

BUSINESS LIFE AND PUBLIC POLICY

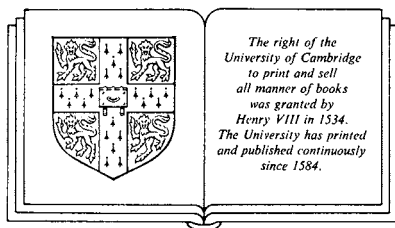
Essays in honour of
D. C. COLEMAN

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*Piscatorial politics in the early Parliaments of
Elizabeth I*

G. R. ELTON

In our period State action in economic and social matters can be seen as having four main ends in view: the maintenance of social stability and order; the encouragement and regulation of the internal economy; the encouragement and regulation of overseas trade and shipping; and the raising of revenue.

Thus Donald Coleman sums up a well-known problem and its usual conclusion.¹ His phrasing is cautious: 'state action' must be taken to include the legislation of Parliament, but the possibility that the initiative behind such laws might have come from unofficial quarters is not expressly excluded. Nevertheless, the mention of public order and public revenue does suggest that the author had it in mind here to equate the state with its government. That conviction – that Elizabethan economic legislation originated in official circles and reflected thinking there – is well entrenched in the literature; it goes back at the least to Archdeacon Cunningham, who decided that 'the more we examine the working of the Elizabethan scheme for the administration of economic affairs, the more do we see that the Council was the pivot of the whole system', as initiators and executors.² The only person who has dared to question the assumption was F. J. Fisher, though even he in the end resigned himself to the concept of government action, called forth in his view not by sovereign planning but by the haphazard pressures of the market and other circumstances.³ In any case, he got a firm answer from Lawrence Stone who, restoring tradition in new clothes, rested his whole case tacitly on the conviction that legislative enactments reflected government policy while failed proposals indicated the defeat of government intentions by sectional interests in the House of Commons.⁴ General accounts thus returned with relief to the supposition

¹ D. C. Coleman, *The Economy of England, 1450–1750* (Oxford, 1977), pp. 173–4.

² W. Cunningham, *The Growth of English Industry and Commerce*, 6th edn (Cambridge, 1907–10), vol. III, p. 53. He did not seem to know that most of the regulations he had in mind could only be enforced in the law courts and by actions brought by private informers.

³ F. J. Fisher, 'Commercial Trends and Policy in Sixteenth-Century England', *Economic History Review* 10 (1940), 95–117.

⁴ L. Stone, 'State Control in Sixteenth-Century England', *Economic History Review* 17 (1947), 103–20. Abandoning the traditional view, according to which regulations aimed

that manifestations of control and policy arose with 'government', and conversely that acts of Parliament can be used to find out what government was about.⁵ Yet historians of Parliament are by now quite well aware that sixteenth-century statutes for problems of the common weal need by no means have come from monarch and Council. So far, the history of few such acts has been investigated, though one famous study, which, trying to distinguish the pressures behind the 1563 Statute of Artificers, cast much doubt upon the common conviction, apparently failed to weaken its hold upon the generality. Besides, it may not have got things quite right, and, this being a case where even a small discrepancy can throw a general chain of reasoning into confusion, the simplicities of tradition can reestablish themselves.⁶ A look at some other measure of economic import may therefore help. I have chosen the 1581 fisheries act, which Ephraim Lipson regarded as an official attempt 'to stimulate native shipping by forbidding subjects to import foreign-cured fish'.⁷ Is that what it was?

Sixteenth-century England ate a lot of fish, and a relatively large part of its population made a living out of this fact. When one considers the place occupied by cod and ling and salted herring in the menus of the time, it comes as a surprise to find how little serious work has been done on this theme.⁸ Supplying England with the fish it needed especially in Lent and on other fast-days involved the despatch of regular annual fleets to the Iceland fishing grounds; it involved following the shoals of cod and herring as each year they travelled south from Scotland to the German Bight; it involved hundreds of small vessels exploiting the inshore fisheries off the English east coast from the mouth of the Tyne to the mouth of the Thames; it involved acquiring large quantities of salt which the more distant voyagers had to carry with them while the close-in fishermen stacked it on shore to deal with the catch unloaded there. It was widely, and correctly, thought that the safety of the realm, depending as it did on the maintenance

to forward prosperity, Stone claimed to have learned from the war just past that Tudor governments controlled the economy for reasons of national security.

