

Abstract

'To Content and Pay': Women's Economic Roles in Edinburgh, Haddington, and Linlithgow, 1560-1640

Cathryn Rebecca Spence

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Abstract

Networks of debt and credit formed a cornerstone of the early modern economy. Nearly all members of society participated in these networks, including women. In northwestern Europe, the resulting debt litigation, and what this can tell us about women's economic roles within and outwith the home, has been well documented and discussed by a number of historians. Yet similar roles played by women in Scotland have received far less attention, particularly for much of the period between 1560 and 1700. This is despite extensive runs of sources with evidence relating to a greater variety of women than many comparable English sources. In these Scottish sources, the roles of not only widows are visible, but also the roles of female domestic servants and married women. The presence of married women in these debt cases, and evidence that they were actively transacting debts both with and largely independent of their husbands, is perhaps the most important aspect to highlight of the records consulted for this study, as in the majority of similar records for this period in northwestern Europe the presence of married women was hidden due their husbands bearing the legal responsibility for their actions. With this veil lifted in some of the Scottish sources, this study is able to engage with women of all marital statuses and so present as clear an image as possible of women's economic roles in the Scottish towns of Edinburgh, Haddington, and Linlithgow between 1560 and 1640. No studies of debt and credit have yet focussed on these three communities in the early modern period, despite the significant volume of extant records which exist for these communities and allow for the fullest examination of women's networks of debt and credit yet conducted in Scotland.

This thesis will use evidence taken from debt cases, testaments, and a tax survey to first determine the reasons for which women contracted debts and then use these reasons to explore and assess the role of women in work. These roles include the import, export, and sale of ready-made merchandise, the production and sale of ale, beer, and lace, the rental of property, and the lending of money. It will also explore how female domestic servants emerged and functioned in debt and credit networks, particularly with regard to Edinburgh and its large population of female servants. Further, this thesis brings to light the various marital and social statuses of the women who performed these activities, and proves that whether married, widowed, or never-married, women were vibrant participants in the debt and credit networks that spanned social divides during this period.

Declaration

I declare that this work has been composed entirely by me and is completely my own work. No part of it has been submitted for any other degree.

Cathryn Spence

Cathryn Spence

5 November 2010

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List of Abbreviations

C&C	<i>Continuity and Change</i>
ECA	Edinburgh City Archives
EHR	<i>Economic History Review</i>
JBS	<i>Journal of British Studies</i>
JFH	<i>Journal of Family History</i>
JMH	<i>Journal of Medieval History</i>
NAS	National Archives of Scotland
ONDB	Oxford Dictionary of National Biography
P&P	<i>Past & Present</i>
SHR	<i>Scottish Historical Review</i>
TRHS	<i>Transactions of the Royal Historical Society</i>

Note on Conventions

Prior to 1600, the Scottish New Year took place on 25 March. In this thesis all dates have been adapted to fit the modern convention of the new year beginning on 1 January.

All money is given in Scots pounds and merks unless otherwise stated. One Scots pound was equal to one-twelfth of a Pound Sterling by 1600. One merk was equal to 13s 4d Scots.

Introduction

Between December 1615 and July 1616 Marion Williamson and Patrick Riddell, her husband, appeared before the Edinburgh burgh court three times. The first time, the couple was owed by John Williamson for money 'contained in a ticket'. The second time, they were owed money by Isabel Heriot and John Forbie, her husband, for house maill (rent). The third time, Marion and Patrick owed money to Thomas Mwitter, a smith, and Isabel Barbour, his wife, for ale which had been sold to Marion.¹ These three brief interactions over the course of a period slightly longer than six months serve to illustrate both the diverse ways in which people, and particularly married women, engaged in networks of debt and credit in early modern Edinburgh, how frequently they might do so, and what the litigation resulting from these networks can reveal about women's economic roles. Marion and Patrick are revealed as moneylenders, landlords, and consumers, while the people with whom they contracted these debts acted as borrowers, tenants, and ale sellers. Roles changed depending on the transaction at hand, and networks were forged between multiple people and reflected a variety of needs, including money, food, drink, lodging, and other necessities related to family and working life.

The volume of debt litigation that exists for early modern Scottish towns, and the day-to-day nature of the needs such litigation exhibits, also speaks to how quickly these networks could be forged, and just how quickly they could be broken. In an economy like that of early modern Scotland, debt and credit networks were ever-changing, although at the core of every network a creditor sought to fulfil the needs of a debtor. Trust was also implicit in these networks. Marion and Patrick trusted that the man to whom they had lent £38 would repay the sum. Their lodgers trusted that Marion and Patrick would provide them with a habitable accommodation for the length of time agreed upon and, in turn, Marion and Patrick trusted that their lodgers would pay their rent in full and at the time agreed. Marion and Patrick also trusted that the couple from

¹ ECA, Register of Diets, 1615-19, 21 December 1615, 13 June 1616, and 20 July 1616.

whom they purchased their ale would provide a quality product of the amount and price agreed upon, while the couple from whom they purchased the ale trusted that Marion and Patrick would pay for the ale.

It is easy to understand the important roles Marion, Patrick, and their co-litigants performed for one another, even from a distance of nearly 400 years. Today's world of bank loans, mortgages, and credit cards sometimes seems little removed from the extensive debt and credit networks which bound people together in the early modern period. However, in the early modern period the importance of these networks was even more pronounced than similar networks are today, thanks both to a chronic shortage of specie or currency (there was never enough coin in circulation to meet all the demands placed upon it) and to the often intermittent ways in which people received cash.² Merchandisers and producers often sold their goods on a deferred payment system. These same merchandisers and producers would, as a result, sometimes have to delay payments to their suppliers until they had settled their debts with their customers.³ Other members of the community, such as servants, were paid their wages only at certain times in the year.⁴ To make ends meet outwith these times, they might have to borrow money from others or purchase items with the promise of paying for them later. Conversely, these same people might find themselves with large amounts of money when they were paid, which they could then lend out to others at interest.

Credit was therefore fundamental to early modern society, either as a straightforward loan of money or goods, or in the form of a deferred payment for goods or services already procured. Credit allowed for the purchase of food, drink, clothing, and other necessities for the home; the purchase of the supplies

² See Marjorie K. McIntosh, *A Community Transformed? The Manor and Liberty of Havering, 1500-1620* (Cambridge, 1991), p. 158; Craig Muldrew, "'Hard Food for Midas": Cash and its social value in early modern England', *P&P* 170 (2001), p. 83-4.

³ Merry Wiesner-Wood, 'Paltry Peddlers or Essential Merchants? Women in the Distributive Trades of Early Modern Nuremberg', *The Sixteenth Century Journal* 12:2 (1981), pp. 3-4; Craig Muldrew, 'Interpreting the Market: The Ethics of Credit and Community Relations in Early Modern England', *Social History* 18:2 (1993), pp. 169, 171; Craig Muldrew, "'A Mutual Assent of Her Mind"? Women, debt, litigation and contract in early modern England', *History Workshop Journal* 55 (2003), p. 57.

⁴ This was especially applicable to servants, and will be discussed further in Ch. 6.

necessary to carry out endeavours related to waged work; and the purchase of other, more luxurious items.⁵ In short, the provision and extension of credit allowed for a greater range of flexibility in the market of goods and services than would have otherwise been possible had full payments for such items been demanded at the time they were provided. It is therefore of little surprise that so many people engaged in networks of debt and credit.

