decayes, and hytherto no deligence used by the said
Justices for the reparacion of the same." Therefore, the Council reprimanded
these officials and ordered them "to have better consideracion of their duties
in this parte henceforth, and to take indelayed order for the reparacion of the
said bridges, and specially of that at Newcastell, in such sorte and order as
is appointed by the Lawes and Statutes of the realm."115 Moreover, the Coun-
cil took an interest in the implementation of laws for the local repair of
highways116 and encouraged the activities of control commissions concerned with
problems of drainage and water transportation.117 Elizabeth's government seemed
to be aware of the benefits that would come to it and the realm from usable
roads, rivers, and bridges,118 and the Privy Council attempted to see that lo-
cal areas carried out their lawful responsibilities to ensure their useful-
ness.119 As has been mentioned before, sometimes repairs to bridges and high-
ways even seemed important enough to receive the Council's support on a national
level.

As a complement to its concern for England's transportation system, the

115 Acts of the Privy Council, VII, 290. See also Acts of the Privy Council,
VIII, 19.

116 Acts of the Privy Council, IX, 117, 120-121, 131, 135, 150; Cal. State
Papers, Domestic, I, 523.

117 Acts of the Privy Council, VII, 406; VIII, 271; X, 321; Cal. State Papers,
Domestic, I, 523.

Council, VIII, 362.

119 Acts of the Privy Council, VII, 290; Lipson, II, 440-441. See also Acts
Council also exercised some jurisdiction relative to the placing of particular industries within various towns and areas. In 1577, for example, the Council engaged in a battle with some inhabitants of Northampton relative to orders it had approved regarding the placing of malt kilns within the town "for the avoiding of the danger of the said kilnes by fyre." On May 13, 1577, the Council wrote to the Mayor of Northampton that "about two yeres past at her Majesties being in Northampton shiere complainte was made unto them that by the use of sundrie malte kilns in that townes grete inconvenience of fier had happened" and therefore, an order had been promulgated according to which the "malt kilns in question should be either suppressed" or moved to safer positions. Now, however, the Lords had been informed that this order was being disobeyed and, not liking "that any shold so contemphtuouslie brake the said order," the Council ordered the Mayor to send the non-conformist malt kilners to appear before it. The Mayor of Northampton obeyed this order and it appears that from September through December the Council was confronted with the problem of investigating the declarations of these people that they had reasonable cause to "not followe the said orders." It would seem, however, that the Council was determined to keep the zoning control for malt kilns in Northampton within its jurisdiction, for the Mayor had to get the permission of the Council before he could sanction the erection of such kilns. In answer to a request of this sort, for example, the Council informed the Mayor on December 2, 1577, that he could allow one John Mercer to erect a malt kiln in a place not "daingerouse upon any

inconvenient of fyer."\textsuperscript{123}

From the preceding, it is evident that the Council's concern for law and order and the maintenance of conditions that made law and order possible forced it to interfere not only into those aspects of orderliness directly concerned with English economic relations, but also into those spheres which seemed related to an organised social scheme. Sometimes the multitudinous nature of this interference seemed to defeat its very purpose. In 1574, for instance, the Council admitted that there were perhaps too many governmental commissions in existence when it wrote to some Justices of the Peace "concerninge soche as under color of sum Commissiions trobled the people."\textsuperscript{124} The Justices to whom the Council wrote this letter were asked to meet and "consider what they were and with which the inhabitauntes were moste grevid and what they thought might be suffered and what staid; and theraupon, with the advice of the Justices of Assises repaying thither to stay them as willed by their Lordships so to do."\textsuperscript{125} In line with this problem, complaints were also made by some commission members that they had too many governmental things to do at too great an expense to themselves.\textsuperscript{126}

Moreover, it seems plain that the Council never did achieve that element of single-mindedness and integrity in its officials so necessary for a successfully efficient bureaucratic state. The county gentlemen, for example, never

\textsuperscript{123}\textit{Acts of the Privy Council}, X, 106.

\textsuperscript{124}\textit{Acts of the Privy Council}, VIII, 208.

\textsuperscript{125}\textit{Ibid.}

\textsuperscript{126}\textit{Hatland MSS.}, I, 115-116.
could bring themselves to act as part of a completely impersonal system.\textsuperscript{127} Furthermore, despite its interference in municipal affairs, the Council recognized the power and privileges claimed by some boroughs because of their charters. In 1565, for instance, the Council upheld the right of the Cinque Ports to conduct trials relative to the disposition of pirates and their goods captured in the area of the Cinque Ports. The Admiralty was recognized as having the right to examine such culprits and to bring charges against them, but they were to be returned to the Lord Warden for trial "within the liberties and jurisdiction of the V Portes."\textsuperscript{128} Despite its pretence at absolutism, the Elizabethan government was sensitive to claims of local privileges and it sometimes appealed to the need for cooperation in order to disarm any discontent that might arise because of a feeling that these rights were being violated. When some necessary and important step was being contemplated which would involve the problem of local privileges, the Council might write, as it did to Rye in 1565, that "our meaninge is not to infrindge any liberties or privileges, so we doubt not but that you and all good subjectes do thinke yt convenient that every man should give the best helpe he maie to the furtheraunce of justice, which beinge so much required at your handes, we doubtte not of your conformity therein accordinglie."\textsuperscript{129} It seems clear that the Council took as great interest as it did in the control of vagabondism, the proper settlement


\textsuperscript{128}Acts of the Privy Council, VII, 293.

\textsuperscript{129}Rye and Hereford MSS., p. 8.
of aliens, the administration of local affairs, and so forth, in order to get this conformity that was so much required, not only for justice, but also for the implementation of the Council's economic ideas.
CHAPTER VII

SUMMARY AND CONCLUSION

From the evidence presented in the preceding sections of this study, it is evident that the Privy Council felt empowered to deal with practically every aspect of English economic relations. During the first twenty years of Elizabeth's rule, it considered the economic relationship of a farmer to his land, his fellow farmers, his landlord, his government, and the economic conditions of the age. In a similar fashion, it intervened in the economic relations of the small business man with his supplier, his financier, his distributor, and his methods of production. To the English laborer, the Privy Council extended help in the form of food supply and wage regulations, while at the same time it attempted to enforce industry and class conformity through time and mobility rules. The question of who should be allowed to engage in foreign trade of England was thought to be within the jurisdiction of the Council and the organization of effort to exploit the resources of England did not go unnoticed or unwanted. Problems of public finance were considered by the Council and the scope of its activities included efforts to distribute fairly the government's financial needs among the Queen's relatable subjects. Moreover, it participated in the discussions and actions connected with the management of larger problems that pervaded the economic life of practically every English subject, such as the revaluation of the coinage and provision for the unemployed or unemployable. In other words, the totality of the economic relations of England was capable
of being affected by the authority and influence of Elizabeth's Privy Council.

Furthermore it can be said that the Privy Council took its economic responsibilities seriously. Its consideration of English economic problems was not limited to intermittent action with respect to great economic issues, nor was its economic attitude one of aristocratic disinterest and scorn. Economic questions were continuously dealt with throughout this twenty-year period of the Queen's reign. On almost every day that the Council sat, its agenda included some item in the economic sphere. In this regard, it is significant that the registers of the Council sometimes say very little of the important political and religious problems of the period while reporting Council action with regard to relatively small economic matters. At certain times the Council itself became irritated at the scope and variety of the problems presented to it for solution, and it sent some of them to subordinate government officials for consideration because the Council's agenda was so crowded it hardly had time to deal with more important matters. In addition, the manner in which the Council attempted to get its economic orders executed reflected the scope and intensity of its interference. It is evident, for example, that the Council used many people to further its designs rather than a limited number within a well-defined bureaucracy. Since the Council's economic sphere of au-

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1 Acts of the Privy Council, IX, 327; X, 235-236.


