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# LONDON SCRIVENERS AND THE ESTATE MARKET IN THE LATER SEVENTEENTH CENTURY

By D. C. COLEMAN

THE doings of Tudor and Stuart scribes were registered by contemporaries with noticeable disapproval. In addition to exercising their purely clerical art they frequently acted as legal and financial intermediaries, and thus came under fire from current opinion on middlemen. From this uncomfortable position they have found their way into the historians' pages and emerged as pioneers of banking and stock-broking. Prof. Tawney has shown how the booming land market of Elizabethan England, with the consequent increase in the business of drawing up bonds and arranging mortgages, provided much profitable labour for the scrivener.<sup>1</sup> It seems clear, too, that many of the profession turned from the legal work which would to-day be described as conveyancing to a type of financial business which contemporaries called 'scrivening', those engaged being sometimes distinguished as 'money-scriveners'.<sup>2</sup> As is usual when specialized functions are gradually appearing, early practitioners covered a wide field. By 1624 scribes were described in an Act of Parliament as persons who 'received other men's monies or estates into their trust or custody'.<sup>3</sup> It has been suggested that attorneys and notaries were admitted to the Company of Scribes—incorporated in 1617—and in this way the Company contrived to preserve its monopoly of the conveyancing work which could apparently lead to a hybrid of functions.<sup>4</sup> According to the needs of clients, they advanced money for marriage settlements or acted as financial 'contact-men'. Inevitably they figured as 'extortioners' and 'chargers of excessive usury'.<sup>5</sup> Dekker, in the 1630's could write of 'gull-groppers' and 'money-mongers',<sup>6</sup> and a century later Defoe was warning his English tradesman against the wiles of the 'Procurer or Scrivener or Banker' and noting that the 'customary encroachments of Usurers, Money-Lenders, Scribes etc. . . . have been the scandal of the times'.<sup>7</sup>

It is obviously difficult to draw the distinction in the work of early financial middlemen between banking and broking. Evidence to suggest that the scrivener figured amongst early bankers includes, for instance, Dudley North's observation that 'the Merchants and Gentlemen. . . keep their Money for the most part with Goldsmiths and Scribes, and they, instead of having Ten

<sup>1</sup> Thomas Wilson, *A Discourse upon Usury, 1572*, edited, with an Introduction, by R. H. Tawney (London, 1925), pp. 36-7, 96, 101.

<sup>2</sup> R. D. Richards, *Early History of English Banking* (London, 1929), pp. 16-17. H. C. Gutteridge, 'The origins and historical development of the profession of notaries public' in *Cambridge Legal Essays* (1926), p. 128.

<sup>3</sup> 21 Jac. I, c. 19 (quoted Gutteridge, op. cit. p. 129).

<sup>4</sup> Gutteridge, p. 129.

<sup>5</sup> 12 Car. II, c. 13 (quoted Richards, op. cit. p. 17).

<sup>6</sup> Quoted Richards, pp. 17-18.

<sup>7</sup> D. Defoe, *The Complete English Tradesman* (ed. 1727), Supp. p. 15.

Thousand Pounds in Cash by them... have seldom One Thousand in specie, but depend upon a course of Trade where Money comes in as fast as it is taken out'.<sup>1</sup> Later and more cautious comment has stated that 'in some cases money may have been deposited with the scrivener' and this view has tended to see him as the fore-runner of the stock-broker.<sup>2</sup>

The purpose of this article is to suggest that although the scrivener gave assistance to the birth of banking in this country, the general bent of his activities then led him to rather different forms of intermediaries' work, contributing thereby to the varied ancestry of such specialized operators as the estate agent and the stock-broker, the accountant and the solicitor.