The monetary value of the goods or service purchased, or the amount of money lent, was only one-half of the credit relationship. The other half of the credit relationship concerned an estimation of the credit worthiness of the individuals involved in the transaction; specifically, whether or not they could be trusted to make good on the debt into which they had entered.⁶ In the case of creditors, this creditworthiness referred to their ability to deliver goods or services of acceptable quality, or the ability to lend money of the amounts and for the lengths of time agreed upon. Debtors, meanwhile, had to be trusted to repay the money they had borrowed, or completely pay the price of the goods or services for which they still owed money. In this way, personal credit and trustworthiness were important components of the debt and credit process even if they were not always explicitly discussed or even alluded to in debt and credit transactions. As a result, the most extensive credit networks (in terms of lengths of time, size of debts, and complexity) were often those forged between relatives, friends, neighbours, and business associates; in short, those who were best able to assess both the economic and personal creditworthiness of an individual. The close-knit environments of Scottish communities, both in terms of size and population, make them ideal bases from which to explore the economic roles of women as revealed through debt cases.

⁵ Craig Muldrew, 'Credit and the Courts: Debt Litigation in a Seventeenth-Century Urban Community', *EHR* 46:1 (1993), p. 25.

⁶ Elizabeth Ewan, "'For Whatever Ales Ye': Women as Consumers and Producers in Late Medieval Scottish Towns' in *Women in Scotland, c.1100-c.1750*, eds. E. Ewan and M. Meikle (Edinburgh, 1999), p. 127; Muldrew, "'Hard Food for Midas'", p. 81; Muldrew, 'Interpreting the Market', pp. 177-8. For a consideration of the importance of women's credit, see Muldrew, "'A Mutual Assent of Her Mind'?", p. 53; Gordon Desbrisay and Karen Sander Thomson, 'Crediting Wives: Married Women and Debt Litigation in the Seventeenth Century' in *Finding the Family in Medieval and Early Modern Scotland*, eds. Elizabeth Ewan and Janay Nugent (Aldershot, 2008), p. 85.

Indeed, given the importance of credit to early modern societies, it is somewhat surprising that historical studies of the importance of debt and credit networks in late medieval and early modern Scotland have been few and far between, and (as will be discussed in Chapter 1) have tended to focus on small, distinct groups of male creditors or debtors and their actions, rather than employing a more wide-ranging approach and assessing the experience of debtors and creditors of different social statuses over a long span of time. Such approaches can do much to tell us about the social make-up and concerns of a community as a whole, rather than just those of one specific group. Further, the role of women, aside from that of widows, and more recently singlewomen, has been largely ignored in many of those studies that do exist, thereby disregarding the experience of half of the population. This thesis seeks to fill this lacuna. As fully functioning members of society who engaged either by themselves or with their husbands in waged work and both bought the supplies necessary to carry out this work and sold finished products, who rented out living and working space in properties they controlled, who lent money, and who also purchased food, drink, and other necessities of life for themselves and their families, women in Scotland across all stages of the lifecycle, whether as unmarried women, wives, or widows, were active participants in these networks.

This thesis is, therefore, an exploration of the ways in which women in Edinburgh, Haddington, and Linlithgow between 1560 and 1640 engaged in economic activities, using the information contained in debt litigation as a window onto those activities. Firstly, it illustrates the extent to which women were involved in debt litigation and debt and credit networks, providing quantitative evidence of an involvement which, previously, has only been alluded to qualitatively.⁷ Secondly, it uses evidence from these debts to determine the reasons why women were engaging so conspicuously in these debt and credit networks, pointing to the involvement of women from a variety

⁷ I. D. Whyte and K. A. Whyte, 'Debt and Credit, Poverty and Prosperity in a Seventeenth-Century Scottish Rural Community' in *Economy and Society in Scotland and Ireland, 1500-1939*, eds. R. Mitchison and P. Roebuck (Edinburgh, 1988), pp. 70-80; Ewan, "For Whatever Ales Ye'", p. 127; Margaret H. B. Sanderson, *A Kindly Place? Living in Sixteenth-Century Scotland* (East Linton, 2002), p. 123.

of marital and social statuses in diverse work-related endeavours that ranged from merchandising to production to service. Women's roles in the renting of property and money lending and pawnbroking will also be considered. Further, this thesis will seek to draw out how women from varying social statuses and stages of the life cycle experienced debt and credit networks, whether as the wife of a rich merchant, the widow of a craftsman, a servant, or as a fatherless lace maker employed to work off a debt.

As will be discussed further below, the roles of women in debt litigation in north-western Europe in the medieval and early modern periods, and what this can begin to tell us about women's work both within and without the home, has been well documented and discussed by a number of historians. Yet similar roles by women north of the English border have received scant attention, particularly for the period between 1560 and 1700. This is despite extensive runs of sources with evidence relating to a greater variety of women than many comparable English sources. In these Scottish sources, the roles of not only widows and women acting singly are visible, but also the roles of female domestic servants and married women. The visibility of the actions of married women is perhaps the most important aspect to highlight of the records consulted for this study, as in the majority of similar records for this period in England the presence of married women was covered by the legal responsibility for their actions which was bestowed upon their husbands on marriage. With this veil lifted in some of the Scottish sources, this study is able to engage with women of all marital statuses and so present as clear an image as possible of women and work in early modern Scotland. Particularly, this thesis will use evidence taken from debt cases and ensuing networks of debt and credit to explore and assess the role of women in work, whether regarding the import, export, and sale of ready-made merchandise, the rental of property, the lending of money, or the production and sale of goods like ale, beer, and lace. It will also explore how female domestic servants emerged and functioned in debt and credit networks, particularly with regards to Edinburgh and its large population of female servants.

This introduction will set up a number of key issues which are integral to successfully using debt litigation to reveal the economic roles played by women in their communities. It will begin with a consideration of the availability of specie in England and Scotland in the late medieval and early modern periods. It will then turn to a consideration of women's roles in debt and credit networks before discussing how women's roles in other occupations can also be drawn out through an examination of their reasons for appearing in court. Whether or not women could appear in court on their own often depended upon their marital status, and so the position of women under the law as wives, widows, and singlewomen will be presented. The introduction will then narrow to a consideration of the communities whose records were examined for this study. An explanation of the particular records which were examined will then be presented, as will a description of the methodology employed when consulting these records.

The Shortage of Specie; The Need for Credit

Any study using debt litigation and resulting debt and credit networks must take into account the role money, or specie, had to play in such networks. Records of transactions of lent money or deferred payment necessarily assigned a value to the money which had been lent or the products which had been bought or sold. However, a chronic shortage of specie in early modern Britain meant that many of these values remained just that: values. There was not enough actual money to cover all of the extant debt and credit transactions and, while this remains true even today, it was a particular concern in the late medieval and early modern periods. Jennifer Kermode has argued that bullion shortages were severe from 1395 to 1415, and again in the 1440s and 1450s, and that the scarcity of bullion and resulting insufficient credit was the reason for the 'ascendancy of London at the expense of the provinces'.⁸ C. E. Challis, meanwhile, has estimated that the total value of circulating gold and silver

⁸ Jennifer I. Kermode, 'Money and Credit in the Fifteenth Century: Some Lessons from Yorkshire', *The Business History Review* 65:3 (1991), pp. 476-7.

currency in England in 1544 was about £1.23 million.⁹ By the end of the sixteenth century it has been estimated that the amount of currency in circulation in England was only slightly higher, at £1.5 million.¹⁰ However, the doubling or even trebling of the prices of a variety of necessities and other goods, including food, has led Craig Muldrew to speculate that by the end of the sixteenth century demand for money had risen between 500 and 600 per cent, while the supply of actual, available money (in the form of coins) had risen only a little.¹¹

A similar shortage of specie was true for the Scottish economy in the late medieval and early modern periods. S.G.E. Lythe has argued that debt and credit networks were maintained with 'little or no resort to actual cash' in the fifteenth century, reflecting the paucity of money in circulation.¹² Certainly, the maintenance of a sufficient amount of currency was a recurring concern. David Ditchburn argues the metal import most in demand in fifteenth-century Scotland was silver, 'a commodity in scarce circulation', specifically for the production of currency.¹³ Testaments from the sixteenth and seventeenth centuries sometimes refer to continental coins, including 'rex dollars', French francs, and Flemish guildings, indicating that these currencies were circulating in Scotland, perhaps reflecting a shortage of Scottish currency. With regard to trade, the value of imports exceeded that of exports, contributing to a chronic shortage of coin.¹⁴ Some borrowers from the aristocracy even chose or were forced to enter into substantial debts with lenders from the Continent. Keith Brown notes that, in the early seventeenth century, the third earl of Cassillis owed £6,720 to an Italian banker, who had 'a number of Scottish clients'.¹⁵ This shortage of specie perhaps also governed the ways in which some debts and

⁹ C. E. Challis, *Tudor Coinage* (Manchester, 1978), pp. 190-8, 232-47.