3 Acts of the Privy Council, IX, 340. In 1589, the Council established definite rules and procedures for the delegation of business not considered important enough to be handled by the Council itself.—Acts of the Privy Council, XVIII, 181; Tanner, pp. 227, 243-245.
tority and influence was seemingly all inclusive, it was perhaps natural that it relied upon many members of the society it was governing to carry out its orders. The formation of a disciplined bureaucracy might have enabled it to chart more firmly the course of certain economic developments during Elizabeth's first twenty years,4 but it would not have been in accord with the Privy Council's jurisdictional pretensions.

In line with its jurisdictional position, therefore, the Council used the instrument of the commission to help it supervise the economic relations of England. Commissions such as those responsible for the regulation of foodstuff movements and drainage problems, as well as the commission of the peace, were nationwide in intent, but they were composed of many locally active people.5 Furthermore, the Council's general attitude towards these commissions was that of broadening their local base of participation rather than that of restricting their membership.6 Rather than direct professionals, the Council chose to continue the tradition it had inherited and supervise the efforts of many local people in the hope that consensus would produce conformity and obedience with regard to the government's position on economic affairs.7 Along with nation-wide commissions, and the Justices of the Peace, the Council also used the services of special commissions, sheriffs, municipal authorities, justices of As-


sise, customs agents, and subordinate royal councils. Its executive powers
over the kingdom at large, for example, were extended and increased in particu-
lar localities by the Councils of the North and of Wales. Moreover, it held
special control over the County Palatine of Chester and the Royal Duchy of Lan-
caster, and it did not hesitate to use the services of informers.

With such a diversity of available enforcement personnel, it is not sur-
prising that the Council also attempted to have its agents enforce its instruc-
tions in a variety of ways. The Justices of the Peace, for example, considered
economic enforcement problems at their Quarter Sessions' courts and were often
told to consult and work with the Justices of Assize. Moreover, economic
cases were often committed to Assises determination and the Justices of Assise

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8 Acts of the Privy Council, VII, 233, 277; VIII, 33, 178; IX, 187, 382; X,
101, 115-117; Conyers Read, Mr. Secretary Walsingham and the Policy of Queen
Elizabeth (Oxford, 1925), I, 265; Rachel R. Reid, The King's Council in the
North (New York, 1921), pp. 186-216; J. R. Tanner, Tudor Constitutional Docu-
ments A.D. 1485-1603 with an historical commentary (Cambridge, Eng., 1948),
p. 332; Holdsworth, IV, 73-75.

9 27 Henr. VIII, c. 21. Statutes of the Realm, III, 555; Acts of the Privy
Council, IX, 200, 204, 207, 210, 228, 231, 234, 236-238; Tanner, pp. 350-351;
Joseph S. Yates, ed., The Rights and Jurisdiction of the County Palatine of
Chester, The Earls Palatine, The Chamberlain, and other Officers; and Disputes
Concerning the Jurisdiction of the Court of Exchequer with the City of Chester,
etc., in Chetham Miscellanea (Manchester, 1851-1875), II, 6-7, 11-27.

Beaufort MSS., pp. 450-450; Lambard[a], Eirenarcha, pp. 323-382; Great Britain,
Historical Manuscripts Commission, Report on Manuscripts in Various Collections,
Vol. I. Berwick-Upon-Tweed, Burford and Lostwithiel Corporations; The Counties
of Wilts and Worcester; The Bishop of Chichester; and the Deans and Chapters of
Chichester, Canterbury and Salisbury (London, 1901), pp. 65-68; Wiltshire Coun-
ty Records Minutes of Proceedings in Sessions 1563 and 1574 to 1592, ed. H. C.
Johnson (Beverley, Eng., 1919), pp. 1-44; R. N. Merriman, "Extracts From the Re-
cords of the Wiltshire Quarter Sessions," The Wiltshire Archaeological and Natu-
ral History Magazine, XX, (1892), 325-327, 336-361; XXX, 75-79, 80-84; Heckscher
I, 216-252; Holdsworth, IV, 137-151.
were used to supervise the economic efforts of the Justices of the Peace. In other instances, cases were delegated to the courts at Westminster, either those following the common law or prerogative courts such as the Court of Requests. It was through the facilities of the Admiralty Court that such matters as the impressment of ships and mariners, embargo, reprisals, preservation of wreck, repression of piracy, and convoy were heard and determined. Furthermore, extensive use was made of arbitration and negotiation processes, while in many instances Sheriffs and other officials were ordered to send economic malefactors before the Council, either under bond or under guard of persons such as messengers of the Queen's Chamber. These malefactors might be judged by the Council sitting in regular session or in the Court of the Star


12 Acts of the Privy Council, VIII, 97, 244; X, 406. For the history, jurisdiction, and procedure of the Court of Requests see Select Cases in the Court of Requests A.D. 1497-1569, ed. I. S. Leadam (London, 1898), pp. ix-cxxiv; Tanner, pp. 299-303.


Chamber.\textsuperscript{15} The Council felt that it could exercise original jurisdiction in
economic matters, but it is noteworthy that it supplemented, and sometimes com-
plemented, its claimed jurisdiction through use of practically every aspect of
the English law enforcement system.\textsuperscript{16}

In order fully to explain the Council's utilization of this system, a sep-
arate study would be necessary.\textsuperscript{17} It must be pointed out, however, that the
Council's extensive use of English law enforcement agencies is related to the
problem of what motivated the Council to interfere in the economic relations of
Englishmen in the first place. In this regard, it is obvious that one motiva-
ting factor was the responsibility exercised by the Council for the economic
day-to-day running of the country.

From the preceding sections of this study, one can note this responsibility
in action. In dealing with the problem of rural riots and rural financing the
Council exercised its responsibility for the day-to-day running of the agricul-
tural community. Its concern lest food not be available when needed at reason-
able prices, and its attempt to ensure the free movement of raw materials, is
indicative of its responsibility for the daily economic life of both the rural

\textsuperscript{15} Acts of the Privy Council, VII, 2h2, 2h5; IX, 16, 11h, 132, 1h8; X, 375-
376, 399; Cora L. Scofield, A Study of the Court of Star Chamber Largely Based
on Manuscripts in the British Museum and the Public Record Office (Chicago,
1900), pp. 52-53. See also Acts of the Privy Council, IX, 139; X, 115-116.

\textsuperscript{16} Acts of the Privy Council, VIII, 138-139, 252, 293, 309, 350; IX, 5, 23,
262; X, 27b-275, 319-320, 359, 402.

\textsuperscript{17} Since English government was still, to a large extent, conducted by courts
acting through judicial forms, a full explanation of the Council's utilization of
the English law enforcement system would require an analysis of the encroach-
ments being made upon the sphere of common law jurisdiction by the prerogative
courts, as well as a definition of the Council's position between these rival
courts and clashing jurisdictions.---See Holdsworth, IV, 83-88.
dweller and the people who inhabited English towns. Moreover, its interference in commercial and mercantile law suits reveals the extent of its involvement in the day-to-day affairs of the English business community. The jurisdiction which it exercised over economic disputes between Englishmen, between foreigners and Englishmen, between Englishmen and foreign governments, and, in general, between creditors and debtors, all point to a desire to uphold a commercial agreement, to prevent the economic extinction of businessmen because of capacity, and to otherwise regulate the daily business relations of England. Moreover, its attitude toward vagabonds and other related problems, indicates that considerations of law and order, as well as the maintenance of conditions that made law and order possible were prominent in its deliberations and in its actions regarding the day-to-day running of the country.

Apart from this motive, however, did the Council follow an overall plan with regard to its economic orders? Were the Council's actions motivated by an adherence to the demands of a general economic theory or to a series of related theories? Can one say that its efforts were consistent with respect to a comprehensive purpose? Since the Council never published an explicit manifesto explaining its doctrinal position, answers to questions of this sort must be sought in the relation of the Council's orders to the economic regulations which it supported, as well as to contemporary economic expressions and statements of Council members.

