

## Original Documents.

### ON THE USE OF TIN IN GIRDLES IN THE 14<sup>TH</sup> CENTURY.

THE following writ, enrolled among the letters patent, anno 10, Edward 3, (part 1, mem. 20,) was issued shortly before the creation of the Duchy of Cornwall, and whilst John of Eltham, the king's brother, received the revenues of the Devonshire stannaries as Earl of Cornwall and grantee of the stannaries in that county. It recites the charter which former kings had granted to the tanners of Devon, authorising them to sell at pleasure, and without impediment, all the tin duly weighed at the three coinage towns, viz., Tavistock, Ashburton and Chagford, upon payment of coinage dues. It further recites the complaint of the tanners and their customers that the mayor and bailiffs of Bristol had impeded them in the working and purchase of the tin.

It appears that the mayor and bailiffs had forbidden the men of Bristol to use tin in the making of girdles for sale, under colour of certain letters patent granted to the Mystery of Girdlers of the City of London, whereby the artificers of that craft, as well in London as in other cities and boroughs, were restrained from using, in the garniture of girdles of silk, wool, leather or linen, any metal inferior to laton, battery, iron, and steel. If any were worked with lead, pewter, tin, or other counterfeit material, they were to be burnt by order of the mayor or wardens of the trade.

The result of this restriction was to check the sale of tin, and thereby to diminish both the coinage dues of the Earl and the revenue of the Queen to whom the farm of Bristol had been assigned, and generally to discourage the tanners and prejudice the commonalty.

The writ commands the mayor of Bristol to withdraw the prohibition, and permit the men of that city to work and sell tin, as theretofore they had been used, notwithstanding the above letters to the Girdlers of London to the contrary.

I am not sufficiently acquainted with the economy of girdle-making in the 14th century to explain why or in what respect lead, pewter, and tin were considered inferior to laton, battery, iron, or steel, as materials in the composition of a girdle; or why the former should be considered as spurious articles. The latter certainly have the advantage in hardness and wear; but as none of the forbidden metals could well be mistaken for brass, iron, or steel, it is not clear why the government should have taken the trouble to interfere in the matter. It is impossible to give to mediæval legislatures credit for any remarkable commercial sagacity, or for unmixed honesty of purpose; and I am the less disposed to do so in this instance, seeing that the personal emolument of the King's brother and consort appears to have been the principle, if not the sole, motive for releasing the complainants from the operation of the King's own ordinance.

The earliest of the charters to the tanners of Devon, above referred to, was granted in 33 Edward I., and is printed in Pearce's *Stannaries*, p. 186.

The charter to the Girdlers of London, noticed in the writ, was granted in the first year of the reign of Edward III., (*Rot. Pat. 1 Ed. III., part 1, mem. 14.*) It is recited in two petitions to parliament noticed hereafter,

and is there treated as a charter confirming by parliamentary authority the previous custom of the trade. This charter was issued on the prayer of the girdlers (cincturarii) of London, probably with the object of suppressing the manufacture of cheap, inferior, girdles in places beyond the limits of the franchise, but *ostensibly* in order to protect the people from injury, and the girdlers of London from being prejudiced in their reputation by the sale of a bad article as their workmanship.—See 2 Rot. Parl., 456; 4 Rot. Parl., 73, (printed edition). The restriction was perhaps of very early date in London, and at first confined to the girdle makers of that city. The extension of it to all other cities and places was the effect, or intended effect, of the above charter of 1 Edward III.

The prejudicial consequences, especially on the consumption of *tin* in which the royal family was so much interested, seem to have induced the King to modify or suspend the operation of the charter, so far as regarded other cities and places. There are several traces of this in the patent rolls within a year or two afterwards; and in the 30th year of his reign there was a general suspension of the ordinance, addressed to the mayor and sheriffs of London, and a reference of the matter to the next parliament.—3 Rot. Parl., 296. Whether anything was done upon this reference does not appear; but in the following reign a statute (15 Richard II., cap. 11) was passed, annulling generally all charters and patents for restraining the use of white metal in girdles.<sup>1</sup>

In 3 Henry V., the Company of London Girdlers again complained of the use of white metal in their trade, and sought a remedy from parliament; but they did not succeed in prevailing on parliament to enforce the restriction anywhere except in the city and liberties.

With respect to the metals *laton* and *bateria*, both are mentioned in the ordinance or charter 1 Edward III., and this is the earliest notice of *bateria* in any document that I have met with in the public records. In the recital of this charter in the close roll, 30 Edward III. (2 Rot. Parl., 456), *auricalcum* is substituted for *laton*. In 7 Elizabeth, a company for “mineral and battery works” was erected, and received from the Queen a grant of the ore called calamine for making “mixed metal called latten.”—Pettus, *Fodinæ Regales*, pp. 57, 58. By a petition in or about 1665, mentioned by the same author, it appears that latten was the material of which wire and pins were then made. By statute 4 William and Mary, cap. 5, a duty was laid on “battery, kettles,” &c., and on “metal prepared for battery.”