¹⁰ J. R. Wordie, 'Deflationary Factors in the Tudor Price Rise', *P&P* 154 (Feb 1997), pp. 49-61.

¹¹ Muldrew, "'Hard Food for Midas'", p. 88.

¹² S. G. E. Lythe, 'Economic Life' in *Scottish Society in the Fifteenth Century*, ed. J. Brown (London, 1977), p. 83.

¹³ David Ditchburn, *Scotland and Europe: The Medieval Kingdom and its Contacts with Christendom, 1214-1560* (East Linton, 2000), p. 189.

¹⁴ Laura Stewart, *Urban Politics and the British Civil Wars: Edinburgh, 1617-53* (Leiden, 2006), p. 142.

¹⁵ Keith Brown, 'Noble Indebtedness in Scotland between the Reformation and Revolution', *Historical Research* 62 (1989), p. 264.

wages were paid: house and shop rents were typically due at two times in the year, for example, Whitsunday (15 May) and Martinmas (11 November), while servants were typically paid half-yearly, yearly, or at the end of their contracts.

The need for all members of society to engage in credit networks was therefore imperative, whether they used these networks to purchase food, drink, and other necessities of life, or to engage in arrangements which involved large-scale lending. Work done by A. J. S. Gibson and T. C. Smout, comparing the weekly wages of a labourer or mason to the cost of living for a single man, a couple, and a couple with four children in turn, illustrates just how necessary credit must have been to single people and families living in Edinburgh between 1560 and 1780. Gibson and Smout show that the weekly wage for a labourer rose from 7s in 1560 to 25s in 1640, while the weekly wage for a mason rose from just over 20s in 1560 to approximately 55s in 1640. The cost of living for a couple in the same period rose from just over 10s per week in 1560 to 40s per week in the 1630s, while the cost of living for a family composed of two parents and four children rose from approximately 22s in 1560 to just under 80s per week in the 1630s.¹⁶ Neither a labourer nor a mason would have been able to support a wife and four children on the wages he was earning, and even though Gibson and Smout do not chart what a wife may have been able to contribute to the family income, it is unlikely her contribution would have been able to make up the shortfall. Yet food and drink would still need to be purchased. Wheat bread cost 4d per pound in 1560, rising to 17d per pound in 1640.¹⁷ Ale, the staple drink in Scotland in the early modern period, cost 4d per pint in 1560, rising to approximately 16d per pint in 1640.¹⁸ Oatmeal cost approximately £2 per boll in the 1560s, rising to between £4 and almost £10 between 1630 and 1640.¹⁹ Additionally, there were also the costs of house rent (maill), clothing, and shoes to be considered, as well as the consistent devaluation of the Scottish currency. In 1451 the Scottish pound was worth approximately one-third of an English

¹⁶ A. J. S. Gibson and T. C. Smout, *Prices, food and wages in Scotland, 1550-1780* (Cambridge, 1995), p. 361.

¹⁷ *Ibid*, p. 175.

¹⁸ *Ibid*, p. 176.

¹⁹ *Ibid*, p. 177.

pound. By the early seventeenth-century, however, the Scottish pound had fallen so far as to be worth only one-twelfth of the pound sterling, making already expensive imports such as wine, iron, tobacco, and exotic fruit, much dearer in real terms.²⁰

In short then, wages rarely seem to have been sufficient to cover the needs of men, women, and children, necessitating a reliance on debt and credit networks. Items which had been sold or procured through deferred payment might therefore remain unpaid for days, months, or years, while amounts of money lent 'by bond' or 'on obligation' were often so large that many creditors had to arrange repayment plans lasting several years with those who had borrowed the money from them. Money was the ultimate means of payment within credit networks, but it was so rare that it was only used in certain transactions. In many other debt and credit transactions, particularly between people who knew each other, a system of 'reciprocal debts' was employed. As Muldrew writes, 'reciprocal debts contracted between as many interested parties as possible over a number of months, or even years, would be "reckoned" and cancelled against each other, and then only the remaining balance would be paid in money'.²¹ While this was not explicitly done in the Scottish debt cases entered into the burgh records, these cases do often note that the money owed is 'in complete payment' of a greater sum which had been borrowed, or the larger, original price of items which had been purchased. This, together with the observation that many people in the burgh court records seem to have engaged with others as litigants again and again, indicate that a similar practice might have been going on in Scotland in the early modern period and that Scottish litigants were also careful to exert only the amount of pressure that was absolutely necessary on their supply of currency.

²⁰ C. E. Challis, 'Debasement: The Scottish Experience in the Fifteenth and Sixteenth Centuries' in *Coinage in Medieval Scotland (1100-1600)*, ed. D. M. Metcalf (Oxford, 1977), p. 173; Gibson and Smout, *Prices*, pp. 3-4.

²¹ Muldrew, "Hard Food for Midas", p. 84.

Historiography

As this thesis examines the economic roles of women as revealed by debt litigation, a consideration of both the historiography of women and work and women's presence in debt litigation is necessary. The modern historiography of women and work is considerable, extending back to 1919 and the publication of Alice Clark's *Working Life of Women in the Seventeenth Century* and Ivy Pinchbeck's *Women Workers and the Industrial Revolution, 1750-1850* in 1930, but following these there was little debate until the 1970s and 1980s.²² In the 1970s Eileen Power argued 'it was necessary for the married woman to earn a supplementary wage', thereby relegating the economic contributions of married women to the status of by-industries and by-employments.²³ Olwen Hufton, writing in the early 1980s, observed 'We all *know* that women in pre-industrial society worked [...] Yet we have very little detailed modern research bearing on the nature and importance of their labour'.²⁴ In large part, this was a matter of perception. Overall, 'women's labour [was] seen as determined by, and subordinate to, the demands of the husband, household and family'.²⁵ In the 1980s extensive exploration into the roles of working women in the late medieval and early modern periods in north-western Europe were carried out, and women's work was shown to not always be defined by their 'household duties'.²⁶ These included both collections of articles, including *Women and Work in Pre-Industrial England* and *Women and Work in Pre-Industrial Europe*, as well as individual studies such as Martha Howell's exploration of women and work in late medieval Leiden and Cologne in *Women, Production, and Patriarchy* and Merry Wiesner's wide-ranging study *Working Women in Renaissance Germany*.²⁷ Both Howell and Wiesner saw a decline in the possibilities women had for

²² Alice Clark, *Working Life of Women in the Seventeenth Century* (London, 1919, 1992); Ivy Pinchbeck, *Women Workers and the Industrial Revolution, 1750-1850* (London, 1930, 1981).

²³ Eileen E. Power, *Medieval Women*, ed. M. M. Postan (Cambridge, 1975), p. 53.

²⁴ Olwen Hufton, 'Women in History: Early Modern Europe', *P&P* 101 (1983), P. 131.