In this regard, it is reasonably clear that the Council's efforts in behalf of the small cultivator were motivated by considerations similar to those that prompted Parliament to enact laws for the maintenance of tillage and

against the depopulation of rural areas.\textsuperscript{19} As a Council member and as the Queen's Principal Secretary of State, Cecil expressed his approval of a law of this sort passed by Parliament in 1563.\textsuperscript{20} Moreover, in addition to handling individual enclosure and eviction problems, the Council also took steps generally to enforce these laws.\textsuperscript{21} On July 20, 1565, for example, the members of the Council agreed "that the Commissions for tillage, inclosures and sheeps shold be sent out of hande, for which purpose" the Lord Keeper "was spoken unto to cause the same to be forth with done."\textsuperscript{22}

It cannot be said, however, that the Council's concern for the maintenance of tillage and the small cultivator prompted it to enforce these laws to the hilt. It was not motivated, in this regard, as strongly as Somerset's government.\textsuperscript{23} Its most striking action, therefore, was taken in cases of disorder and hardship or for military reasons.\textsuperscript{24} Moreover, the Council took no steps to otherwise relieve the land problem. In 1576, for example, a proposal was presented to Burghley that, whereas "before this tyme kingses and other noble men

\textsuperscript{19} 39 Eliz., c. 1; 39 Eliz., c. 2. Statutes of the Realm, IV, pt. II, 891, 892-893.

\textsuperscript{20} Sir William Cecil to Sir Thomas Smith, February 27, 1563, in Queen Elizabeth and Her Times, I, 126-127; Conyers Read, Mr. Secretary Cecil and Queen Elizabeth (New York, 1935), p. 276.

\textsuperscript{21} Acts of the Privy Council, IX, 285-286; Steele, Proclamations, I, 68; Lipson, II, 398-399.

\textsuperscript{22} Acts of the Privy Council, VII, 233-234.


\textsuperscript{24} It is interesting to note that military reasons prompted the Council to press for the enclosure of all land within twenty miles of the northern border.

---Rutland MSS., I, 73, 74, 75; Reid, 199-200.
of this realm hath found faulte with the great number of pasturs, which hathe byn the Decaye and putting downe of many plowes, wherby corne and other victual waxeth scant, and made lawes to redress and amend the same, which dyd not take effecte, but are rather increasid and nothing amendid" the waste grounds of England should be "plowed, and sowed with corne, wherof is now neede." By using waste land in this fashion, enough grain would be raised "sufficient to serve this realm and spare for other with owt helpe or ayde of the pastures, nor neede to seake for corne to forren and strainge countryes ... ." At the same time this proposal made much of the fact that friction between landlord and tenant regarding the common use of waste land would be eliminated through the orderly division of such land among tenants on the basis of former claims and obligations. As a result of this division, every man would "make the most and best of his grounds, for his own profyte, and the welthe of his country, and doe no wronge to any man, But shall recepe the frewt of his own labour." In order to accomplish such a scheme as this, however, governmental action would be necessary.25 The Council, however, did nothing to implement this proposal.

Thus, despite the concern it exhibited for the retention of tillage land and the preservation of the small cultivator, the Council did not function according to an active plan designed to ease the pressure placed on the problem by the growth of the large market-orientated agricultural estate. With respect to the matter of foodstuff distribution, the Council did act more comprehensively, but its attention was also colored by the factor of expediency and the

25"Letter from Alderman Box to Burghley, Proposing Compulsory Division and Sowing of Wastes, c. 1576," Tudor Economic Documents, I, 72-77.
taint of inconsistency. In general, The Council was motivated because of the danger and hardship connected with conditions of scarcity. It tried to relieve conditions of this sort by preventing the exportation of foodstuffs, by localizing the problem of supply, and, when necessary, by encouraging importation.

In 1565, for instance, Bruges requested the Council to allow its agents to take up grain in England "for the better furnishieng of their cyte and state" because of the scarcity of grain which existed in the Bruges area. The Council reluctantly turned down this request because a domestic scarcity had resulted in grain being "demynyshed more than a halfe parte" and "pryces dayly moche encreasinge." Moreover, the Council emphasized the fact that the "subjects of this realme" were existing under conditions conducive to exportation and that London had already requested permission to bring grain into the kingdom. Bruges, therefore, could not be helped by England until such time "when it shall please almightye God to send more plenty" into Elizabeth's kingdom. 26

London, however, as well as other parts of the realm, could be helped in times of dearth through the encouragement of grain importation. 27 The Council's attitude on this point can be gained from a letter sent by the Lord Treasurer to the Lord Mayor of London in 1573. The Lord Treasurer wrote that "touching the bringing in of grayne out of Estland or other forren places and liberties ether to sell the same at prices reasonable here or otherwise recarry the same frelie without further charge into other places," the Council thought the Mayor's request reasonable and for "the releve and benefits of the Cittie" were


"content to be suters to the Queenes ma jesstie."

The Council's apprehensive attitude concerning conditions of scarcity, however, was somewhat at odds with the spirit of the laws made for the regulation of the grain trade. These laws were mercantilistic in tone and sought to encourage tillage by providing for the export of English grain. In 1563, for example, Parliament ostensibly gave the grain export trade its wholehearted support, for in a law enacted in that year the only specified restraint was that arising from high prices. Moreover, the Parliament of 1571 passed a law expressly stated to favor tillage by allowing exportation. Subjects of the Queen were given permission to export grain without any restraint at any time upon condition that they would ship such grain to friendly nations, that the ships carrying it should be owned solely by Englishmen, and that prices should be reasonable and moderate in the counties from which export was contemplated.

Under this law, however, the government could at any time prohibit the export of grain from one district or from the country as a whole. As has been noted, the Council often exercised such a right. So often did it do so, and with a motive so different than the intent of the laws, that one authority has even stated that the statutory policy was almost negligible as far as concerns

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32Gras, p. 141.
the actual trade in grain. "It was largely a registration on the one hand of the mercantilist aims of the government under non-existing ideal conditions, and on the other, of the policy of corn producing communities, to the interests and prejudices of which it was politic to give attention, even if it was not possible to follow them." 33

Furthermore, the Council's attempt to localize the supply problem was somewhat inconsistent with its knowledge of London's needs. That it appreciated the seriousness of the situation confronting a growing London can be gained from the many letters that passed between the Council and the Lord Mayor. Sometimes the Council ordered the London authorities to make sure that London had adequate provisions. 34 At other times, the Lord Mayor asked the Council to use its authority and influence in behalf of the city. 35 This relationship between the Council and the city was so close that one can say that under normal conditions the grain policy of the Council was dictated by the needs of London. 36

It is a fact, however, that the first twenty years of Elizabeth's reign experienced many periods of great scarcity. 37 Almost every year abnormal condi-

33Gras, p. 229.
35The Lord Mayor of London to Lord Burghley, May 10, 1573, in Queen Elizabeth and Her Times, II, 478.
37Gras, p. 229. Sometimes scarcity conditions even prompted the Council to authorize the sale of grain seized by local officials from foreign ships.—Acts of the Privy Council, VIII, 106, 110, 119, 121-122.
tions existed and at least some part of the country was under restraint. By localising the supply problem under these conditions, the Council failed to facilitate the exchange of grain, its transportation from a district of plenty to one of scarcity, from the countryside to the town. The whole underlying principle upon which it based its policy of supervision and regulation, and therefore of restraint, worked against such an exchange. Since restraint situations were so prevalent during this period, therefore, the Council neglected to develop and implement a comprehensive plan for the continuous provisioning of London or the most profitable distribution of foodstuffs within England.