⁵ E.g. L. A. Clarkson, *The Pre-Industrial Economy in England 1500-1750* (New York, 1972), ch. 6.

⁶ S. T. Bindoff, 'The Making of the Statute of Artificers', in S. T. Bindoff, J. Hurstfield and C. H. Williams (eds.), *English Government and Society* (London, 1961), pp. 56-94. According to Bindoff (p. 72), sect. 33, which exempted Norwich and London, did not enter the bill until at a very late stage of its passage through the Commons; yet, discussing the bill three weeks before the Parliament even met, the city council of York saw that clause included in it: *York Civic Records*, ed. A. Raine, vol. vi (1948), p. 50.

⁷ E. Lipson, *The Economic History of England*, 6th edn (London, 1956), vol. III, p. 119.

⁸ For a general introduction - no more - cf. A. Michell, 'The European Fisheries in Early Modern History', *The Cambridge Economic History of Europe*, vol. v, pp. 134-84. A very few points of direct relevance, as well as interesting details about the physiognomy and ecology of the herring, are found in J. T. Jenkins, *The Herring and the Herring Fisheries* (London, 1927).

of a large body of experienced seamen, called for a healthy fishing industry as a training ground for mariners. By the middle of the sixteenth century, English fishermen were retreating before the advancing enterprise of the Dutch, equipped with their superior vessels (the cod and herring busses), large enough to hold great quantities of fish salted on board – a considerable economy in the trade. From this grew an ever increasing reliance on Dutch fish, bought up in the Netherlands by English merchants – especially the members of the London Fishmongers' Company – who could undersell English fishermen increasingly forced back upon the scattered and uneconomic operations of individuals fishing the inshore grounds. There was a crisis in English fishing, and the Protestant dislike of popish fast-days did not help. And as many thought, there was a resulting crisis in the supply of experienced manpower to sail English ships and guard the island.

Thus, even before war forced the needs of the navy and of shipping upon government, the Elizabethan Parliaments several times concerned themselves with the protection and promotion of English seafaring interests. The legislation, proposed or enacted, pursued two separate but connected lines of thought: it tried to restrict English seaborne trade to native vessels, mariners and owners, and it tried to protect English fishermen against foreign competition. Most of what was done owed little to any initiatives by Queen or Council; instead, the acts testified to concern and agitation on the part of private interests. Since these interests included rivals as well as cooperators, the prehistory, passage and later fortunes of the statutes were never straightforward, as in particular the act of 1581 (23 Eliz. I, c. 7) well illustrates. Its history throws much light on the manner in which economic pressure groups used the legislative power of Parliament.

The sessions between the Queen's accession and 1581 provided a sort of run-up to the manoeuvres of the latter year. The act of 1559 (1 Eliz. I, c. 13) – to judge by its enacting clause, the only one of all these measures to stem from the Council⁹ – tried to consolidate earlier legislation for the limitation of imports to English-owned vessels; ineffective from the first and limited to a trial period, it was not continued in 1571 and seems to have lapsed.¹⁰ Markedly more important was the so-called great navigation act of 1563 (5 Eliz. I, c. 5), a comprehensive measure initiated privately in the Commons and much enlarged in the course of passage. It dealt with both the main concerns of all this legislation. Touching fisheries, it freed Englishmen from various constraints and from the payment of customs

⁹ Cf. G. R. Elton, 'Enacting Clauses and Legislative Initiative, 1559–1571 [*recte* 1581]', *Bulletin of the Institute of Historical Research* 53 (1980), 183–91.

¹⁰ The act was to endure for five years from the end of the 1559 Parliament and then to the end of the next one; it should thus have been renewed in 1566 when the expiring laws continuance-bill (whose text is unknown) lapsed in the Lower House. The successful continuance act of 1571 (13 Eliz. I, c. 25) does not mention this navigation act.

but (for reasons which have not so far become apparent) expressly excluded Hull from these benefits;¹¹ it also contained the notorious clause promoted by William Cecil which made Wednesdays into fish-days – a clause which led to one of the few divisions recorded for these Parliaments.¹² A bill to repeal ‘Cecil’s fast’, which probably reflected religious opposition rather than economic concerns, was introduced in the Lords in the next session but got no further than a first reading; the same fate befell efforts in the Commons to modify the ban on foreign fish imports and to protect the annual herring fair at Great Yarmouth in Norfolk, efforts which unquestionably involved commercial considerations.¹³