²⁵ Lindsay Charles, 'Introduction' in *Women and Work in Pre-Industrial England*, eds. L. Charles and Lorna Duffin (London, 1985), p. 7.

²⁶ *Ibid*, p. 18.

²⁷ *Ibid*; Barbara Hanawalt (ed.), *Women and Work in Preindustrial Europe* (Bloomington, 1986); Martha Howell, *Women, Production and Patriarchy in Late Medieval Cities* (Chicago, 1986); Merry Wiesner, *Working Women in Renaissance Germany* (New Brunswick, N. J., 1986).

employment outside of the home, thanks to changes in the economy that encouraged a more capitalistic outlook.

Some English historians, however, have argued that there was a broad range of economic activities in which women could engage in the late medieval period. P. J. P. Goldberg and Caroline Barron have argued for a qualified 'Golden Age' for women in the late fourteenth and early fifteenth centuries. Goldberg describes the range of occupations in which women could be found as the 'medieval equivalent of the Yellow Pages',²⁸ but allows elsewhere for a growth in employment opportunities for women after the plague (mainly in types of work that had traditionally been done by women), a high point of female economic activity between 1410 and 1450 when more women were both drawn into the labour force and hired to occupations which had typically been the preserve of men, and then a decline in opportunities for women in the latter half of the fifteenth century.²⁹ Barron, meanwhile, argues that women in London in the late fourteenth and early fifteenth centuries were able to join in with, and sometimes inherit, their husbands' businesses, while singlewomen could become apprentices.³⁰ She, like Goldberg, sees a decline in women's economic status during the late fifteenth century and into the sixteenth.³¹

Other historians, including Merry Wiesner, Maryanne Kowaleski and Diane Hutton argue not that women's economic opportunities declined, but rather that they tended to engage in work that was 'low-status, badly paid or unpaid, frequently shifting, and perceived as marginal but essential to the operation of all rural and urban economies'.³² Judith Bennett agrees. Using

²⁸ P. J. P. Goldberg, 'Female Labour, Service and Marriage in the Late Medieval Urban North', *Northern History* 12 (1986), p. 30.

²⁹ P. J. P. Goldberg, *Women, Work and Life-cycle in a Medieval Economy: Women in York and Yorkshire c. 1300-1520* (Oxford, 1992), pp. 336-7.

³⁰ Caroline M. Barron, 'The "Golden Age" of Women in Medieval London', *Reading Medieval Studies* 15 (1989), pp. 39-41, 45-7.

³¹ *Ibid.*, p. 48.

³² Merry Wiesner-Hanks, *Women and Gender in Early Modern Europe*, 3rd edition (Cambridge, 2008), p. 134. See also Maryanne Kowaleski, 'Women's Work in a Market Town: Exeter in the Late Fourteenth Century' in *Women and Work in Preindustrial Europe*, ed. B. Hanawalt (Bloomington, 1986), pp. 155-7 and Diane Hutton, 'Women in Fourteenth Century Shrewsbury' in *Women and Work in Pre-industrial England*, eds. L. Charles and L. Duffin (London, 1985), p. 96.

evidence for the role of women in the brewing trade in late medieval England, Bennett argues that, in 1300, women were active as brewers of ale because it was accessible to them as 'low-status, low-skilled, poor remunerated work'. Three hundred years later, in 1600, women still worked in the brewing trade, and still in areas that were 'low status, low skilled and poorly paid', although the trade had changed significantly and women no longer tended to brew ale and beer, as they had in 1300, but rather tended to sell it.³³ Marjorie K. McIntosh, in her consideration of women and work in England between 1300 and 1620 also found the work options for women were 'generally quite restricted' and 'although women were involved in many different economic sectors, they were concentrated at lower levels'.³⁴

More recently, the link between marital status and work has been further interpreted, and differing marital statuses considered as advantages rather than disadvantages in a variety of work opportunities. Amy Louise Erickson, in the introduction to the collection *The Marital Economy in Scandinavia and Britain, 1400-1900*, states that 'the marital partnership is the most fundamental economic relationship because, over time, it is the one on which all other economic activities depend'.³⁵ Further, women's work is considered not as part of the family economy, but in terms of what women could contribute as individuals. Barbara Hanawalt, in *The Wealth of Wives: Women in Late Medieval England*, evaluates women's impact on the economy of London in the late medieval period, using the different stages of the life cycle to draw out the range of women's experiences. Key to her study is a consideration of the importance and effect of marriage on women's economic opportunities.³⁶

³³ Judith M. Bennett, *Ale, Beer, and Brewsters in England: Women's Work in a Changing World, 1300-1600* (Oxford, 1996), p. 7.

³⁴ Marjorie K. McIntosh, *Working Women in English Society, 1300-1620* (Cambridge, 2005), p. 250.

³⁵ Amy Louise Erickson, 'The marital economy in comparative perspective' in *The Marital Economy in Scandinavia and Britain 1400-1900*, eds. M. Agren and A. L. Erickson (Aldershot, 2005), p. 3.

³⁶ Barbara Hanawalt, *The Wealth of Wives: Women, Law, and Economy in Late Medieval England* (Oxford, 2007).

Tied to the experience of women in work were women's experiences in debt litigation. The extent to which debt and credit networks existed in the late medieval and early modern periods meant that all members of society, including women, engaged in them. Over the past two decades a growing number of studies have explored the role of women in debt and credit networks in north-western Europe. Initially, these studies were largely concerned with the numbers and percentages of women who appeared in debt litigation to establish that women were in fact present, and this is an approach that will be employed in Chapter 1 of this thesis to quantitatively delineate the participation of women in debt litigation. More recently, historians have begun to use debt litigation to look closely at both the type of women engaging in debt and credit networks (as wives, widows, or singlewomen), and the reasons why these women engaged in debt and credit networks. These explorations have allowed historians to assess the economic activities in which women engaged in their communities, both in terms of occupations as producers, sellers, and providers of a variety of services, and also as money lenders. Wiesner, in her study of women in the distributive trades of early modern Nuremberg, uses debts owed to the wives of craftsmen listed in inventories to argue for the important role of women in the provisioning of early modern towns and cities.³⁷ Maryanne Kowaleski in her work on late medieval Exeter uses primarily debt cases, but also other court records, customs accounts, and wills to determine the main types of work in which women in that town engaged, noting that women often worked as retailers, producers, moneylenders, and servants.³⁸

The 1990s saw the increased adoption and expansion of this type of approach, as well as increased interest in the history of debt and credit networks as a whole, largely thanks to the publication of William Chester Jordan's *Women and Credit in Pre-Industrial and Developing Societies* and Muldrew's *The Economy of*

³⁷ Wiesner-Wood, 'Paltry Peddlers', pp. 3-4. See also Sara Mendelson and Patricia Crawford, *Women in Early Modern England* (Oxford, 1998), Chap. 6, and Craig Muldrew, "'A Mutual Assent of Her Mind'? Women, debt, litigation and contract in early modern England', *History Workshop Journal* 55 (2003), pp. 49-52.

³⁸ Kowaleski, 'Women's Work', pp. 147-8.