Though maligned as a tribe, scribes by name have only occasionally been plucked from their historical obscurity. Milton's father was known to have been a scrivener, and so too was an early business agent of John Evelyn's—Robert Abbott. In 1692 there was noted the suicide of one Ambrose Isted, Esq.—'a stationer in a little shop in Fleet Street... turned money-scrivener, after that a merchant, an interloper in the East Indies, then kept his country house, and lived in great state, after that was a Justice of Peace in Middlesex...'<sup>3</sup> Scrivening was apparently a possible rung to fortune (however terminated) for the ambitious, and so it was with the arch-scrivener of the age—Sir Robert Clayton. 'This prodigious rich scrivener', as Evelyn described him,<sup>4</sup> born in 1629 in Northants, was apprenticed in London to Abbott, whom he was fortunate enough to have as an uncle. A fellow clerk and apprentice was one John Morris. From then on the success story begins.<sup>5</sup> The details need not be followed here but the outline may be of interest. The death of his uncle contributed to his already growing wealth, whilst that of his partner Morris, who also left him his estate in 1682, stoked the fires afresh. Knighted in 1671, Lord Mayor of London and a very active participant in Whig politics, his riches provided delectable fare for satirists who noted his failure to secure a peerage. In 1679 Evelyn took the Countess of Sutherland to dine with the Lord Mayor (Clayton) 'that she might see the pomp and ceremony of this Prince of Citizens, there never having been any, who, for the stateliness of his palace, prodigious feasting, and magnificence, exceeded him'.<sup>6</sup> His marriage (to a 'free-hearted' woman said, by Evelyn, to be 'very curious in distillery') left him virtually childless—the only off-spring dying in infancy—and thus offered still greater opportunity for ostentatious spending and for sundry benefactions. He died in 1707 and Luttrell notes that he left £5000 per annum to his nephew.<sup>7</sup> As to this nephew, Evelyn seems to have found him a congenial companion, and thought well of him, as he had of his uncle.

So much for Clayton's wealth. Its background and some of the processes of its acquisition may be seen from papers which have recently come to light in the Kent County Archives at Maidstone.<sup>8</sup> These comprise numerous 'parti-

<sup>1</sup> Sir Dudley North, *Discourse upon Trade*, 1691, quoted by Richards. See also Tawney, *op. cit.*

<sup>2</sup> E. Lipson, *Economic History of England* (London, ed. 1931), III, pp. 227–8. See also Gutteridge, *op. cit.*

<sup>3</sup> *Historical MSS. Commission*, 15th Report. Appendix, Part II, p. 21.

<sup>4</sup> *The Diary and Correspondence of John Evelyn*, ed. Bray (London, 1906), II, pp. 331–2 and 332 n.

<sup>5</sup> See the *D.N.B.* for further particulars.

<sup>6</sup> Evelyn, *op. cit.* p. 357.

<sup>7</sup> Narcissus Luttrell, *A Brief Historical Relation of State Affairs* (Oxford, 1857), VI, pp. 192–3. Clayton is buried at Bletchingley, Surrey, in the parish church of which, a characteristically massive—and patently expensive—Baroque tomb commemorates his achievements.

<sup>8</sup> For drawing my attention to the Clayton MSS. and otherwise giving his assistance, I am greatly obliged to Mr R. Holworthy of the Kent County Archives.

culars' (similar to a modern estate agents' form setting out details of an estate) of lands and properties in Kent; a number of deeds, rentals and miscellaneous notes, and correspondence relating to mortgages, loans and like transactions; covering in all roughly a hundred different properties in the county. The period is approximately 1650 to 1700, although some deeds or extracts to prove title stretch back to earlier dates. The papers are a part of the business files of the firm of 'Robert Clayton and John Morris', which became, in time, 'Alderman Sir Robert Clayton and John Morris, gent.'. They once formed part of a larger collection known as the 'Clayton MSS.' which were sold and dispersed in 1928. The sale catalogue itself<sup>1</sup> provides many pointers to Clayton's activities and indicates especially how widespread they were. The set of MSS. now at Maidstone was merely one of a series arranged by counties and referred to in the catalogue as 'Deeds, rentals, surveys and particulars'. In their number and size, these sets, simply as catalogue entries, offer an eloquent suggestion of the area covered by a London intermediary in what was clearly a large and active market. The firm's interests extended over thirty-nine counties in England alone, as well as scattered properties in Wales and Ireland. The areas having the largest number of places and items were London, together with the three adjacent counties of Middlesex, Kent and Essex, and a midland belt stretching from Norfolk and Lincolnshire to Wiltshire and Gloucestershire. Yorkshire seems to have received a surprisingly large share of attention, though undoubtedly some allowance must be made for its relative size.