This is the first positive appearance in the story of the special herring interests represented by Yarmouth, and they gathered strength from then on.¹⁴ Though the 1563 act was not due for renewal until the first dissolution of a Parliament after Michaelmas 1574 (it therefore called for action in the Parliament summoned in 1572 which after the session of 1581 petered out in repeated prorogations), the 1571 Parliament passed an act renewing and slightly amending it; the amendments all served the interests of the herring fishery. The time-limitation clause of this act took it out of the struggles over parliamentary recontinuance: after an initial time-limit of six years, its further existence was thereafter to be at the Queen’s pleasure. Somebody in the Lords, confused as well he might be by these complexities, secured a first reading for a formal continuance bill in the session of 1576, but the law officers very likely drew his attention to the superfluity of his bill, of which no more was heard.¹⁵ In fact, throughout the seventies the fishing interests of such outports as Yarmouth seem to have been in the ascendant. In 1571 they beat off a more determined effort to repeal the Wednesday fast, the bill passing the Commons but lapsing in the Upper House;¹⁶ and in 1572 a bill hostile to Yarmouth was talked down on introduction, not being read even a first time.¹⁷ Intended to permit the free sale of fish by all Englishmen to all comers except the Queen’s enemies, it was put up by men of Suffolk and

¹¹ Sect. 3, which tried to balance this adverse discrimination against Hull by permitting the town to retain the tolls assigned to it under a repealed act of Henry VIII.

¹² *[Commons] [Journal]* 1, 58; the clause passed by 179 votes to 97.

¹³ *[Lords] [Journal]* 1, 6, 56; *C.J.* 1, 77, 80.

¹⁴ For the Yarmouth fishery cf. Robert Tittler, ‘The English Fishing Industry in the Sixteenth Century: the Case of Yarmouth’, *Albion* 9 (1977), 40–60. This article has nothing to say about the parliamentary transactions investigated here; it is also somewhat in conflict with A. R. Michell, ‘The Port and Town of Great Yarmouth and its Economic and Social Relationships with its Neighbours on both Sides of the Seas, 1550–1714’ (University of Cambridge Ph.D. dissertation 1978).

¹⁵ *L.J.* 1, 745.

¹⁶ *C.J.* 1, 89–90; *L.J.* 1, 690.

¹⁷ The bill is not noted in *C.J.*; we know of it from Thomas Cromwell’s ‘Diary’ (*Proceedings [in the Parliaments of Elizabeth I, vol. 1: 1559–1581]*, ed. T. E. Hartley (Leicester, 1981), p. 363).

eventually demolished by one of the burgesses for Yarmouth – unquestionably William Grice, a man (as we shall see) of importance in this story. Yarmouth, he claimed, needed its special privileges in order to be able to maintain its harbour, a duty which in the last few years had allegedly cost it some £12 000.¹⁸ Besides, Yarmouth paid a fee farm of £50 to the Queen in exchange for the privilege, and another £50 a year towards the upkeep of the fishing wharf. These claims to dedicated and expensive excellence prevailed, and Grice won the day.

As a matter of fact, the men of Suffolk seem on this occasion to have stepped out of line, for the next parliamentary session witnessed a most remarkable display of solidarity on the part of the coastwise fishing interests, a display which also shows how sophisticated the practice of lobbying the Parliament had become. A few days before the end of the session, perhaps in support of that superfluous renewal bill already mentioned, the seaports of England presented a certificate underlining the beneficent effects of the 1563 act whose fishing clauses, they maintained, had saved English shipping from disastrous decline: 'If the said law should no longer endure it would be in manner as utter decrying of all the whole fishermen within this realm.' This certificate was signed on behalf of twenty-eight ports (plus others unnamed) running round the east and south coasts from Newcastle to Devon, and including not only Yarmouth but also several Suffolk towns. Signed on their behalf, or so the document maintains; the actual signatures reveal something rather different about the lobby which promoted this appeal.¹⁹