Obligation: The Culture of Credit and Social Relations in Early Modern England.³⁹ Jordan attempted to synthesize recent work exploring women's roles in debt and credit networks, arguing that 'there is something distinctive and significant about women's roles in credit'.⁴⁰ Muldrew, meanwhile, used debt litigation to argue that a 'culture of credit' existed in England in the early modern period whereby members of communities were bound together by credit networks. The goal in these networks was not solely profit, but mutual benefit, and in which honesty, trust, and good reputation on the parts of both the debtor and the creditor were key.⁴¹ Historians picked up on this important phenomenon and began to use credit as a lens through which to view aspects of medieval and early modern life. This included work, as identified by Gervase Rosser in his discussion of craft guilds and by Garthine Walker and Marjorie K. McIntosh in their discussions of women and work.⁴² Walker explored the ways in which ideas of 'female honour' or social credit might have impacted on a woman's economic credit.⁴³ McIntosh, meanwhile, argued that 'women were heavily involved in the market economy outside of their homes' as they 'worked to generate their own income'.⁴⁴ As a result, women's economic and social credit was important. Not only did women have to be able to procure the supplies for whatever employments in which they engaged, but they also had to ensure that they were truthful and fair in these dealings to ensure that others would continue to engage in business with them. Thus, while McIntosh admits that maintaining a positive reputation was a concern for all women in the late medieval and early modern periods, she argues that it 'was especially important for those engaged in income-generating activities' and that '[t]heir ability to

³⁹ William Chester Jordan, *Women and Credit in Pre-Industrial and Developing Societies* (Philadelphia, 1993); Craig Muldrew, *The Economy of Obligation: The Culture of Credit and Social Relations in Early Modern England* (London, 1998).

⁴⁰ Chester Jordan, p. 1.

⁴¹ Muldrew, *Economy of Obligation*, esp. Chs. 5-7.

⁴² Gervase Rosser, 'Craft, Guilds, and the Negotiation of Work in the Medieval Town', *P&P* 154 (1997), p. 6.

⁴³ Garthine Walker, 'Expanding the boundaries of female honour in early modern England', *TRHS*, 6th ser., 6 (1996), p. 237.

⁴⁴ McIntosh, *Working Women*, p. 4.

function within a working environment depended in large part upon their own social and economic credit'.⁴⁵

McIntosh's discussion of women and work is also important because it highlights the roles of wives who could either work with their husbands or on their own to generate income. She admits that many studies to date have focused on widows or singlewomen, reflecting the challenge associated with uncovering evidence regarding married women, whose activities in debt and credit networks were often hidden by their husbands as a result of the common law doctrine of coverture, whereby women of England, Scotland, and other parts of north-western Europe officially lost their own individual legal personas upon marriage.⁴⁶ Studies which attempt to address in depth the role of wives and work must therefore be pieced together carefully. Shennan Hutton uses court registers from fourteenth-century Ghent to illuminate the extensive economic roles played by women in that city as moneylenders, investors, and a number of trades, including dyeing and textiles.⁴⁷ McIntosh, meanwhile, makes extensive use of equity court records, which were willing to hear cases involving married women without representation by their husbands, to draw out women's roles in providing services, including renting out property, lending money and pawning goods, and in making and selling goods, primarily ale.⁴⁸ Alexandra Shepard used the university courts in Cambridge to argue that wives made 'many varied contributions to a household's commercial life', many of which stemmed from 'service businesses' which provided others with food, drink, and clothing and 'only became their husbands' concern when litigation was necessary'.⁴⁹

⁴⁵ Ibid, p. 11.

⁴⁶ Ibid, p. 34.

⁴⁷ Shennan Hutton, 'Women and Economic Activities in Fourteenth-Century Ghent' (Unpublished PhD thesis, University of Massachusetts, 1996); Shennan Hutton, "'On herself and all her property'", *C&C* 20:3 (2005), pp. 325-49.

⁴⁸ McIntosh, *Working Women*, Chs. 5-8.

⁴⁹ Alexandra Shepard, 'Manhood, credit and patriarchy in early modern England, c. 1580-1640', *P&P* 167 (2000), p. 91.

Elsewhere, McIntosh has explored the role of women in moneylending on the periphery of London, but offered no evidence beyond a few examples.⁵⁰ William Chester Jordan argues that the majority of Christian women who lent money in the late medieval and early modern periods did not do so as professionals with a view to living off the proceeds from money lending. Rather, he argues that women who engaged in trade, such as alewives, female innkeepers, and widows 'extended credit on purchases, gave cash advances to good customers, or accepted articles at pawn'. He also states that 'many widows supplemented their earnings from their late husbands' businesses or homesteads by putting out cash at interest', thereby using money-lending as a way to supplement their livelihoods rather than as a primary method of earning money.⁵¹ Other historians have proven that this was not in fact the case, showing that many women, both widowed and never-married, used the proceeds from their money lending not as a supplement, but as their primary, or as a significant, source of income. Case studies detailing the lives of early modern women like Joyce Jeffries and Hester Pinney for England, and Janet Fockart for Scotland, make clear that women could live very well off the proceeds of money lending.⁵²

More recently, Amy M. Froide and Judith Spicksley have used wills and inventories from a variety of communities in early modern England to show that single women in these areas played extensive roles as moneylenders. Froide notes that 'after apparel and linen, the most common personal property listed in a Southampton singlewoman's will was money, in the form of credit instruments. This money was rarely "ready" (or on hand), but rather was comprised of money on loan.'⁵³ In all, between forty-two and forty-five per cent

⁵⁰ Marjorie K. McIntosh, 'Money Lending on the Periphery of London, 1300-1600', *Albion* 20:4 (1988), p. 562.

⁵¹ Chester Jordan, *Women and Credit*, p. 20.

⁵² Robert Tittler, 'Money-lending in the West Midlands: The Activities of Joyce Jeffries, 1638-49', *Historical Research* 67 (1994), pp. 249-63; Pamela Sharpe, 'A Woman's Worth: A case study of capital accumulation in early modern England', *Parergon* 19:1 (2002), pp. 173-84; Margaret Sanderson, 'Janet Fockart, merchant and moneylender', *Mary Stewart's people: life in Mary Stewart's Scotland* (Edinburgh, 1987), 91-102.

⁵³ Amy M. Froide, *Never married: Singlewomen in early modern England* (Oxford, 2005), p. 129.

of singlewomen's wills assessed by Froide for Southampton, Bristol, Oxford, and York listed the testator as having money out on loan at the time of her death.⁵⁴ Similarly, Spicksley found single women lending out money which had been left to them in testamentary bequests.⁵⁵ Stephen Matthews has also used wills and inventories to determine the extent to which money was lent in rural Cheshire between 1600 and 1680. He found that eleven per cent of lenders were women between 1600 and 1640, rising to thirty per cent between 1640 and 1680. Matthews also noted that women were likely to have more money lent out at interest at the time of their deaths – as much as eighty per cent of their assets – than were men, although he does admit that it is unsurprising that women lent proportionally more, 'as the interest from loans would represent more of their livelihood'.⁵⁶

Investigations into the roles of women in work in Scotland, meanwhile, have tended to be more limited, although the field continues to grow.⁵⁷ Certainly, the importance of debt and credit networks has been recognised. A study of 200 testaments from the Panmure estates in Forfarshire in the seventeenth century, for example, found that sixty-nine per cent of the testators died with money owing to them, and seventy per cent died with money owed by them.⁵⁸ Similarly, only nine testaments in a study of 120 from the Grandtully estates in Perthshire from the seventeenth and eighteenth centuries did not record any debts owed to or by them.⁵⁹ Other studies have, at least obliquely,

⁵⁴ Ibid, p. 130.

⁵⁵ Judith Spicksley, "'Fly with a duck in thy mouth": Single women as sources of credit in seventeenth-century England', *Social History* 32:2 (2007), pp. 187-207; Judith Spicksley, 'Usury Legislation, cash, and credit: The development of the female investor in the late Tudor and Stuart periods', *EHR* 61:2 (2008), pp. 277-301.

⁵⁶ Stephen Matthews, 'Money supply and credit in rural Cheshire, c.1600-c.1680', *C&C* 24:2 (2009), p. 258.