The Clayton MSS. at Maidstone throw some interesting light on the activities of this eminent firm of scriveners but it must be stressed at the outset that, incomplete and isolated as they are, they cannot be made to carry the weight of broad and general conclusions. The existence of a 'particular' does not necessarily mean that the land was in fact sold or mortgaged or that the deal was carried through on the terms specified; estimated land values are open to suspicion when noted in the light of the glowing descriptions—worthy of many a present-day estate agent—which frequently accompany the offer of a manor and its prerequisites.

With these reservations, three main sorts of activities may be distinguished. The firm obtained details of lands for sale and contacted likely purchasers. Properties vary from whole manors and fair-sized estates to a few plots of land. Thirty acres of valuable pasture land in Romney Marsh, 600 acres of Lord Abergavenny's lands by the Medway, the Manor of Heckington with a rental totalling £609, or some 300 acres of Mr Peter Pett's land near Rochester, together with a brick kiln and a wet dock owned by the Restoration shipwright—the choice offered to clients was wide. 'Mr Skynner's particular of the Manor of Tutsham' (West Farleigh, near Maidstone) demanded £6430 for 401 acres let at rents totalling £301. 10s. per annum and capitalized at twenty years' purchase, to which was added £400 for 'Timber and Greate Trees on the Lands, and in the approaches to the House conducing much to the Ornament of the Seate and in that regard worth double the mony'. An elaborate description of the property affirms it to be a 'Sweet, Pleasant, Healthy and Complete Seate, and every way Well Accomodated Dwelling...' and notes especially that it is '28 miles distant from London, 4 from Maidstone, and 4 from Town Malling...'. Such points as these were clearly part of the finesse of the trade. Distance from markets and ports is often carefully specified. The particular

<sup>1</sup> *Catalogue of MSS. offered for sale by George Sherwood, 210, Strand, W.C. 2, London, England.* This catalogue was kindly made available to me by Mr Sherwood.

of Sir Thomas Peyton's Manor of Knowlton states the property to be 8 miles from Canterbury, 8 from Dover, 5 from Sandwich and 6 from Deal. The title was important and the Manor of St John's Sutton-at-Hone is noted as 'good and free'. Social aspirations, as well as convenience, are considered when some lands of Sir Edward Hales, with rents amounting to £1125 per annum, timber at £1000, two manorial courts and an advowson are offered with the following benediction:

The premises ly adjacent to each other and are the best Tenanted of any estate in ye county of Kent lying within foure Miles of Maidstone, a very greate and good Markett Town. All the houses in excellent Repaire and soe to be kept by the Tennants. And many of them capable of being made with lyttle charge commodious seats for any gentleman, being very faire houses having good Accomodations of Wood and Water and good Meadow grounds.

Several advowsons were offered, the value varying from that of Otterden at £110 to the £160 which was the annual figure assigned to the living of Lewisham in 1658. The appropriate attitude to this form of transaction was perhaps well epitomized by the apology which accompanies the advowson of Knowlton:

The Purchaser must be Church warden as ye present Proprietor had alwaies been; to have the Propriety of the Church, Goods and Communion Plate, which are answerable to the Decency of the Parochiall Church. And it is hoped that the charge of providing Bread & Wyne at ye severall Communiones being 3 or 4 times in a yeare, will be noe incombrance to the Purchaser.

Land was often specified as being enclosed and well fenced, and a point was made if the lands comprising an estate were contiguous. For the most part the estates and manors seem to have been broken up into leasehold farms. The nature and value of the land were set out and the possibilities of improvement carefully noted especially, for instance, in the case of marsh pastures in the Romney and Plumstead areas. The influence of the London market on Kent, tending to early enclosure, specialization and high land values, can be readily detected. As one of the particulars says of some land near Sandwich—'within 2 miles of Sandwich whence corn is constantly carried to London market by that meanes daily heare how ye prices goe in London, whereby they take ye best advantage of a market. . . '.