At the same time, the Council's interest in seeing that the military needs of England did not go unsatisfied sometimes militated against the retention of local supplies. In addition, the Council did nothing in the way of directly encouraging the use of new farming methods designed to produce bigger and better crops more often. It is true that the profitable use of these methods


39 Oras, pp. 241-242. The Council, however, did not want to prevent the transportation of grain entirely from one area to another in times of scarcity.


40 Oras, p. 242.

41 Ibid., 223-226.


43 For an example of the type of agricultural advice available at this time see Thomas Tusser, Five Hundred Points of Good Husbandrie. The Edition of 1580 Collated with those of 1573 and 1577. Together with a Reprint, from the Unique Copy in the British Museum of "A Hundredth Good Pointes of Husbandrie," 1557. Edited by W. Payne and Sidney J. Heritage (London, 1875).
seemed to depend on the success of the enclosure movement, but the Council showed no initiative with regard to their adoption in local areas where the movement toward the growth of the large estate was not a problem.\(^{141}\) The Council's efforts to protect the English consumer were certainly laudable, but they contributed very little toward a long-lasting solution to England's food supply problem.\(^{145}\) At the same time, the Council's failure to encourage directly the domestic production of foodstuffs was out of step with what appears to have been its general attitude toward the industrialisation of England. Indications are that the Council was motivated in this respect not only by a fear of social disorder as a result of unemployment and a concern for hardship, but also by a very strong interest in making England economically self-sufficient.\(^{146}\) Its efforts to increase the domestic consumption of fish were geared to this idea.\(^{147}\) Moreover, its efforts to better the quality of English dyeing were motivated by the desire to sever the hold that the continental finishing industry had on the English cloth trade.\(^{148}\) In 1579, for example, the Council instructed the dyers...

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\(^{141}\) Tudor Economic Documents, III, 63-69. For an account of the incidence and complex character of the enclosure movement during this period see E. C. K. Gonner, Common Land and Inclosure (London, 1912), pp. 107-141.


\(^{146}\) Cal. State Papers, Foreign, I, 582-583; Lipson, III, 353-354; Read, Cecil, pp. 276, 300, 373.

\(^{147}\) Arguments to prove that it is necessary for the restoring of the Wayse of England to have more fishe eaten and therfor one daye more in the weke ordeyned to be a fishe day, and that to be Wednesaye, rather than any other," Tudor Economic Documents, II, 100-110; Shrewsbury and Coventry MS., p. 52; Lawrence A. Harper, The English Navigation Laws A Seventeenth-Century Experiment in Social Engineering (New York, 1939), pp. 25-31; Heckscher, II, 38.

\(^{148}\) "Reasons to move a forbearyng of the restitution of the entercoourse to Antwerpe," Tudor Economic Documents, II, 147.
of England to appoint two of their number, "thone a silk dier thother a clothe dier, to reparaie into Moscovia and Persia" for the purpose of learning better dyeing methods. The dyers were asked to defray the charges of this expedition, but, "forasmuch as their Lordshipes" were "enformed there will redounde both to the whole Realme and to that Companye a great benefit and commoditye," the Council indicated that it would be quite willing to consider a request for governmental financial assistance, in order to insure the success of this venture.49

Even the Council's interference in the domestic wool trade was to some extent motivated by its bias in favor of protecting English industry. Along with efforts to assure a fair internal distribution of wool, the Council also endeavored to see that its exportation would not be detrimental to the English cloth industry. In 1578, for example, it wrote to "the Maiour and Society of the Staple" telling them that Harlew and Leyden in Holland had requested "to be releived with some quantitie of shepes fells out of this realme for iiiij yeres." The Staplers were asked to consider this request and advise the Council "howe they may be releived therein, and that they may have all favour and curtesie showed them herein that may be, so that the same be not to the greate detrie­ment of the commen weale or hinderance to her Majesties owne subjectes."50

49 Gras, p. 229. This quotation is used to support the conclusions given in this study concerning the grain policy of the Privy Council in relation to that of Parliament. The statutory policy favored tillage, looked to increased exportation, and contained provisions which were intended to strengthen the naval resources of the realm. It represented the government's policy insofar as principles were concerned; such principles now being commonly bound together under the name of mercantilism. The grain policy of the Privy Council favored the retention of local supplies and represented the government's policy insofar as circumstances involving the actual conduct of the government were concerned.

50 Acts of the Privy Council, X, 322.
This attitude, moreover, was in accord with that manifested by Parliament. 51

With regard to the cloth industry itself, the Council's desire to protect the quality of English-made cloth and at the same time reduce the number of its producers was also motivated by a quest for self-sufficiency. Cecil, for example, maintained that "people that depend upon makyng of cloth ar of worse cond-ition to be quyetly governed than the husbandmen." At the same time, he held that excessive cloth-making had diminished the number of available artificers, and "also laborers for all comen workes." Furthermore, the "domination of clothyng" in England would be profitable because "therby the tillage of the realm is notoriously decayed, which is yerly manifest in that contrary to former tymes, the realme is dryven to be furnished with forrayn corne, and specially the Citie of London." 52 Quality control through proper execution of the laws designed for that purpose, plus strict enforcement of growth regulations, would force marginal cloth-makers out of the cloth-making business and into economic endeavors which were more advantageous to a well ordered, self-sufficient state. 53

To become economically self-sufficient, of course, England had to develop needed industries equal to those on the Continent while at the same time organizing a corresponding exploitation of its natural resources. When Elizabeth came to the throne, England was technically behind the Continent. 54 Before Sir

51Haeckser, II, 137-138.

52"Reasons to move a forbearynge of the restitution of the entercourse to Antwerp," Tudor Economic Documents, II, 45.

53Tudor Economic Documents, II, 47; Read, Cecil, 297-298.

54Lipson, III, 352-353.
Thomas Gresham could build an exchange transaction building, like one existing in Antwerp, for example, he had to arrange for the importation of materials, and for workmen who could put these materials together to form the elaborate edifice that he wanted. About the middle of the sixteenth century, however, evidence indicates that an enormous expansion began in the output of coal, salt, glass, and ships with a corresponding increase in the production of many other industrial commodities, such as alum, soap, gunpowder, metal goods, and accessories. The growth in the importance of mining and manufacturing in the national economy was, it seems scarcely less rapid between the middle of the eighteenth century and the first Reform Act. Other evidence indicates that the rapid growth of industry, along with the striking increase in the importance and complexity of the domestic system, which began at this time, was accompanied by equally remarkable changes in industrial technique and scale of enterprise.

These developments were not unknown to the Council. From the reports that were made to individual councillors as well as to the Council itself, it is evident that the Council knew and did not dislike what was going on. Further-


57 Nef, "Progress of Technology," Reprints, p. 89.

58 Ibid., pp. 89-90.

more, the Council's concern for the success of Frobisher's ventures led it to take an interest in the processing of the ore brought home by him. This interest made it aware of some of the financial and technical requirements related to this aspect of industrialisation. At the same time, individual councillors like Cecil and the Earl of Leicester were themselves important members of various mining and manufacturing companies. Cecil, for instance, was at the same time the governor of the Mines Royal as well as one of the company's largest shareholders with two whole shares. These councillors, needless to say, actively supported the affairs of the projects in which they were interested.

About 1566, for example, agents of the Mines Royal had found and were working a vein of copper at Newlands near Derwentfells in Cumberland on the manor of the Earl of Northumberland. Altogether 600,000 pounds of ore had been raised when the Earl prohibited the miners from removing it. In the controversy that followed, Cecil, Leicester, and the Earl of Pembroke jointly wrote to Northumberland requiring him "to obey the Queen's injunction to suffer Thomas Thurland and Daniel Hechtetter, or their assigns, to carry away the ore.

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51 Cal. State Papers, Domestic, I, 288; Select Charters, pp. 5, 18.