⁵⁷ For a consideration of the state of late medieval and early modern Scottish women's history, please see Elizabeth Ewan, 'A realm of one's own? The place of medieval and early modern women in Scottish history' in *Gendering Scottish History: An International Approach*, eds. T. Brotherstone, D. Simonton and O. Walsh (Glasgow, 1999), pp. 19-36 and Elizabeth Ewan, 'A New Trumpet? The History of Women in Scotland, 1300-1700', *History Compass* 7:2 (2009), pp. 431-46.

⁵⁸ Whyte and Whyte, 'Debt and Credit, Poverty and Prosperity', p. 72.

⁵⁹ Lorna Ewan, 'Debtors, imprisonment, and the privilege of girth' in *Perspectives in Scottish Social History: Essays in Honour of Rosalind Mitchison*, ed. L. Leneman (Aberdeen, 1988), p. 54.

explored the relationship between women's economic lives and personal credit. R. A. Houston sets out to examine the 'economic, legal, political and cultural status of women in Scottish society between c. 1500 and c. 1800, concentrating on the middling and lower classes', although he prefaces his discussion with a warning of a 'lack of documentation on their lives' and that 'women's experiences are subsumed in those of men'.⁶⁰ Houston goes on to touch on the variety of occupations pursued by women in towns, but this amounts to little more than a list of employments.⁶¹

Elizabeth Sanderson's *Women and Work in Eighteenth Century Edinburgh*, meanwhile, assesses 'the involvement of women in employments outside of the home and the effect it had on their lives,' albeit for the eighteenth century.⁶² Using minutes of the Merchant Company of Edinburgh, plus records of the Commissary Court and family papers, Sanderson evaluated women's roles in a number of areas, including the retail trade, various service trades, and the renting of property. This evidence, Sanderson writes, 'suggests that far from being cocooned in a domestic world, women from all kinds of backgrounds, single, married, and widowed, were actively operating in the same world as their male counterparts'.⁶³ While not specifically concerned with debt and credit litigation, Sanderson's study certainly speaks to the importance of personal credit for women involved in such pursuits.

One type of work pursued by women in Scotland in the late medieval and early modern periods which has shown itself particularly applicable to a consideration of the importance of credit was the brewing of ale. Nicholas Mayhew, for example, has discussed the important role women from a variety of social statuses performed as brewers of ale in Aberdeen in the medieval period.⁶⁴ More broadly, Mayhew has also used entries in the Aberdeen burgh

⁶⁰ R. A. Houston, 'Women in the economy and society of Scotland, 1500-1800' in *Scottish Society, 1500-1800*, eds. R. A. Houston and I. D. Whyte (Cambridge, 1989), p. 118.

⁶¹ *Ibid*, p. 122-3.

⁶² Elizabeth Sanderson, *Women and Work in Eighteenth-Century Edinburgh* (London, 1996), p. 1.

⁶³ Sanderson, *Women and Work*, p. 2.

⁶⁴ Nicholas Mayhew, 'The Status of Women and the Brewing of Ale in Medieval Aberdeen', *Review of Scottish Culture* 10 (1996), pp. 16-21.

court in the early sixteenth century to discuss women's roles in property renting and moneylending, as producers of goods and food, as retailers, and as servants.⁶⁵ Although he focuses on the roles of women as cake bakers, ale producers, and sellers for the remainder of the article, his very brief initial consideration of wives acting independently or in concert with their husbands is nevertheless important.

Elizabeth Ewan has also discussed the important role of women as brewers of ale (and how a woman's social status affected her ability to brew ale), but expanded her discussion to consider how these roles as producers affected women's roles as consumers in their local markets.⁶⁶ Implicit in this discussion is a consideration of women's personal credit. Ewan has also investigated various by-employments pursued by female servants in sixteenth-century Scottish towns. Moneylending was one of these by-employments, but the evidence Ewan presents is by necessity qualitative rather than quantitative, and so it is difficult to determine how widespread the practice actually was.⁶⁷ Margaret Sanderson also argues that 'many women, including many widows, participated in the widespread lending of money, particularly in the burghs' in sixteenth-century Scotland, but she too cites only a few descriptive examples.⁶⁸ Christine Peters devoted much of her chapter on 'Work and the Household Economy' in *Women in Early Modern Britain, 1450-1640* to the practice of brewing. In particular, she argued that women were most likely to be able to successfully participate in the brewing industry when they enjoyed appropriate social and financial credit. In other words, married women of higher social status were less likely to be suspected as 'temptresses' when selling ale and, as such, were more likely to be allowed to continue that activity.⁶⁹

⁶⁵ Nicholas Mayhew, 'Women in Aberdeen at the end of the Middle Ages' in *Gendering Scottish History: An International Approach*, eds. T. Brotherstone, D. Simonton and O. Walsh (Glasgow, 1999), pp. 142-5.

⁶⁶ Ewan, "'For Whatever Ales Ye'".

⁶⁷ Elizabeth Ewan, 'Mistresses of Themselves? Female Domestic Servants and By-Employments in Sixteenth-Century Scottish Towns' in *Domestic Service and the Formation of the European Identity*, ed. A. Fauve-Chamoux (Bern, 2005), esp. pp. 420-7.

⁶⁸ Sanderson, *A Kindly Place?*, p. 123.

⁶⁹ Christine Peters, *Women in Early Modern Britain, 1450-1640* (Basingstroke, 2004), pp. 52-60.

Studies relating specifically to women's roles in debt litigation in early modern Scottish towns are beginning to appear. Evidence taken from the small claims courts of Scotland and particularly the burgh and Baillie Courts, has demonstrated a distinct advantage present in such Scottish courts over similar small claims court in England, in that they named married women. Research carried out by Karen Sander on two years of the Baillie Court records for Aberdeen in the late seventeenth century demonstrated that women appeared in nearly half of all debt cases entered into the records in this community during that time, because that court named married women.⁷⁰ Gordon Desbrisay and Karen Sander Thomson, emulating studies by Muldrew for England, have further examined the Baillie Court records of Aberdeen to investigate the role of women in debt litigation in 1687 and 1688.⁷¹ They discovered that in addition to naming widows and non-married women, the Aberdeen Baillie Court also named married women. These wives appeared with their husbands, but the use of the phrase 'for his interest' in these debt cases (which denoted the husband's responsibility for the debt and thus his nominal role in it), as well as explanations for debt cases which indicate that it was the wife who was responsible for the purchase or sale of the item in question, make clear that it was the wife who was the prime mover in the transaction. In their article, Desbrisay and Sander Thomson mainly focus on the mechanics of the court and the number of men and women who appeared as litigants and defendants. Female litigants and defendants are further subcategorised to draw out the number of married women, widows, and not-married women who made up these categories. Desbrisay and Sander Thomson also note the predominance of oatmeal, malt, ale, wool, rent, and borrowed money in debt suits involving women, suggesting interest in these commodities and activities may perhaps pave the way for future studies to use the information contained within debt litigation in the Aberdeen Baillie Court.⁷² Such approaches would be welcome,

⁷⁰ Karen Sander, 'Women and Debt Litigation in Seventeenth-Century Scotland: Credit and Credibility' (Unpublished MA Thesis, University of Saskatchewan, 2006).

⁷¹ Desbrisay and Sander Thomson, 'Crediting Wives'.

⁷² *Ibid*, p. 88.

given that studies exploring networks of debt and credit have been rather long in coming,⁷³ and studies connecting the relationship of such networks to a debtor's or creditor's marital or social standing are even less prevalent.