Land being the major investment opportunity of the day, the appeal to commercial and social advantage was vigorously made. About the buyers, however, the Clayton MSS. are not very revealing. Merchants, lawyers, holders of lucrative government posts, the wealthiest landowners—whilst such figures as these are known to have been active in the later Stuart land market, the incomplete nature of the papers does not provide much confirmation of this. Kent was likely to be well represented in the type of transaction by which, for example, Henry Oxinden, Esq., of Barham, in east Kent, sold an important part of his estate to Edward and Nicholas Ady of Greenwich and London.<sup>1</sup> Some of the deeds reveal the expected interest of Londoners. A significant pointer to one type of likely purchaser exists in a letter amongst the papers relating to the Manor and farms of Ebony, in which security Clayton and Morris became interested as mortgagees and which seems at some stage to have become part of Clayton's estate. In 1675 particulars of this property, comprising

<sup>1</sup> Papers relating to Henry Oxinden and belonging to the Kent Archaeological Society, at Maidstone Museum. See also *The Oxinden and Peyton Letters, 1642-70*, ed. D. Gardiner (London, 1937), p. 286.



lands in the Isle of Oxney, were sent to Sir John Banks. An example of the wealthy merchant-cum-landowner of the age, Sir John Banks (1627–99), born in middling circumstances in Maidstone, became a member and later Governor of the East India Company and acquired a very considerable fortune. He died worth nearly £200,000, and left an income of almost £5000 per annum to his daughter and co-heir who married Heneage Finch, subsequently Earl of Nottingham and of Aylesford, which latter title derived from Banks's seat at Aylesford in Kent. In 1658 Banks's gross rent roll was approximately £800: in 1698 it was about £5000.<sup>1</sup> His purchases of land in Kent were conducted with a perception which the following extract from the letter (written on receipt of the Ebony particular and addressed to a Capt. Tucker of Tenterden) suggests clearly enough:

I doe here inclosed send you a particular & desire you would doe me the favour to make an exact enquiry thereof, vizt: what rents Stephen Springate (the main tenant) pays; whether he have a lease & for what time & what houses and barnes there are & in what condicon they are, & whether the Land is likely to hold the Rent.

The lands in Stone are now in Mr. Porter's owne hand & by him stockt; they have been formerly let to the persons mentioned at £750 p.ann. I desire you will acquaint me how many acres of land there are and in what manner it is fenced and what Rent you apprehend the land may lett by lease; & whether it be land likely allways to be well tenanted; and in which Levell it lyes and what charges it pays upon any Commission of Sewers and whether the Landlord or tenant pays the same. Allsoe I pray you lett me know how farre the Land lyes from Tenterden or near unto what Marketts it doth lye; & whereabouts the land is for I am much a stranger in that part of the county. . . .

Banks did not invest here.

How many of these particulars were of lands on which mortgages were to be raised it is not possible to say, but certainly some were specifically noted as for that purpose. Indeed it is likely that most of them represented applications for the second and probably most important branch of Messrs Clayton and Morris's services—arranging mortgages. As Locke remarked: 'I think there is scarce one of an hundred that thinks of selling his patrimony, till mortgages have pretty well eat into the Freehold. . . . when almost is there ever a clear and unencumbered Estate set to sale? Tis seldom a thriving Man turns his Land into money to make the greater advantage.'<sup>2</sup>

The pressure of debts is well represented. Sir Compton Reade desires to mortgage the Great Farm of Denford Manor 'rather than to be longer in ye Alderman's debt', and Oxinden's relative, Sir Thomas Peyton, was offering Knowlton as security for a loan in 1669. A 1661 particular from the Duke of Lennox for the sale of the Manor of Otterden and other lands in Kent, Essex and elsewhere suggests financial stringency. Sir John Mayney writes to 'my honoured friends Mr Morris and Mr Clayton' giving details of land 'to be mortgaged for £3000 for 4 or 5 years. It is now mortgaged for £4,000 of which there is £1,000 paid.' Another (undated) particular involving the same client speaks of lands in Kent, in the same area, to be sold or to be used for the raising of a mortgage for £3,000 at 7%.<sup>3</sup> In 1668 there was offered to Morris a mortgaged estate lately belonging to Sir Edward Hales. The rents totalling

<sup>1</sup> Aylesford MSS. in the Kent County Archives: Journal B, f. 24 and Journal D, f. 114 and corresponding entries in Rent A/C in Ledgers B and D.