53 Cal. State Papers, Domestic, I, 276; Scott, II, 385.

54 Scott, II, 385.
dug up at Newland, in Cumberland." Northumberland's refusal to act according to this letter and to admit that the beneficiaries under a grant of mine royal were entitled to enter on private property and remove ores led to a celebrated suit, the Queen vs. the Earl of Northumberland, which was heard in the Court of Exchequer before all the judges of England and the Barons of the Exchequer. After some erudite arguments on both sides, a unanimous verdict was issued against Northumberland. Since the Newlands ore contained silver, and the quantity was not stated, the presumption was that its value exceeded that of copper. Previously it had been declared that all mines of gold and silver within the realm, whether in the lands of the Queen or her subjects, belonged to the Crown. The government, therefore, had the right to grant patents for the exploitation of these mines and to insist that the patentees be allowed to conduct their work on private property. It is significant that after this verdict was handed down, the Queen received a letter from one of the promoters of the Mines Royal congratulating her on her triumph over the Earl of Northumberland.

Many other examples could also be presented which would connect various

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65 Cal. State Papers, Domestic, I, 288. See also Cal. State Papers, Domestic, I, 289.


68 Scott, II, 386.

69 Daniel Heckstetter to the Queen, May 31, 1567, in Salisbury MSS., I, 345. For Heckstetter's opinion of the part played by Cecil in the Affairs of the Mines Royal see Daniel Heckstetter and Hans Louver to Alderman Ducket, April 23, 1566, in Cal. State Papers, Domestic, I, 270.
councillors to the industrialization taking place in England during the first twenty years of Elizabeth's reign. Suffice it to say, however, that evidence indicates Elizabeth's ministers participated in a deliberate attempt on the part of the government to make England self-sufficient insofar as natural resources permitted. On the other hand, there is little evidence to indicate that the Council studiously planned and actively supervised this attempt. It never did establish a national administration for mines nor did it participate directly in the internal affairs of newly formed industrial companies. On the basis of available evidence, it would not be unreasonable to say that the Council was eager to participate in the development of heavy industry, but it did not have the capital, nor the authority, nor the agents, needed to carry through a program of state enterprise embracing all new branches of mining and manufacturing.

Moreover, the Council worked within a framework of somewhat irreconcilable economic attitudes. Its apparently favorable attitude toward restrictive measures designed to control or encourage certain economic endeavors worked against the establishment of a self-supporting industrial system. The Statute of Apprentices, for example, and the Council's efforts to secure enforcement of its provisions, restricted the mobility of labor "without which rapid industrialization..."

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70 Lipson, III, 353-354; Read, Cecil, pp. 276, 300, 373; Scott, I, 31, 39-41.

71 For example, there were no établissements of the luxury industry in England and no privileged manufacturers royal as there were in France.—Heckscher, I, 221-222.


73 Heckscher, II, 151-152.
tion and spectacular commercial expansion are impossible." The flow of capital to the cloth industry and away from it was hindered by the Council's efforts to control the location and growth of cloth-making in the interests of order, social conservation, and market independence. Elizabeth's Council was not presented a blank sheet upon which to write a wholly new program and the influence of tradition and medieval economic psychology is apparent in its attitude toward the industrialization of England. It acted in accordance with principles which had been previously put into action by municipal bodies, and while its province of action embraced problems relating to wages, apprenticeship, unemployment, trade unionism, technical processes of industry, and encouragement of new industrial endeavors, it exercised little positive influence upon industrial growth. Despite the interest shown by its members in the development of new industries, England's rapid industrial advance during this period took place independently of the Council; it was not dependent upon the Council for its success. Whatever industrial self-sufficiency England did attain was due more to the growth of the market than to the Council's efforts in behalf of production control.

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76 Lipson, III, 392-393.

77 The Statute of Artificers (5 Eliz., c. 4), for example, is nothing more than a convenient summary of previous legislative enactments based on principles put into operation by municipal bodies. — *Tudor Economic Documents*, I, 338-339; Lipson, III, 207-208.

In the sphere of foreign trade, however, the Council's movements in the comparable endeavors in the direction of volume control were more influential. By 1578, for example, the legal overseas trade of England was controlled by restrictive companies under the patronage of Elizabeth's government. The lawful merchandising of English goods abroad had become a privilege that was obtainable only through conformity with the patent rights of these companies and the orders of the Privy Council. Any person who could not qualify as a member of one of these companies, or who refused to adhere to their internal regulations, was either driven from the field or became an illicit trader.

As noted before, the Council favored the establishment of regulatory companies because it believed that a free and wide open foreign trade was detrimental to the interests of the Crown and the country. It can be said, for example, that the Council operated in an economic atmosphere that included the belief that the world contained a fixed quantity of economic resources which could be increased in one country only at the expense of another. According to this belief, therefore, trade depressions were caused by product disposal difficulties due to the too rapid exhaustion of a market country's resources. This rapid exhaustion was blamed on the activities of an excessive number of


80 "It is thus to the later sixteenth century that--a priori--our attention should be drawn in any attempt to throw light upon the origins of large-scale smuggling."--G. D. Ramsay, English Overseas Trade During the Centuries of Emergence (London, 1957), p. 174.

merchants who sold an excessive amount of inferior merchandise at low prices.\textsuperscript{82} It was the Council’s hope that this problem could be solved by restricting the number of merchants who could engage in foreign trade and by enhancing the price of English products through sales volume limitations and quality control.\textsuperscript{83} In accordance with this hope, the Council actively supported patents which manifested these ideas.

At the same time, the Council was not untouched by the idea that a favorable balance of trade was very desirable for England.\textsuperscript{84} Cecil, for instance, wrote that it was “manifest that nothing robbeth the realm of England but when more merchandise is brought into the realm than is carried forth.”\textsuperscript{85} This was so because the value difference had to be made up through the payment of money, and according to current economic formulations, the exportation of bullion was


\textsuperscript{83}High prices were considered as constituting the essence of a well-ordered trade. The Merchant Adventurers, for example, used various devices to keep export prices at a high level.—Wheeler, pp. 44-45; Lipson, II, 234; Fisher, \textit{Econ. Hist. Rev.}, X, 114; Tudor Economic Documents, III, 271-272.


\textsuperscript{85}“Inconveniences of enlarging any power to bring any more wine into the realm,” in Read, Cecil, p. 371.
not only unwise, but also unlawful. He proposed, therefore, to "abridge the use of such foreign commodities as be not necessary for us, whereof the excess of silks is one, of wine and spice another." The protection extended to the English cap-making industry, interference in the wine trade, attempts to control "the multiplying of taverns" and repeated efforts to enforce apparel regulations, all partook of this balance-of-trade idea. It is interesting to note that the Council was in accord with the legislative laws of the realm on this matter.

Support for the establishment and activities of restrictive trading companies was also dictated by a spirit of economic nationalism that existed among Council members and by the financial needs of the Crown. The members of Elizabeth's council, for example, were deeply involved in attempts to share in the wealth of Africa, Asia, and Spanish America. Moreover, this involvement was

86 "Considerations for the restraining of transporting goods out of the realm and also for the mynters and coyners thereof," in Schans, II, pp. 648-649; "Inconveniences of enlarging any power to bring any more wine into the realm," in Read, Cecil, pp. 371-372; Discourse of the Common Weal, p. 63.

87 "Inconveniences of enlarging any power to bring any more wine into the realm," in Read, Cecil, p. 372.