Women and the Law

Like Desbrisay and Sander Thomson's study, this study is by necessity also concerned with women's differing marital statuses. Such statuses affected how women participated in both work and debt litigation. As a result, a consideration of the position of women under the law, and how this position changed over the course of the life cycle, is necessary. The categories by which women were described in debt litigation – as wives, widows, and other women (including servants, mothers, and daughters) – also reflect the changing statuses of women over the course of the lifecycle. As a woman's marital status changed, and she moved from being a daughter and a never-married woman to being a wife, and from being a wife to being a widow, her legal status changed as well. Young daughters, obviously, came under the control and responsibility of their fathers (or, in the event of his death, usually their mothers). Widows were also responsible for any child minors upon the death of her husband. A mother had custody of a child until the age of seven and could act as his or her tutor or curator. A wife could also be appointed 'tutrix testamentar' to any minor children by her husband in his testament, or 'tutrix dative' by the king, until a son was fourteen or a daughter was twelve. This role ostensibly expired should a widow marry again.⁷⁴ However, young women came out of their minority at the age of twelve (reflecting the age at which they could marry) and could be free of their curators at the age of twenty-one. Children after the age of twelve or fourteen, meanwhile, could choose a curator to act as their legal guardian until the age of twenty-one, although such a relationship expired for a young woman upon her marriage, when her husband became her curator.⁷⁵ Singlewomen who

⁷³ This will be discussed further in Ch. 1.

⁷⁴ Winifred Coutts, *Business of the College of Justice in 1600: How it reflects the economic and social life of Scots men and women* (Edinburgh, 2004), p. 139.

⁷⁵ *Ibid.*

had achieved the age of majority and who had not married could act as cautioners and make testaments, and presumably had the same abilities to contract debts and act individually as did widows.⁷⁶ However, as their roles and the extent of their agency are never made explicit in the records, this must rest largely as supposition.

The legal experience of wives, however, was very different from those who lived as singlewomen (in any capacity). Officially, women lost their legal persona under common law upon marriage and came under a form of coverture similar to that experienced by married women in England and across northern Europe.⁷⁷ In theory, due to this loss of legal persona and the resultant doctrine of coverture, women could not act legally without their husband's consent, whether contracting or pursuing a debt, acting as a cautioner, or making a testament (although married women were allowed to retain control of their personal items, typically identified in a testament as a woman's 'ornaments and abulzements').⁷⁸ A widowed or never-married woman was free to make a testament, while a wife required the consent of her husband to do so, as set out in Balfour's *Practicks*:

ane woman that is fre and not under subiection to ane husband may mak ane testament of hir guidis and gear [...] but ane woman beand cled with ane husband and thairby in his powar and subiection, may dispone and give na thing in hir latter will without his consent [...] nevertheless the husband dois ane honest and godlie thing gif he permittis and grantis to his wife licence and powar to mak testament of that part of the guides and gear quhilk sould have pertenit to hir, gif scho had happinit to live efter him.⁷⁹

Wives whose husbands granted them the ability to make testaments seem to have been able to test as they wished. Husbands, meanwhile, were required by

⁷⁶ Ibid.

⁷⁷ Peter G. B. McNeill (ed.), *The Practicks of Sir James Balfour of Pittendreich*, Vol. 1 (Edinburgh, 1962), p. 216; G. Campbell H. Paton, 'Husband and Wife: Property Rights and Relationships' in *An Introduction to Scottish Legal History* (Alva, 1958), pp. 100-1; A. D. M. Forte, 'Some Aspects of the Law Marriage in Scotland: 1500-1700' in *Marriage and Property*, ed. E. M. Craik (Aberdeen, 1984), pp. 107, 109-10; Coutts, *Business of the College of Justice*, p. 139; McIntosh, 'Women, Credit, and Family Relationships,' p. 151.

⁷⁸ Forte, p. 111; Coutts, *Business of the College of Justice*, pp. 138-9.

⁷⁹ McNeill (ed.), *The Practicks of Sir James Balfour*, p. 216.

law to provide for their spouses and children. Balfour does imply that these strictures applied to testaments made by wives as well, but later jurists writing in the later seventeenth and eighteenth centuries clearly state that 'bairn's part' was the responsibility of the father only.⁸⁰ However, mothers often followed this convention anyway, usually dividing their testaments into three parts and often bequeathing items and amounts of money to their children.⁸¹

Coverture also arguably benefited women in some ways. A husband was responsible for his wife's debts, even those that had been contracted prior to the marriage, and for any misdemeanours committed by her.⁸² As well, a wife was entitled to be supported by her husband until death or divorce.⁸³ In addition, although not a part of marriage law, 'in her domestic role as the person in charge of her master's establishment, [a wife] was said to be *praepositura negotiis domesticis*', which allowed her to pledge her husband's credit for 'household necessities suitable to his station'.⁸⁴ In this, a Scottish wife's access to her husband's credit functioned in a similar manner to the law of agency in England. Chester Jordan has questioned how far coverture affected women who contracted small scale domestic consumption loans, arguing that small scale lending was 'almost always informal in medieval Europe' and that 'this informality undermined all legalistic attempts to prevent adult women, married or otherwise under juridical "cover" of a male, from making contractual obligations without their husbands' or other appropriate men's consent'.⁸⁵ This 'law of agency' or 'law of necessities', as it was variously known, has been used by Joanne Bailey and Margot Finn in their studies of women and coverture between the seventeenth and nineteenth centuries to argue that wives were not

⁸⁰ Ibid, p. 217; J. Stair, *The Institutions of the Law of Scotland* (Edinburgh, 1770), p. 719; G. Campbell H. Paton (ed.), *Baron David Hume's Lectures 1768-1822*, Vol V (Edinburgh, 1957), p. 190.

⁸¹ Winifred Coutts, 'Wife and Widow: The Evidence of Testaments and Marriage Contracts c. 1600' in *Women in Scotland, c. 1100-c.1750*, eds. E. Ewan and M. Meikle (East Linton, 1999), pp. 177-8.

⁸² Forte, p. 110.

⁸³ Coutts, *Business of the College of Justice*, p. 140.

⁸⁴ Ibid, p. 139; Paton, p. 105-6.

⁸⁵ Chester Jordan, *Women and Credit*, p. 24.

really constrained by coverture and could (and did) engage in a range of economic activities.⁸⁶

With regard to debt transactions, all cases involving a wife were ostensibly supposed to name the husband as well and include the phrase 'for his interest', indicating the husband's legal responsibility for the debt contracted by his wife, even if he had not actually been active in the making of the debt.⁸⁷ In the eighteenth century this requirement was relaxed with regard to wives who ran businesses with a husband's consent.⁸⁸ Certainly, in the debt cases analysed for this study, cases in which wives and husbands appeared together did not always use the phrase 'for his interest', but neither was there any indication as to why some scribes chose to employ this phrase and others did not. Scotland does not seem to have used the *femme sole* designation which was used in London and other English communities to denote married women who had received special permission to trade under their own names, rather than under the cover of their husbands.⁸⁹ However, the explanations for many debt cases in which a husband and wife were named together make clear that, regardless of whether the husband was identified 'for his interest' or not, it was in fact the wife and not the husband who was the principal actor in the case.

Upon her husband's death, the ways in which a woman could interact with the law changed again. As a widow, a woman could again act as a cautioner and make a testament, and could also contract debts. A widow was also provided for by default upon the death of her husband. Whether or not a husband had written a testament, a widow was entitled to either one-third of her husband's moveable estate (if the couple had children) or to one-half (if they did not have children) after all debts had been paid.⁹⁰ Likewise, a wife was entitled to terce. Just as a wife brought her dowry, or 'tocher', to a marriage, a

⁸⁶ Joanne Bailey, 'Favoured or oppressed? Married women, property and 'coverture' in England, 1660-1800', *C&C* 17:3 (2002), pp. 351-72; Margot Finn, 'Women, Consumption and Coverture in England, c. 1760-1860', *The Historical Journal* 39:3 (1996), pp. 703-22.

⁸⁷ Desbrisay and Sander Thomson, 'Crediting Wives', p. 90.