<sup>2</sup> John Locke, *Some Considerations of the Consequences of the Lowering of Interest*, 2nd ed. (1691), p. 84.

<sup>3</sup> The legal rate of interest during the Restoration period was 6%—Lipson, *op. cit.* III, 225.

£686, it had been originally mortgaged in 1654 and this had come into the hands of a Mr Neale who had lent a further £600 in 1667. Morris's correspondent asked whether he were interested in the details '... if you finde any inclination to deale for it...' About 1500 acres of Sir John Cotton's estate at Farningham and elsewhere were to be put into trustees' hands for sale to pay his debts. A fair-sized mountain of debt was represented by the lands of John Boys, Esq. Part of the estate was already mortgaged for £2600 and 'the gentleman would borrow £3000 upon itt for a Twelve month untill he can get the whole estate together'. The value of the whole is given as £15,670 and he is said to have been offered £13,000 for it. As for the part already mortgaged, for that 'he can have £7,000 for itt, if he will throw in ye house and Timber'. Lord Strangford's desire to borrow £2000 led him to raise a mortgage on a part of the Manor of Postling from a Mr Tuckey in 1660 and to the details of this property is added the significant note that 'uppon ye loan of £2,000, Mr Tucky shall be proprietor and hee will grant ye premises'. But the debts demanded more than this, for a second particular covers the entire Manor, settled in trustees' hands by Act of Parliament 'for the payment of his Lordshippes debts'.

The third type of activity which the papers suggest is the advancing of money on security of property for the purpose of investment. There are only two examples of this amongst the MSS. and no indications of whether the deals were completed.<sup>1</sup> Neither are agricultural. Particulars were supplied in 1663 of property at Deptford consisting of five acres of land adjoining the shipyard and held of 'Squire Evelyn'. On the land there was built 300 ft. of 'new, strong wharf', a large house, two cranes, a dock and various other buildings. It was desired to borrow £300 at 6% for one year, or longer, the money to be laid out 'inlarging the wharfs and buildings'. The second example, should the advance have been made, is a case of the scrivener as an intermediary for industrial investment. The particular is of a salt works near Sheerness, is dated 1669, and contains a detailed description of the works with its boiling pans, cisterns, brick storehouses and sixty acres of outworks consisting largely of '600 brine pans of 30 foote square...'. As for the request, it was 'proposed to borrow £1,000 upon this worke and for the security to have all the worke in possession till such time as the Interest & principall bee payd and for further security there shall nothing of this money bee expended but for the Advancem't of the worke so that Lender has the effects of his thousand pound in his hands for further security'. Though improvement may have been intended it seems almost to have emerged as a by-product of lender's caution.

From these various examples of their activities it is apparent that Clayton and Morris were regarded both as land-dealers and as money-lenders for sundry purposes and on a large scale. Known to contemporaries as scriveners, their range of business included such transactions as are to-day made by more than one type of specialized intermediary.<sup>2</sup> A large firm of estate agents would, for

<sup>1</sup> The Sherwood catalogue contains two lots of papers relating to ironworks in Co. Wexford, Ireland, in which Clayton and Morris were interested, although in what way it is not possible to determine simply from the catalogue entries. See also papers of the Earl of Shaftesbury (P.R.O. 30/24/4), included amongst which (f. 182) are details from an account with Clayton and Morris, involving revenues from both land and iron workings in Ireland.

<sup>2</sup> Clayton's role as an arranger of mortgages, as an investment broker and as an eminent financial adviser is presented in a fictional context in Defoe's *Roxana*. Here, 'the famous Sir Robert Clayton' organizes that erratic lady's finances with success and exactitude, even to the extent of explaining the practical application of compound interest tables. *The Novels and Miscellaneous Works of Daniel Defoe* (London, ed. 1854), IV; *Roxana*, pp. 143-59 passim.

instance, carry out much of their work—arranging mortgages, buying and selling lands for clients and also investing in land themselves. Two related questions emerge—to what extent did such scriveners become owners of property, profiting either by receipt of rents or by re-sale, and, secondly, where did they obtain the money with which to make the advances?