88 Ibid.


90 "In two ordinances of 1574 and 1588, Cecil referred directly to the balance of trade as the cause for his anti-luxury measures."—Heckscher, II, 110.


coated by a rationale of principle. Thus, Cecil's attitude that the Pope had no right to partition the world and to give and take kingdoms to whomever he pleased was reported as being the real reason why the Council did not completely suppress trading voyages to Africa and the New World; the quest for profit was reported as being of secondary importance. Furthermore, this aggressively independent foreign trade attitude was reflected in the conduct of England's economic relations with continental powers. There were many people in England, for instance, who believed dependence upon the Antwerp market was necessary for the political as well as economic welfare of England, but the Council was not unduly influenced by this position. Cecil, for one, contemplated with equanimity the severance of the old economic ties with the Low Countries. After the government had placed its 1564 embargo on the export of cloth to the Netherlands, Cecil was inclined to think that England ought to seize the occasion for reforming the ills ascribed to the excessive production and exportation of cloth to Antwerp. He thought that since the great majority of cloths exported were "fine white cloths," or unfinished cloth, the only people that would be affected by an absolute break would be those that made this type of cloth. It was his opinion that "if the statutes that are provided for making of true clothes, for prohibiting of men to be clothiers that have been brought up in the faculty, and for such like (were enforced) it would breed a smaller number


94 The 1563-1564 English-Netherlands economic war, for example, drew forth a spate of memoranda on the general subject of the cloth trade. For the most part, these economic expressions argued for the continuation of the trade through Antwerp.---Read, *Cecil*, p. 295.
of clothiers of that sort." Until this situation could be brought about, however, those people that became employed through lack of a white cloth market could be taught "to dye and color" cloth, or make other types, the sale of which "remaineth as good as before, both into Spain, France, and unto the east countries." Those that could not be absorbed into other aspects of the cloth trade, or into other fields of endeavor, could be sent "into Ireland to help the peopling of the countries there."95

In the negotiations that followed the 1564 Anglo-Spanish commercial break, this position was used to gain as much as possible for England.96 Despite his inclination towards the breaking of England's dependence upon the Antwerp market, Cecil was well aware that it could not be accomplished in an abrupt fashion and that some sort of settlement with the Low Countries was necessary. He wrote in September of 1564: "We here do see it very necessary to return to the Low Countries, for although it were to great purpose to divert some part of our trade from thence, and is seen possible, yet the matter was not so foreseen, considering it fell out upon a casualty, but that our country shall not be presently able to endure the holding out."97 One of the greatest problems facing England because of this break was "the lack of revenue for the Queen of the

95"Reasons to move a forbearyng of the restitution of the entercourse to Antwerpe," in Read, Cecil, pp. 295-298.

96Sir William Cecil to Sir Thomas Smith, November 26, 1564, December 30, 1564, June 3, 1565, October 16, 1565, in Queen Elizabeth and Her Times, I, 178-179, 181-185, 198-199, 208-212; Joseph Marie Bruno Constantin Kervyn de Lettenhove, Relations Politiques des Pays-Bas et de l'Angleterre sous le Règne de Philippe II (Bruxelles, 1882-1900), IV, 35-154; Salisbury MSS., I, 331. See also Cal. State Papers, Simencas, 1, 375.

97Sir William Cecil to Sir Thomas Smith, September 12, 1564, in Queen Elizabeth and Her Times, I, 175.
"Customs," and "the sudden stay at home of the people that belong to cloth making." However, Cecil appears to have believed that time was on England's side. This belief, combined with a willingness to dispense with the Antwerp market and the fact that England could dispose of some part of its cloth production in other areas, induced the government to drag out the negotiations until a not unfavorable agreement was accorded it.

These bargaining principles were also present in the Council's relations with the Hanse. Elizabeth's government took the position that the Hanse had to grant privileges to the merchants of England similar to those held by Hanseatic merchants in London. In addition, the Council's attitude towards the German merchants was colored by its desire to increase the maritime might of the kingdom through an English monopoly of the naval transportation in and out of the realm and by its close financial association with the Merchant Adventurers. Since the Hanse refused to agree to the Council's position, and since the Merchant Adventurers were opposed to the trading status of Hanseatic merchants in England, nationalistic considerations prompted the Council to suspend and later abrogate the privileges formerly held by the Hanse Traders.

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98 Ibid.
99 Read, Cecil, 293.
100 "Reasons to move a forbearung of the restitution of the entercourse to Antwerpe," Tudor Economic Documents, II, 47; Sir William Cecil to Sir Thomas Smith, November 28, 1564, in Queen Elizabeth and Her Times, I, 179.
103 Harper, pp. 19-33.
for example, the cloth trade of England was controlled by English merchants; Hanseatic traders could no longer compete with them. 105

In imposing a framework of restrictive companies, restrictive regulations, and economic nationalism upon the foreign trade of England, however, the Council acted against some aspects of this field of economic endeavor. For one thing, it hindered the general expansion of English foreign trade. 106 Moreover, its unfavorable attitude towards the importation of luxury items did not take into consideration the fact that these items were used as payment for English exports. 107 At the same time, its nationalistic economic attitude aided and abetted the growth of privateering which, in the long run, harmed rather than helped the country. 108 Against the profits derived from these expeditions, for example, must be set the cumulative effects of the disturbances of trade which they caused as well as the diversion and occasional loss of capital which could have been better employed. 109 Furthermore, its readiness to break off economic ties in behalf of its nationalistic aims played havoc with the main-


108 Fisher, Econ. Hist. Rev., X, 105; Lipson, III, 210-212; Scott, I, 80, 84-85; Unwin, "Merchant Adventurers' Company," pp. 175-180. Some responsible Englishmen, however, deplored the spread of privateering and piracy. —Sir Thomas Chaloner to the Queen, November 30, 1564, in Queen Elizabeth and Her Times, I, 178.

109 Lipson, III, 211-212.
tenance of sound trading relations. The detention of the Spanish treasure and the subsequent commercial break with Spain, for instance, resulted in the loss of an important market and the disturbance of production over the whole country.

Contemporary writers, viewing events on the surface, congratulated themselves on the fact that the value of Spanish goods confiscated in England because of the break exceeded the value of English goods seized by Spanish authorities. This differential, however, was not compensatory for the losses suffered by merchants through the disruption of existing commercial relations.

At the same time, however, the results of privateering and the detention of the Spanish treasure must be viewed in the light of existing opinions regarding the possibility of an Anglo-Spanish war. If war was considered to be a good possibility, privateering was not altogether bad, while the seizure of Spanish bullion hurt the Spaniards and gave Elisabeth a "war chest" at a badly needed time. In this regard, evidence indicates that the Council worked in an atmosphere constantly in motion in response to the relentless pressure of war and fear of war. France, Spain, and the Pope, were all considered as potential invaders. Permeating practically all of its major economic consid-

110 Capital was immobilised; merchants were unable to meet their engagements; and international credit arrangements were disrupted. See Scott, I, 51-52; Unwin, "Merchant Adventurers' Company," pp. 176-179.

111 Scott, I, 51. See also Cal. State Papers, Simancas, II, 5th-5th.


114 Scott, I, 84-85.

erations was the idea of how to best avoid problems that would threaten "if warres should chance."116

Thus, its concern for the small cultivator was permeated with the idea that his preservation was required for military reasons.117 Moreover, the maintenance of tillage was needed in order to reduce the need for the importation of foreign grain and the corresponding danger of this importation being cut off in time of war.118 Industrialisation was accepted in a friendly spirit with the hope that it would lessen England's dependence upon foreign military supplies.119 The grants of monopoly patents, for example, were conditioned by the desire to improve the military preparedness of the realm,120 and the Council undertook to support promoters of projects that were intended to enhance the military position of the kingdom. In 1578, for example, it wrote to some gentlemen that, "where upon an offer made by one Cornelis for the furniture of her Majestie with a great quantitie of saltpeter" some common land in "the New Forreste" had to be leased to him which the inhabitants of that area were un-


117Tudor Economic Documents, I, 78.

118"Inconveniences of enlarging any power to bring any more wine into the realm," in Read, Cecil, p. 372. See also Brian Pearce, "Elizabethan Food Policy and the Armed Forces," Economic History Review, XII, Nos. 1 & 2 (1962), 39-66.