Twenty-two men put their names to it, of whom three cannot be made out. The tally included eleven sitting members of the Commons, one ex-member and one man who later got elected to Parliament, four persons described as masters (that is, of the Queen's ships), one man from Dover (John Lucas – not a burgess in any Parliament), and one man about whom nothing relevant can be discovered (Richard Foxlyffe). Of the burgesses, five actually represented fishing ports, all of them on the east coast: Sir Henry Gates (Scarborough), William Grice (Great Yarmouth), Charles Calthorpe (Eye), Edmund Grimston and Thomas Seckford (Ipswich). Three not directly involved but all influential men in East Anglia added their names in support of their Yarmouth and Ipswich colleagues. Henry

¹⁸ The figure may well be correct: in the half-century after 1549, harbour repairs at Yarmouth ran up a bill for £31 873 14s. 4d. (Tittler, 'English Fishing Industry', p. 55).

¹⁹ P[ublic] R[ecord] O[ffice], SP 12/107, fos. 170–1. The named places are: Newcastle, Hartlepool, Whitby, Scarborough, Lynn, Blakeney, Yarmouth, Lowestoft, Goole (out of order), Dunwich, Aldeborough, Orford, Harwich, Colchester, Eye, Margate, Ramsgate, Broadstairs, Sandwich, Dover, Folkestone, Hyde, Rye, Hastings, Brighton, Portsmouth, Exmouth, Burport – a roll-call of fishing towns. All details concerning members of the Commons are taken from P. Hasler (ed.), *History of Parliament: The House of Commons 1558–1603*, 3 vols. (London, 1982).

Woodhouse, knight for the shire of Norfolk, was vice-admiral for both Norfolk and Suffolk as well as Lord Keeper Bacon's son-in-law. One of the Lord Keeper's sons, Nathaniel, who sat for Tavistock in 1576, was to prove his standing in the shire by getting elected for it in the next Parliament. And Robert Wingfield, though resident at Peterborough which he represented, belonged to the powerful Suffolk clan of that name. The really impressive signatories head and end the list. At the top stood William Wynter, the leading professional seaman in the House; although he sat for the land-bound Duchy borough of Clitheroe, his real interests here came through, and he was a splendid recruit for the campaign. At the tail there appeared two of the Council's most influential men of business in the Commons: Thomas Wilson (Lincoln), secretary of state, and Thomas Norton (London), the famous and ever-active Parliament-man. Norton revealed something about his character by adding the words 'to the latter part' to his signature: apparently he did not wish it thought that he supported the opening statement about a recent increase in the number of sizeable fishing vessels, a detail of which he could hardly have known from personal experience. The two people who sat in other Parliaments were Wynter's son Edward (1584) and William Holstock, an official of the navy who had represented Rochester in the previous House. A striking mixture of fishermen's representatives, local men not technically connected with the ports involved, and expert mariners drawn from outside the House, the group attracted the sponsorship of the outstanding naval pundit of the day and the support of two powerful government-men in the House. The many ports on whose behalf they professed to speak could be content with such unsolicited representation, but while the list of places put forward included all the English seacoast except the west, from the Bristol Channel to Cumberland (no fishing interests there), the signatories reveal that the campaign originated in Norfolk and Suffolk: with the herring interests.

Meanwhile these matters had also attracted the attention of one of those learned propagandists and promoters who, one sometimes feels, abounded in Elizabethan England, and whose writings have been too often treated as plain statements of the truth, especially about matters economic. Robert Hitchcock, described by the *Dictionary of National Biography* as 'a military writer', became an enthusiastic convert to the patriotic virtues of fishing, both near to home and on the Newfoundland banks. He wished to copy the Dutch in building seagoing vessels of a large capacity, and he drew up plans which, he claimed, would augment the number of English seamen by 6000 and corner the world's fish supply for England. In order to achieve this he proposed to set up a national organization based on eight leading fishing centres and financed by a loan of £80000 raised from these