On the former question, the Clayton MSS. are by no means explicit, but there are clues to suggest that apart from forming the link between mortgager and mortgagee and drawing up conveyances and deeds, scriveners were often themselves the mortgagees and came into possession of properties which were ultimately—and perhaps almost predictably—sold. The example of Tuckey's interest in the Postling Manor and Clayton's in Ebony have already been quoted, and although they could be multiplied, the permanency of their interests is not clear, nor is their reality always to be detected in the mortgage arrangements of the time. In fact, it seems likely that many of the estates which passed into their hands were simply held until a profitable opening for sale appeared. Some undoubtedly remained to swell their fortunes. It was said of Clayton that he had 'swallowed much of the Duke of Buckingham's estates'. The Sherwood catalogue suggests confirmation of this in the offer of two lots comprising sundry papers of George Villiers, 2nd Duke of Buckingham. 'Six Account Books of his trustees, 1660–1740. Lists of creditors, servants and tradesmen in London, etc. Accounts of reeves and bailiffs of estates'; this makes up one of the lots, whilst the other was 'a collection of about 308 papers, parchments and accounts relating to his estates and affairs, 1628–1703... showing the difficulties of estate management of the period and how it was managed by trustees [of which Sir Robert Clayton, Lord Mayor of London, was the chief], stewards and bailiffs.' Deeds noted in the catalogue also show a scrivener coming into possession of such titles to wealth as shares in ships, Robert Abbott receiving these in 1646, from the administrators of the estate of a deceased London merchant, in payment of debts. Clayton's own lavishly equipped seat at Bletchingly was acquired when it was sold to pay the debts of Lord Peterborough.<sup>1</sup>

The Clayton MSS. do not themselves illustrate the confiding of money by clients to scriveners, either for deposit or for investment. Of the latter, however, a clear instance—though on a smaller scale—is to be found amongst the activities of Tuckey as they appear in a series of letters written by him in the 1660's to Alexander Courthope of Horsmonden, in Kent, landowner and gun-founder.<sup>2</sup> In these Tuckey appears as occupying some of the more formal and less scandalous roles which contemporary descriptions applied to the scrivener.<sup>3</sup> He acted as Courthope's financial and business agent in London, paying and receiving money on his behalf and investing for his employer when so requested. Courthope was partner to George Browne who held the official post of gun-founder to Charles II, and was also related to him by marriage. Tuckey's letters are personal but respectful, and he deals with the business matters of the Brownes and Courthopes alike. Routine labours are suggested in a letter of March 1661 in which he apologizes for 'mistakes in ye acquittances' adding that 'I charged Thomas (his clerk or apprentice?) with it and he tells me they were

<sup>1</sup> Evelyn, *op. cit.* p. 324.

<sup>2</sup> These letters are now in the possession of Lord Courthope of Whiligh, for whose co-operation and permission I am much indebted.

<sup>3</sup> It is not, of course, absolutely certain that the Tuckey of the Clayton MSS. and the Humphry Tuckey of the Courthope letters are one and the same person, nor is Tuckey specifically described as a scrivener.



written with a bad hand but is certayne you mistake, however pray let me entreate you to rectifie it and I hope we shall be more carefull for ye future'. Browne seems to have come to London more frequently than Courthope, and he and Tuckey dealt with the Ordnance authorities in sundry matters. In July 1663 Tuckey notes that 'ye Debentures for ye shott' were obtained 'soe that in a short tyme you may expect that money'. Money, when required, was often forwarded to Courthope by carrier, usually the same person. The Ordnance office was affected by the financial embarrassments of the Restoration governments, and although the Dutch Wars provided work in plenty for armament makers, payment did not always follow in its train. Many disused furnaces were set to work at this time and in June 1663 Tuckey wrote that 'as to your desires, Barden (a furnace near Tonbridge) is granted for a new lease at £25 per ann'. In February 1665 he wrote to say that 'I have sent my man to pay ye £150 you wrote for, but truly your publick cash is quite gon and £500 more of my owne money soe that untill ye bill of Imprest now a-getting be past you must forbear to send for more but I hope within a fortnight we shall have £3,000'. In April 1666 he should have received £1000 of Captain Wharton (Treasurer to the Ordnance), but, he wrote, 'cannot, nor doe I believe I shall ye next week for that money is scarce at ye Tower'. However, money apparently came, for various payments kept him so busy that in the following month he remarked that 'if you had a Mynt it would hardly worke fast enough to supply all your works'. Other gunfounders and iron masters of the time appear in the letters and in June 1663 he wrote: 'I have received £400 and £20 of Mr Foly for Mrs Courthope which I hereby promise to pay as you shall direct.'