119Sir Thomas Chaloner to Sir William Cecil, September 29, 1559, in Queen Elizabeth and Her Times, I, 11; Cal. State Papers, Foreign, I, 582-583.

willing to dispense with, the Council desired them to deal with these common
land users, "and ye any of them shall refuse to yeilde to conformatie they
shall geve them day to make their apparence before their Lordships." 121 After
the Council had obtained the conformity it wanted it further ordered its agents
"from tyme to tyme to be ayding and assisting to the said Cornelis in all
things needful for the accomplishing of that which is promised," because the
Council's whole intention "in this behaull is directed to the furderance of
her Majesties service to supplie suche a want as this realme cannot be with-
cout." 122 Furthermore, the rearmansent program lay behind the Council's inten-
sive efforts for the improvement of English shipping. 123 At the same time,
this program also played a part in determining the Council's policy toward
trading companies. Their charters, for instance, required them to use English
vessels and they were expected to contribute otherwise to the military poten-
tial of the realm. 124

Moreover, financing of military expeditions and the desire to be able to
finance offensive or defensive forces when needed exercised a persistent and
ever-increasing influence upon economic policy. 125 Most petitions for patents,
for instance, contained promises that the customs revenue would be increased if

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121 Acts of the Privy Council, X, 142.
122 Acts of the Privy Council, X, 170-171. The agreement that was finally
made is in Acts of the Privy Council, X, 159-161.
123 Tudor Economic Documents, II, 104-110.
124 Thus, the Russia Company was required to use English ships "sailed for the
most part with English Mariners."—Hakluyt, III, 89-90. See also Harper, p. 32;
Scott, I, 30.
History Review, XVII, No. 2 (1947), 114.
they were granted. The relations of the Council with the Merchant Adventurers were heavily conditioned by the help the company was able to give the Council regarding the raising of money. Frobisher's expedition, as well as other semi-piratical ventures, were approved in consideration of the treasure which they were expected to bring into the realm. At the same time, import restrictions were intended to deny monetary benefits to a potential enemy. In opposing a greater importation of wines, for example, Cecil declared that it would "enricheth France, whose power England ought not to increase." Prohibitions against the importation of other items from other countries were based as well upon the need to build up domestic industry as upon an attempt to deny another country the use of English money that would be used to pay for them.

At the start of Elizabeth's reign the lack of military supplies in England and the corresponding dependence of the country on foreign markets was the source of great anxiety to the Council. In accordance with this anxiety,

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126 Tudor Economic Documents, III, 389; Stone, 114.
129 "Inconveniences of enlarging any power to bring any more wine into the realm," in Read, Cecil, p. 372.
130 "Reasons to move a forbearyng of the restitution of the entercourse to Antwerp," Tudor Economic Documents, II, 45.
131 The idea that England was militarily weak dominated the arguments of those who favored invading Scotland in 1559 as well as those who opposed this move. --Cal. State Papers, Foreign, I, 519-524; II, 191-198; The State Papers and Letters of Sir Ralph Sadler, Knight Bannert, ed. Arthur Clifford (Edinburgh,
the Council supervised the importation of military items from the Low Countries and elsewhere,\textsuperscript{132} while at the same time it sought to increase the self-sufficient military might of the realm.\textsuperscript{133} It would appear that in response to a fear of war, the Council, along with conservative and responsible opinion, wanted to make England into an autocratic state. According to this idea, security, and not prosperity, was the object of its economic endeavors.\textsuperscript{134}

The complexity of the Tudor period, however, does not lend itself easily to simple explanations regarding economic policy.\textsuperscript{135} In this study, an attempt was made to investigate the managerial position of Elizabeth's Privy Council in relation to its corporate activities in the economic field for the years 1558-1578. No deliberate effort was expended to place the Council within the existing constitutional, political, and legal system, nor was the economic history of England for the first twenty years of Elizabeth's reign rewritten. The work of historians such as Tawney, Lipson, Hackscher, Unwin, Fisher, Diets, and Cunningham was drawn upon to provide the economic setting for the Council's activities, as well as to support some of the explanations presented in this study with regard to these activities, but no comprehensive endeavor was made to ex-


\textsuperscript{133} As early as 1560 Cecil was superintending experiments in the mixing of gunpowder.—Cal. State Papers, Domestic, I, 160; Scott, I, 31. See also "Elizabeth arms England which Mary had left defenceless," An English Garner Tudor Tracts 1532-1588 with an Introduction by A. F. Pollard (Westminster, Eng., 1903), pp. 57-61.

\textsuperscript{134} Cal. State Papers, Foreign, I, 582-583; Salisbury MSS., 390; Read, Cecil, p. 373, Stone, 110.

\textsuperscript{135} Stone, 110.
examine all facets of Elizabethan economic history independently of the aforementioned authorities.

In its attempt to investigate the managerial position of Elizabeth's Privy Council, this study directed its attention to an independent examination of the Council's directives on economic affairs for the period under discussion. When satisfactory directives covering certain periods of time and areas were either unavailable or non-existent, recourse was had to related evidence. Moreover, this study limited itself to those formative years in the development of Elizabethan economic relations when the government could and did devote a great deal of attention to economic problems. Between 1558 and 1578, the structure of Elizabethan economic relations took shape while the attention of Elizabeth's government was not yet overwhelmingly jaundiced with the problems related to the struggle with Spain.\footnote{The amount and nature of the economic legislation enacted by Parliament during this period supports this contention. These laws are appropriately noted in the text.} If one can accept the premise that the earliest and most concentrated responses to situations are the ones most indicative of motive and position, this study provides a valid picture of the Council's economic leadership through a presentation of its earliest and most undiverted answers to the problems with which it felt called upon to deal.

Furthermore, because its subject, its mode of procedure, and the period of time covered by it are integral parts of its presentation, this study seems to be the only one of its kind in existence. Essays by Ricey, Gladish, and Percy, as well as commentaries by Holdsworth, Pollard, and Read, mention the extensive and varied nature of Privy Council interference in English life on all levels, but they are either too broad in scope, too sparse in content, too selective in
presenting their evidence, too concerned with placing the Council within the 
existing constitutional, political, and legal system, or, as in the case of 
Gladish, too poorly written to adequately present the Council's activities with 
regard to economic affairs. In the first chapter of this study, contemporary 
evidence was bolstered by the use of these authorities in order to illustrate 
what the Council was and how it was organized. Because the examples presented 
in the succeeding chapters of this study are more vitally concentrated, as well 
as being surrounded by an economic setting, they go beyond Dicey, Gladish, 
Percy, Pollard, and Read, in showing, for example, that the outstanding thing 
about the Council's economic position was the range, frequency, and expedient 
nature of its interference in the economic relations of England.137

Moreover, because of its topic, its mode of procedure, and the period of 
time covered by it, this study can be said to enhance the work of those histor- 
ians from which it drew its economic setting. Cunningham, Lipson, and Hecks- 
scher, for instance, all refer to the Privy Council in their works, but since 
their works cover a wide range of both time and subject matter, they do not 
spell out the Council's activities and position with regard to either the to- 
tality of English economic affairs or any particular aspect thereof. In addi- 
tion, their tendency is to accept the premise that the state was interested in 
economic relations because of its desire to become wealthier, or more powerful, 
or more self-sufficient than its neighbors. To support this contention, they