ports – London, Yarmouth, Hull, Newcastle, Chatham, Bristol, Exeter and Southampton: the profits of the trade, he argued, would soon cover these initial costs and maintain the scheme thereafter.²⁰ Hitchcock's enthusiasm inspired John Dee, ever willing to dream dreams and capable of outdoing anybody in the production of impracticable fantasies: in 1577 he published a proposal for a standing royal navy which would patrol the English fishing grounds in order to keep out foreigners. Dee singled out the Yarmouth herring fishery, allegedly so damaged by the Dutch that Norfolk and Suffolk had only some 140 ships left, all of them too small to support the ancient annual voyages to the Iceland fisheries. He envisaged a navy organized in six squadrons – one each to watch off the shores of Ireland and Scotland, one 'to intercept or understand all privy conspiracies by sea to be communicated', a fourth to be (apparently) permanently at sea against possible sudden attacks from abroad, another to control foreign fishermen, and a last one to clear home waters of pirates. The last in particular would be such a service to foreign princes that they would eagerly seek England's friendship: 'what liberal presents and foreign contributions in hand will duly follow thereof, who cannot imagine?' Who indeed? Unfortunately he concluded only with a confident 'dictum sapienti sat esto'; what was needed was rather his skill in the occult sciences.²¹

Hitchcock did not confine the dissemination of his notions to written memorials. As he tells it, he arranged a dinner at Westminster, a few days before the end of the 1576 session, to which he invited 'the burgesses of almost all the stately port towns of England and Wales'.²² He read a summary of his programme to them and fired them with his own enthusiasm. Speaker Bell, burgess of King's Lynn, declared that 'a Parliament hath been called for less cause', and others offered to get their towns to equip suitable fishing fleets without national assistance. Others admittedly scoffed. It would be sensible, they said, to send off such armadas with crews drawn from the dregs of the people; if they were lost, as was likely to happen, 'it is but the riddance of a number of idle and evil disposed people'. Such sceptics, said Hitchcock, would soon change their minds when they saw the benefit in wealth and employment that his programme would bring. Indeed, these burgesses of the Parliament had not been the

²⁰ Robert Hitchcock, *A Politic Plat* (1581: STC 13531); reprinted in E. Arber, *An English Garner* (London, 1897), vol. II, pp. 133–68. How well did he know the industry? Were Exeter and Southampton at all prominent in fishing and the trade in fish?

²¹ John Dee, *General and Rare Memorials* (1577: STC 6459); reprinted as *The Petty Navy Royal* in Arber, *English Garner*, vol. II, pp. 61–70. The anonymous advocate of reform, cited by Dee, was Hitchcock (*ibid.*, p. 65 and note).

²² Arber, *English Garner*, vol. II, pp. 167–8. Though the dates fit, it seems unlikely that the round-robin certificate mentioned above was produced at this meeting; the names of the signatories do not support such a conclusion, and the subject-matter also differs.

first to learn of Hitchcock's ideas. In 1573 he had sent a copy of his memorial to the Queen and a year later another to the earl of Leicester; during the 1576 session, twelve 'counsellors of the law and other men of great credit' had received copies, and one of them, Thomas Digges, had tried to raise the matter in the Commons – gaining great credit and a promise that, since the 1576 session was nearly at an end, the issue should be properly investigated in the next session.²³ Digges did not forget this promise, and in order to help him Hitchcock got his pamphlet printed as soon as it was known that the Parliament would reassemble in January 1581.

The first days of that session (which began on the 23rd) were preoccupied with attempts by extremer men in the Commons to set up a public fast – a thing sufficiently displeasing to the Queen to hold up business.²⁴ Since the Wednesday fast, which she also disliked, stemmed from a navigation act, one might have supposed that Digges would take the opportunity to revive the discussion of fishery, and he did so on the 30th, with a speech which would appear to have rehearsed the arguments of Hitchcock's *Politie Plat*.²⁵ Having listened to an exhortation which promised a stronger navy, larger army, employment for the workless and general economic improvement for the realm, all by means of a great and purpose-built fishing fleet, the Commons next day appointed all the privy councillors in the House as a committee to consider the possibilities; all members 'acquainted with that matter of plot [plat] and advice' – that is, all who had read Hitchcock – were urged to attend on the committee and press their points. A fair start, one might think, for a determined pressure group, but in fact also the end of the line for the propagandists: there is nothing to show that the committee ever met, and it certainly never reported any outcome of possible deliberations. For while Digges and his few enthusiasts were trying to persuade the realm to arm and reedify itself by means of fishing around Newfoundland and Iceland, preaching national unity against interloping (and better equipped) foreigners, it soon became apparent that the reality of fishing involved violent clashes between different English interests, more particularly a dispute in which the fishermen of Norfolk (and other parts) confronted the importers of foreign-caught fish and especially the London Fishmongers' Company. A related complication arose from the quarrel between the latter and the London butchers, who were accused of supplying meat on days supposedly set aside for the eating of fish.