Accountant and business agent, he acted, too, as investment broker:

I doe acknowledge to have in my hands the sume of one thousand pounds of Mr. Alexander Courthope's money to be put out for him upon good security if it may be or otherwise to pay it as he shall direct, witness my hand this day and yeare abovesaid. } £1000

(signed) Hump: Tuckey

In the following September he wrote: 'I have secured your money very well by taking plate and jewells of a Goldsmith for it to ye value of 11 hundred pound which I conceive far better than a note of a servant's hand. You are to have £4. 10s. per cent per ann. for 3 months from the 20th August last and on 30 dayes warning to pay in ye money. I have ye plate in Custody.'

In nearly all his letters Tuckey added a general *résumé* of current news and a pathetic comment on the Great Fire of London is provided by a letter of September 1666 headed 'Desolacon' and going on to say: 'I must begg your pardon if I write noncence for I am in a sadd condicon, my home burnt. . . .' Subsequent comments, however, indicate something of the disposition of his resources when he adds that as well as his house being burnt so also are all 'my other houses in London to ye value of £150 per ann.; but as to your Accompts all is safe only I have £500 in Sir Robert Viner's hands, how they disposed of their cash I know not but will make enquiry'. A letter of the 14th of the same month is suggestive of related doings: 'I have to write that the Bills on which ye £500 was lent are most of them burnt, but ye Party that borrowed it is sufficient besides I have spoken with him since ye Fire he assures me he will pay it.'

Tuckey may or may not have been a representative figure: it seems likely that he was nearer this than Clayton for the scrivener did not normally operate

on the grand scale. The majority probably did little more than continue—though more busily—the type of work which they had been doing for many years. Doubtless it was the enterprising few who did well and brought statutory disapproval upon their heads. The incentive almost certainly came primarily from the continued high activity in the estate market in the century after 1640. Sequestration, fines and compounding amongst delinquents, the extensive sales of Crown and ecclesiastical lands and a Restoration settlement which found many a Royalist with his lands returned to him but so heavily burdened with debt that further sales were inevitable—in the broadest outline these factors spelt an important re-distribution of wealth. This in turn meant work for the intermediaries of capital mobility—lawyers, scriveners, bankers and the like. The continuing burden of land taxation, especially on the middle-sized landowners, helped to keep the process going and channel the increasing pressure of capital towards the biggest estates and the ‘opulent foundations’ which Defoe saw sprouting in Middlesex, Kent and Surrey.<sup>1</sup> Davenant observed the possibilities inherent in the situation when he wrote in 1695: ‘If these high land taxes are long continued, in a country so little given to thrift as ours, the landed men must inevitably be driven into the hands of Scriveners, citizens and usurers, except some few of the most wary families.’<sup>2</sup> If the seventeenth century was the ‘golden age’ of the scrivener, it was this process which made it so.

In the course of this, as scriveners grew into investment brokers or land agents, so in the development of the specialized function of banking a major role was played by a different intermediary—the goldsmith. Without contesting the importance of the Tudor and early Stuart scriveners as financial pioneers, it may be suggested that by post-Restoration England specialization had gone a step further and the regular banking business, as conducted by the goldsmith bankers and involving the issue of demand notes to clients, left the scriveners’ hands. It is noteworthy that the 1611 patent for setting up an office to be called ‘The Public Register for General Commerce’ sought to bring together borrowers and lenders and thus to eliminate the scriveners but did not involve any form of deposit banking: ‘Whereas many conscionable men would willingly expose their moneys for eight or nine in the hundred but cannot make it known and therefore do put their stocks into the hands of brokers or scriveners to employ for them; so it is that those brokers do for the most part take ten in the hundred.’<sup>3</sup>