On the authority of these documents I venture to doubt whether there is any good reason for attempting to distinguish between latten and brass. When brass ceased to be regarded in this country only as a *foreign* import, the common use of the foreign name naturally ceased also, although it is still retained to a certain extent, as applied to one of the *forms* in which brass comes into the market, viz., sheet brass. It is true that some statutes, as well as writers, seem to treat brass and latten as two distinct metals; as the Acts 21 Henry VIII., c. 10, and 33 Henry VIII., c. 7. But the difference of form in which a metal is offered for sale is quite enough to warrant a distinction in a parliamentary enumeration of articles of export or import; and as for the difference specified by Plowden in the dissertation contained in his report of the case of Mines (Plowd. Rep., 339),—in which he says, that *brass* consists of copper and lead or tin, and *latten* of copper and calamine,—it

<sup>1</sup> This statute was repealed by 1 James I. cap. 25, sec. 41.

only shows, that by latten he meant brass, and that by brass he meant something which is not now so called.<sup>2</sup>

As to battery, it is not, strictly speaking, a distinct metal at all, but a *process* of manufacturing vessels and utensils out of a metal; and hence it is sometimes used to designate the vessels themselves, as in the expression, "batterie de cuisine." The metal to which the term has been usually applied, is copper and its alloys; and in this sense it is probably used in the writ before us, namely, in the sense of "metal prepared for battery," as in the statute, 4 William and Mary, already noticed.

E. SMIRKE.

Rex omnibus ballivis et fidelibus suis tam infra libertates quam extra ad quos, etc. Salutem. Cum inter cætera per cartas progenitorum nostrorum quondam regum Angliæ quas confirmavimus stannatoribus nostris de comitatu Devonæ concessa, concessum sit eisdem quod ipsi totum stannum suum apud Tavystok, Asperton, et Chaggeford, per pondera ad hoc ordinata et signata ponderatum, licitè vendere possint cuicumque voluerint in villis prædictis, faciendo inde nobis et hæredibus nostris cunagium et alias consuetudines debitas et usitatas, sine occasione vel impedimento nostri vel hæredum nostrorum aut ballivorum seu ministrorum nostrorum quorumcunque, prout in cartâ et confirmatione prædictis plenius continetur; ac nos nuper ex querelâ stannatorum prædictorum accipientes quod Major et ballivi villæ Bristoll' Philippum Umfray de Bristoll, Johannem Bat, Ricardum del Knol, Mattheum le Devenissh, Robertum del Knol, Adam Martyn de Bristoll, Willielmum de Staundon, Johannem atte Weye, et alios, qui stannum prædictum a præfatis stannatoribus apud loca prædicta emere et illa in dictâ villâ Bristoll et alibi operari et vendere consueverunt, quominus stannum prædictum ibidem operari et vendere potuerunt impediverunt, per quod iidem Johannes de Bristoll et alii ab emptione stanni illius se retraxerunt, eisdem majori et ballivis pluries præcipimus quod ab hujusmodi impedimentis præfatis hominibus de Bristoll et aliis prædictis præmissâ occasione faciendis desisterent et ipsos stannum prædictum operari et vendere permetterent prout hactenus facere consueverunt, vel causas nobis significarent quare mandato nostro alias eis inde directo minimè paruerunt; ac iidem Major et ballivi nobis significarunt quod ipsi prætextu quarundam literarum nostrarum zonariis civitatis nostræ Londoni factarum, in quibus inter alia continetur quod nullus de misterâ illâ in civitate prædictâ seu aliis civitatibus et burgis infra regnum nostrum garnire faciat zonas de serico, lanâ, corio, vel filo lineo, de nullo pejori metallo quam de latona, bateria, ferro, et assere, et quod si nulla operatio plumbo, peautre, seu stanno aut alia re falsâ garnita fuerit, tunc operatio illa per considerationem majorum locorum ubi operationes hujusmodi factæ fuerint ac custodum operationum earundem comburentur, præfatis hominibus de Bristoll et aliis prædictis inhibuerunt ne hujusmodi stannum in villâ prædictâ in zonis operari et vendi facerent quoquo modo. Et quia jam datum est nobis intelligi quod

<sup>2</sup> It is well known that sepulchral brasses are often described in contemporaneous documents as composed of latten, and that some of them are found on analysis to contain small portions of extraneous metals, as lead or tin. But no inference as to the general composition of the

metal can be drawn from this. The fact is, that the practice of different manufacturers of brass has in all times differed, in some degree, both as to the composition of it, and the proportions of the metals employed in it.

tam nobili et dilecto et fideli nostro Johanni de Eltham comiti Cornubiæ fratri nostro carissimo, domino stanni prædicti, in perceptione cunagii sui de eodem stanno, et Philippæ Reginæ Angliæ consorti meæ carissimæ in perceptione firmæ et custumæ suarum in dictâ villâ Bristoll, quam stannatoribus prædictis et aliis de communitate regni nostri præjudiciale foret multipliciter et dampnosum si præfati operarii zonarum ab emptione stanni hujusmodi prætextu literarum nostrarum prædictarum se retraherent, et quod iidem stannatores a stannariis illis se vellent elongare, Nos hujusmodi dampno et præjudicio in hæc parte præcavere, et tam pro nostro ac dictorum consortis et comitis quam aliorum prædictorum indemnitatem volentes in præmissis remedium apponere prout decet, vobis MANDAMUS quod præfatos homines de Bristoll et alios quoscunque hujusmodi stannum in dictâ villâ Bristoll et alibi prout eis placuerit operari et vendere permittatis, prout hactenus facere consueverunt, dictis literis nostris præfatis zonariis Londoñ ut præmittitur factis ac statuto et mandatis nostris quibuscunque in contrarium directis non obstantibus. In cujus, etc. T. R., apud Westm., quarto die Maii.

Per ipsum Regem et Consilium.<sup>3</sup>

<sup>3</sup> This formula has been sometimes supposed to indicate that the writ issued by authority of parliament. The doctrine is open to question; but in the present case,

such authority would certainly be necessary, *if* the previous letters patent of 1 Edw. III. were valid in law.