²³ Hitchcock speaks of Leonard Digges, who never sat in Parliament; Leonard's son Thomas, however, did – for Wallingford (Berks.), as a Leicester client. Clearly the agitation roped in more than burgesses for port towns.

²⁴ J. E. Neale, *Elizabeth I and her Parliaments 1559–1581* (London, 1953), pp. 378–82.

²⁵ *C.J.* i, 121. It is interesting to note that Thomas Cromwell's 'Diary' passes this over in silence; he was interested only in the bills read that day.

The several interests involved submitted their memorials to the Parliament, for it seems likely that an undated petition of the Fishmongers belongs to this agitation.²⁶ In it they complained that repeated proclamations against the eating of meat in Lent and encouraging the eating of fish as a way to maintain English shipping had quite failed to stop people from preferring meat – the butchers flourished and the fishmongers decayed. Their fish ‘watered [washed] for the market rests upon our hands unsold’. Complaints to the lord mayor had elicited answers ‘with so little hope of reformation that we are forced to make great complaint to this high court of Parliament’. They asked that the butchers licensed to sell meat to persons for health reasons exempt from the Lenten regulations should be stopped from public selling during that time; the names of those licensed were listed but the petitioners knew that at least a hundred more practised their unlicensed trade in the suburbs. What was needed was ‘a most plain and very penal law’. Quite probably the Fishmongers had a good case: it does not look as though the standard annual proclamations against supplying meat in Lent had had much effect,²⁷ while as late as 1600 a proclamation tried to enforce the Wednesday fast of the 1563 act in terms which suggest comprehensive non-observance.²⁸

The Fishmongers received very qualified support from the wardens and assistants of Trinity House, Deptford, who, in addition to certifying on the eve of the debate that navigation acts were successfully increasing England’s fishing fleet,²⁹ also submitted a list of proposals for the intended act of Parliament.³⁰ They agreed that the fish-day clause of the 1563 act was not being properly observed (except, they said diplomatically, at the Queen’s court and in her navy), and they asked for stiffer penalties; they approved of the clause in an act of 1566 (8 Eliz. I, c. 13) which empowered them to license seamen to work Thames wherries between voyages and asked (superfluously, since it was not time-limited) that it be continued; but they also attacked the practices of London’s dealers in fish. Especially they complained of the merchants’ willingness to buy up ‘putrified’ Scottish fish at Lynn and Harwich, selling it for Iceland cod after washing and drying it, as well as of the Fishmongers’ restrictive practices which confined the trade in imported fish to selected members of their Company

²⁶ P.R.O., SP 12/77, fos. 173–4.

²⁷ Not all those annual proclamations survive but those that do show that from 1561 onwards their terms remained unchanged: they had become a formula (*T[udor] R[oyal] P[roclamations]*), ed. P. Hughes and J. F. Larkin (New Haven, 1969), II, nos. 477, 489, 592, 600, 604, 638 – down to 1581). From 1577 the Council regularly and in vain added detailed regulations of its own (F. A. Youngs, *The Proclamations of the Tudor Queens* (Cambridge, 1976), pp. 123–5).

²⁸ T.R.P., no. 800.

²⁹ P.R.O., SP 12/147, fos. 55–6 (26 January 1581).

³⁰ *Ibid.*, fos. 190–4.

even when other fishmongers were willing to buy. However, the real opposition to the London interests came from 'the coastmen with the consents of the masters of her Majesty's navy' (a revival, it would seem, of the pressure group of 1576), in a petition 'for the increase of navigation'.³¹ This paper revealed the violent resentment felt in the outports and among practising fishermen against the London merchants. The petitioners wanted free trade in fish for all Englishmen, with customs duties paid only by such foreigners as bought from them, and they wished a stop to be put to the practices of merchants and fishmongers who bought up catches in the Low Countries for import into England, in rivalry with what the native fishermen had to offer. In addition they asked that alien importers of salted herring and other fish should pay double customs and be compelled to land their cargo at one or two appointed places where it could be effectively inspected for 'goodness and sweetness' before being sold.