Although bankers and scriveners were indiscriminately parcelled up by contemporaries intent on labelling them as usurers, more careful distinctions were made by some. Clarendon, in tracing the rise of the goldsmith bankers, remarks that they ‘never were heard of before the late troubles, till when the whole trade of money had passed through the hands of the scriveners’; after which he observes that these new goldsmith bankers were ‘men known to be so rich and of so good reputation that all the money of the kingdom would be trusted or deposited in their hands’.<sup>4</sup> It would have been a rare contemporary who would have thought this of the ‘money-mongering’ scriveners. Again, there is a distinct undercurrent of apology running through all Evelyn’s remarks on

<sup>1</sup> D. Defoe, *Tour through England and Wales*, Everyman ed. (London, 1948), I, p. 169 and passim.

<sup>2</sup> C. Davenant, ‘Essay on Ways and Means’ in *Works*, ed. 1771 (London), I, 78–9. See also H. Habakkuk, ‘English Landownership, 1680–1740’ in *Econ. Hist. Rev.* (1940) and I. Thirsk, ‘The Sale of Delinquents Estates and the Land Settlement at the Restoration’, Ph.D. Thesis (London, 1950).

<sup>3</sup> Quoted Lipson, *op.cit.* III, 238.

<sup>4</sup> *Ibid.* n. 225.

Clayton. When defending his character against those who thought him 'guilty of hard dealing, especially with the Duke of Buckingham' his remarks have a significant tone: 'but I never saw any ill of him, considering the trade he was of.'<sup>1</sup> By contrast another notable dining companion merits this description: 'I din'd at Sir Robert Clayton's with Sir Robert Viner, the great banquer.'<sup>2</sup> Clayton himself, in his later years, transferred his affections from the Scriveners to the Drapers Company. Tuckey's activities did not apparently include banking, for that service he went to Viner.

It may indeed be found, when further evidence comes to light, that Tuckey's doings were of the essence of the later seventeenth-century scrivener.<sup>3</sup> Clearly he was doing many of the jobs which contemporaries assigned to the scriveners' trade. But specialization had not then gone so far that others did not also do them. Amongst the papers of the Duke of Richmond and Lennox are letters from Sir John Banks, as well as from Sir Robert Clayton and John Morris, which indicate that he entrusted various of his financial affairs to them. An eminent scrivener and an eminent merchant were undertaking work which would to-day be done through, say, a solicitor or perhaps the trustee department of a big bank.<sup>4</sup> In the growth of organized deposit banking, however, the goldsmiths seem to have built up a reputation for credit which the generally smaller figure of the scrivener failed to do. Inferior facilities or a rather unsavoury air may have had something to do with this, or it may simply have been that his own lines were adequately remunerative. The banker has retained his name to-day and thus becomes, artificially, more traceable in history. The scrivener has not. He, to-day, is stock-broker, estate agent, banker, solicitor, accountant, clerk. His economic role in the course of the seventeenth century was vitally influenced by the land turnover and by the financial needs of landowners and others seeking investment openings. Bankers, too, offered services of this type: 'Bankers and scriveners and other such expert brokers...skilled in the Arts of putting out money'.<sup>5</sup> But the main path of their development ran in a direction different from that of the scrivener, whose doings in an age in which investment was spreading further afield merit more detailed investigation.

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<sup>1</sup> Evelyn, *op. cit.* p. 357.

<sup>2</sup> *Ibid.* p. 349.

<sup>3</sup> Lot 23 of the Sherwood catalogue was a 'Book of Accounts of a city "money scrivener"... 1646-51'. The names of a number of apparent customers are given, amongst whom were Abbott and Morris. The accounts are said to be detailed but the name of the firm is not given. A study of this book—if and when it can be traced—might throw much light on the details of their work.

<sup>4</sup> British Museum: Additional MSS. 21948, ff. 66, 336, 338, 340 and 343.

<sup>5</sup> Locke, *op. cit.* p. 3.