137Furthermore, this study can correct at least one error made in a previous 
work. From the examples presented in this study, it is evident that Gladish is 
wrong in stating that the first orders of the Council regarding the compulsory 
eating of fish date from February, 1589.---See Gladish, p. 97. At the same time, 
this study supports the view of Pollard and others that the jurisdictional line 
between the Privy Council and the Court of the Star Chamber was very indistinct. 
---See Pollard, English Historical Review, XXXVII, 530-539.
cite selected evidence divided by a wide range of years. Contemporary writers, enactments of Parliament, records of debates in Parliament, as well as royal proclamations and other prerogative orders, are used to illustrate the attitude and interference of the state in economic affairs without any pretense at favoritism. Assuming that their economic facts are correct and that their economic interpretations of these facts are not wholly divorced from the truth, this study complements their work by showing, in a concentrated and more detailed fashion, how Elizabeth's Privy Council, the foremost prerogative part of the English state next to the Queen, acted in relation to particular aspects, as well as the totality, of existing economic facts and ideas. Thus, for example, this independent study illustrates the activities and attitude of the Privy Council with regard to the implementation of political lent and the control of economic middlemen much more fully than Lipson. Furthermore, Lipson's contention that the policy of the state during this period was primarily dictated by the demands of an ever-changing environment, although generally directed toward the pursuit of more self-sufficient power than its neighbors, seems to be substantiated by the actions of Elizabeth's Privy Council as revealed in this study. At the same time, in view of the paucity of evidence to the contrary, the contention of Nef and others that agricultural and industrial advances during the reign of Elizabeth were due more to the expansion of the market than to the actions of the Privy Council can be accepted as essentially valid.

In addition, Heckscher's relatively unsupported opinion that the "most characteristic feature of the economic policy of the Stuarts and of the Tudors was the continual endeavor to aid the new classes of society who suffered from
the new capitalist development, above all the weavers and artisans generally, against the entrepreneurs and managers of industry and commerce, and also the agricultural population oppressed by the enclosures and sheep rearing, finds some support in the directives issued by the Privy Council. On the basis of this study as a unit, however, it is evident that the designation "most characteristic" must be redirected, for, as has been noted, the Privy Council never developed a systematic and comprehensive plan in behalf of Heckscher's new classes of society. Rather, this study would agree with Tawney that the Council's efforts in this regard were spotty and generally dictated by circumstances connected with special hardship and the fear of political and social instability. The Council had to rely for the execution of its orders on the people who were doing whatever oppressing there was, and this fact in relation to the Council's desire to maintain a rigid socio-economic order, as well as its wish to make and keep England a formidable world power, prevented the Council from throwing its full weight behind the unprivileged classes.

From the evidence presented in this study, moreover, it is possible to confirm and correct some conclusions about the Privy Council advanced in economic histories more monographic in tone than Cunningham, Lipson, and Heckscher. For example, on the strength of many more examples than presented by Tawney, it is possible to confirm his contention that though, on the whole, the attitude of Elizabeth's Privy Council toward enclosures was the traditional one as presented by him, the Council did not forcefully interfere except in cases of special hardship or when there was serious danger to the well-being of the state. Furthermore, this study supports the work of Leonard in that it shows, on the

138 Heckscher, p. 257.
basis of earlier and more examples than cited by her, that Elizabeth's Privy Council concerned itself with the relief of the poor in a way that linked together the repression of vagrants with the care of the legitimate poor in the interests of maintaining order. As mentioned before, the Privy Council was not immune to the plight of the poor, but it sought the solution to the problem of the poor and unemployed in organization rather than unsupervised charity.

At the same time, this study enlarges upon the hints given by Umin and Holdsworth concerning Privy Council intervention in commercial relationships of all kinds. It goes beyond these works, for instance, in showing that the Privy Council interfered in business dealings connected with land transactions and that it felt empowered to intervene in the daily business affairs of the commercial and mercantile community. Moreover, this study illustrates better than both Umin and Fisher, the fact that the Privy Council supported the privileges of restrictive companies engaged in foreign trade against the onslaughts of outsiders and the inside attacks of their own members. It also illustrates the Council's role in areas connected with sixteenth century foreign trade not covered by either Umin and Fisher, such as the preservation of wreck, the restitution of pirated goods, the supervision of reprisal action, and marine insurance. In a like manner, this study illustrates the Council's activities in public and private finance with an emphasis and detail not used by either Diets or Tawney.

Furthermore, because of its more detailed investigation of the Council's interference with regard to the trade in foodstuffs, this study casts serious doubt upon the conclusion of Gras that the policy of the Privy Council with re-
gard to the grain supply was dictated by the policy of London. Rather, as has been noted, both conditions and the orders of the Council indicate that retention of local supplies in order to ensure a fair price was the object behind the activities of the Privy Council in this economic area.

Thus, in terms of its objectives and limitations, this study surpasses existing works on the Privy Council, it enhances and complements the work of some economic historians, and, at the same time, it confirms and corrects the work of others by re-examining the evidence they used whenever possible in relation to additional evidence not used by them. In its presentation and conclusions, this study offered answers to some of the questions posed in the first chapter. It related how and in what direction the Council exercised its influence; it noted the Council’s appreciation of the problems that instigated the promulgation of its directives; it mentioned whether or not the policies of the Council differed from those of Parliament; and it presented the Council’s connections with the instruments of Elizabeth’s authority, the Court of the Star Chamber, the Court of Requests, the Councils of the North and of the Marches of Wales, the Justices of the Peace, and other royal agencies. Granted that the complexity of the Tudor period does not lend itself easily to simple

139 Gras, p. 225. Moreover, in at least one instance, the evidence Gras uses to support his contention can be questioned. On page 228 of his work, Evolution of the English Corn Market, he states that in 1565 Cambridge petitioned against the transportation of grain from Lynn but that the government refused to check this transportation because the grain was being shipped from Lynn for the victualling of London. Evidence uncovered by this study indicates that on June 18, 1565, a complaint was sent to Cecil regarding the excessive exportation of corn from the neighborhood of Cambridge, especially from Lynn, with a request that authority be given for "a stay of all corn within five miles of the University." On June 25, 1565, the Earl of Leicester and Sir William Cecil promised to stay the exportation of grain from Cambridge until further order could be taken.—Cal. State Papers, Domestic, I, 253.
explanations regarding economic policy, this study has, in this regard, advanced the work concerned with explanations of this sort by emphasising the intimate and active connection of the Privy Council with English economic relations for the formative years 1558-1578. It has shown that what general controls the Council did seek to impose seem to have been in agreement with what is today commonly known as mercantilistic economic thought, but that the Council's main purpose was not to implement an economic theory or a related set of theories. Its purpose was to manage England in the way that it thought best. From this study, it is evident that this way included the structural establishment of a rigid socio-economic order infused with the determination to make and keep England an independently formidable world power. This ideal, however, was sabotaged by the very efforts made in its behalf, by the conditions responsible for whatever success it did attain, and by the natural duties of government. Attempts at stratification sometimes imposed too great a strain on what was a restless economy, and movements in the direction of industrial, commercial and military strength were too economically attractive to be contained. Thus, conformity with the Council's position was obtainable only in compatible areas. The success of its policy depended upon the voluntary support given it in the interests of security against internal unrest and external attack, or by budding capitalists whose cooperation with the gov-

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1h1 Stone, 120.
government could be expected to redound to their advantage.\textsuperscript{1h3}

Under these conditions, the Council played a middle-of-the-road role. It did not assume the leadership of what was a new economic spirit, nor did it go all out to quash its objectionable manifestations. The business of government obliged it to compromise and its economic management of England consisted mainly of using the traditions bequeathed to it as well as its own prejudices and desires in a search for workable solutions to current problems. In the course of time these solutions hardened into some sort of a conscious uniformity,\textsuperscript{1h4} the righteousness and efficacy of which are the subject of intellectual controversy even today.\textsuperscript{1h5}

\begin{itemize}
\item \textsuperscript{1h3}Stone, 120.
\item \textsuperscript{1h4}Unwin, "Merchant Adventurers' Company," p. 134.
\item \textsuperscript{1h5}Stone, 103.
\end{itemize}
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[Signature]
[Date: August 3, 1957]

[Signature of Adviser]