It seems likely that this last paper (the foundation of the act to be passed this session) was promoted by the leaders of the 'coastmen', the fishing interests of Yarmouth: its terms are plainly reflected in the bill which we know originated with that town. As its Assembly recorded later, the new statute of navigation 'hath been obtained by special and great costs of this town'.³² Yarmouth, in fact, on the very day that the Parliament opened instructed two of its leading townsmen to ride to London in order to convey to the town's burgesses in the House the instructions previously agreed upon, 'concerning the causes and estate of this town, and whatsoever they shall do therein the house [i.e. the Assembly] shall allow'.³³ Whatever the men of Yarmouth may have felt or said at the dinner organized five years before by Robert Hitchcock, they now mobilized their influence for the promotion of a narrowly self-interested bill in Parliament and forgot about the prospects of a great navy to protect the expansion of English fishing all over the northern Atlantic. Most surprisingly, they made no attempt to capitalize on Digges' initiative in the Commons: instead of presenting their case to the committee of privy councillors, their representatives in Parliament saw to the introduction of a suitable measure in the House of Lords where that bill was read a first time on 16 February.³⁴

The likely reason for this manoeuvre throws light on the realities of Elizabethan parliamentary life – so very different from the picture of an ascendant Commons presented by Neale and his school.³⁵ Although

³¹ *Ibid.*, fos. 188–9.

³² N[orwich] R[ecord] O[ffice], Yarmouth Assembly Books, vol. 4, fo. 22v. I owe all references to this source to Mr David Dean to whom I am grateful for permission to cite it.

³³ *Ibid.*, fo. 18v.

³⁴ *L.J.* II, 34.

³⁵ The following analysis rests on the facts collected in Hasler, *The House of Commons 1559–1603*, vol. I, pp. 211–12, and vol. II, p. 226; the interpretation is my own.

Yarmouth professed much civic pride and enjoyed oligarchic government by its own burgesses, it had usually been willing to allow its high steward to direct its choice of members for the Parliament. After the execution of the fourth duke of Norfolk in 1572, that office fell to the earl of Leicester, and in 1581 the two burgesses for Yarmouth were both his clients. One of them, Edward Bacon, a younger son of Lord Keeper Sir Nicholas Bacon, owed his choice at a bye-election in 1576 to the earl whose influence overcame the desire of a majority of the electors to elect a strictly local man. But Bacon, a notable absentee from the Commons, mattered little; it was his fellow member, William Grice, who really watched over the interests of the constituency. Grice, also a client of Leicester's, occupied an ideally suitable position: a member of the Yarmouth corporation, he could be called a local man, but in reality he practised as an attorney in London and in that capacity had all the right legal and parliamentary contacts. In particular he knew that influential parliament-man, Thomas Norton, the most active draftsman of bills in the 1581 session when, according to his own testimony, he worked mostly in cahoots with the Privy Council.³⁶ Both of them had been among the men who signed the memorial of 1576, and later in the year they cooperated on Yarmouth's behalf in the quarrel with Hull which sprang from the fisheries act of 1581;³⁷ both men also sat on the two Commons committees appointed during the passage of that act. Yet despite this influential contact in the House of Commons, Grice put his bill into the Upper House, nor – to judge from the enacting clause – had Norton or any other Council draftsman anything to do with its composition. Rather than commit his concerns to the overworked and inefficient Lower House, Grice apparently utilized his connection with Leicester – who, it will be remembered, had been solicited by Hitchcock years before and may well have had a more than casual concern for England's navigation. If in this way Grice hoped to secure a rapid passage for his bill he was reasonably successful, though a mysterious ten days' delay between the second reading on 22 February and a further second reading with an order to engross on 2 March suggests that the Lords found themselves lobbied by interests hostile to the coastmen-fishers and thus hesitated a while before proceeding with the bill. However, by 4 March they had passed it and sent it to the Commons.³⁸

We do not know the terms of the bill as first read in the Lords; all that survives is the engrossed version passed by that House and amended in the Commons.³⁹ Its preamble denounces the 'merchants and fishmongers of

³⁶ Cf. M. A. R. Graves, 'Thomas Norton, the Parliament Man: An Elizabethan M.P., 1559–1581', *Historical Journal* 23 (1980), 17–35.

³⁷ N.R.O., Yarmouth Assembly Books, vol. iv, fo. 26v.

³⁸ *L.J.* II, 36, 40, 43.

³⁹ Original acts in House of Lords Record Office.