⁸⁸ Coutts, *Business of the College of Justice*, p. 139.

⁸⁹ For a discussion of what it meant to be a *femme sole* see Marjorie K. McIntosh, 'The Benefits and Drawbacks of *Femme Sole* Status in England, 1300-1630', *JBS* 44:3 (2005).

⁹⁰ Coutts, *Business of the College of Justice*, p. 141.

husband was required to provide his wife with *terce*, which referred to control (not ownership) of land which was meant to provide for a wife during her widowhood. Legally, *terce* could amount to no more than one-third of all lands and 'heritage' which a husband owned at the time of the marriage, and lands acquired by the husband during the marriage could not contribute to *terce*. However, complications with regard to the enforcement of *terce* sometimes gave rise to agreements between the parents of a wife and her husband for part of his estate to be set aside in 'conjunct fee'. These agreements saw both the husband and wife be invested in a *feu* (or rent) of land at the same time. When one partner died, the other received the rents from the lands as support. When the second partner died, the proceeds from these rents went to the heir.⁹¹

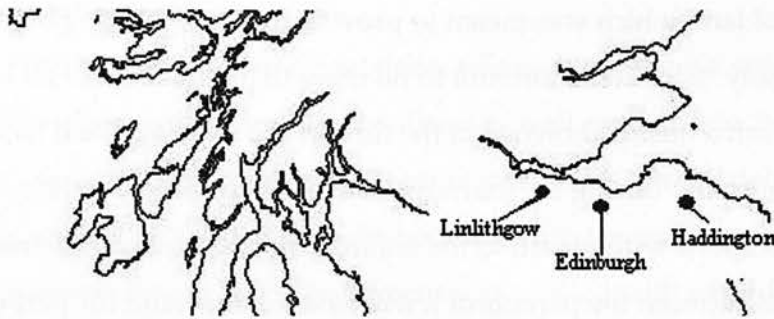
Edinburgh, Haddington, and Linlithgow

This thesis explores the economic roles of women in three Scottish communities: Edinburgh, Haddington, and Linlithgow. Markedly different in size, wealth, and importance, surviving records from these three communities nevertheless provide excellent points from which to assess, compare and contrast women's economic roles through debt and credit networks. The sources available for all three communities are similar. All three communities had a burgh court which sat regularly and recorded the judgements pronounced. Most of the cases in these records concern debt transactions which were usually contracted between two parties who lived within the respective burghs, although arrangements between people who lived in different burghs did occur. All three communities also had members of their communities who left testaments, allowing a comparison of these sources between the three communities as well. Edinburgh is unique with regard to its 1635 Annuity Tax Roll which survives and provides a great deal of information with regard to the layout of the town and the costs associated with living within it.⁹²

⁹¹ Coutts, *Business of the College of Justice*, pp. 141-2.

⁹² This discrepancy is addressed in Ch. 4, which discusses property and rental agreements across the three towns.

Figure 0.1. Map Showing Positions of Edinburgh, Haddington, and Linlithgow:



The reasons for choosing Edinburgh as one of the centres under consideration are obvious: its size and position as the largest, busiest, and most influential town in Scotland in this period makes it an attractive community to research, and studies relating to the general history, political history, and religious history of Edinburgh are, as a result, numerous.⁹³ Aspects of its social history, including studies of merchants and craft guilds have also proved popular, although studies which explore the interactions between various groups in the town have been slower to materialise.⁹⁴ The size of the town in the period under consideration in this project (both in regard to space, with people

⁹³ For example, see Julian Goodare and Alasdair MacDonald (eds.), *Sixteenth-Century Scotland: Essays in Honour of Michael Lynch* (Leiden, 2008); Michael Lynch, 'The Emergence of a Capital City: Edinburgh, 1450-1603' in *Shaping the Present and the Future*, eds. Suntrup and Veenstra (Bern, 2008), pp. 221-43; E. P. Dennison and Michael Lynch, 'Crown, Capital, and Metropolis: Edinburgh and Canongate: The Rise of a Capital and an Urban Court', *Journal of Urban History* 32:1 (2005), pp. 22-43; Stewart, *Urban Politics*; Dougal Shaw, 'St Giles' Church and Charles I's coronation visit to Scotland' *Historical Research* 77:198 (2004), pp. 481-502; Donald Campbell, *Edinburgh: A Cultural and Literary History* (Oxford, 2003); Roger Mason (ed.), *John Knox and the British Reformations* (Aldershot, 1998); Alan MacDonald, 'The Triumph of Protestantism: The burgh council of Edinburgh and the entry of Mary Queen of Scots', *Innes Review* 48 (1997), pp. 73-82; Michael Lynch (ed.), *The Early Modern Town in Scotland* (London, 1988); Michael Lynch, 'The Social and Economic Structure of the Larger Towns, 1450-1600' in *The Scottish Medieval Town*, eds. M. Lynch, M. Spearman, G. Stell (Edinburgh, 1998), pp. 261-86; Michael Lynch, *Edinburgh and the Reformation* (Edinburgh, 1981).

⁹⁴ Many of the studies cited in footnote 93 also include considerations of Edinburgh's merchants and craftsmen; see also Helen M. Bennett, 'The origins and development of the Scottish hand-knitting industry', (Unpublished PhD thesis, University of Edinburgh, 1981) and A. M. Allen, *The Locksmith Craft in Early Modern Edinburgh* (Edinburgh, 2007). For those which explore the interactions between various groups in Edinburgh, see in particular Lynch, 'The Emergence of a Capital City' and Lynch, 'The Social and Economic Structure of the Larger Towns, 1450-1600', as well as Lynch, 'Introduction' in *Early Modern Town*, pp. 1-35 and Ian D. Whyte, 'The Occupational Structure of Scottish Burghs in the Late Seventeenth Century' in *The Early Modern Town in Scotland*, ed. M. Lynch (London, 1987), pp. 219-44.

from all walks of life living cheek-by-jowl with one another, and population) as a large but not overly large town provides an excellent base from which to explore a phenomenon as key to people from all levels of society as experiences of debt and credit. Edinburgh grew from an estimated population of 12,000 in 1560 to over 25,000 by 1640, all crammed onto the 'narrow, windy ridge that formed the core of Edinburgh's Old Town.'⁹⁵ Edinburgh was twice the size of Dundee or Aberdeen and slightly larger than the Irish capital, Dublin, and the major English provincial centres of Norwich and Bristol.⁹⁶ Figure 0.2, although taken from a map produced by Gordon of Rothiemay in 1647, illustrates the small surface area the town occupied, the natural boundaries of rock and water that constrained the town, and how closely residents lived to one another. The town's High Street, or 'Royal Mile', which today extends the length of the Old Town and starts at Edinburgh Castle and ends at Holyrood Palace, was, in the early modern period, bisected approximately halfway between the castle and palace by the Netherbow Port. This port marked out the boundary between Edinburgh and Canongate, which was then a burgh separate from Edinburgh, but which attained burgh status both because of the royal residence within its borders (Holyrood Palace) and its proximity to Edinburgh.

Michael Lynch, when describing the layout of Edinburgh in the late fifteenth century, notes that

the urban form of both Edinburgh and Canongate was determined by geology and geography. Running down the spine of a tail-like ridge of protected sedimentary rock from the volcanic plug, where the castle was built, to the low-lying site of the abbey of Holyrood, the two burghs were laid out in sequence, with their High Streets forming what seemed to be a continuous, mile-long throughfare. The emerging town plans were dictated by natural phenomena, and especially by water. To the north of Edinburgh was a steep incline to a rivulet, damned in the late fifteenth century to become the Nor' Loch [...]. To the south lay the Cowgate valley, perhaps as much as four metres deeper than it now appears and part of it covered by the 'Cowgate loch'.⁹⁷

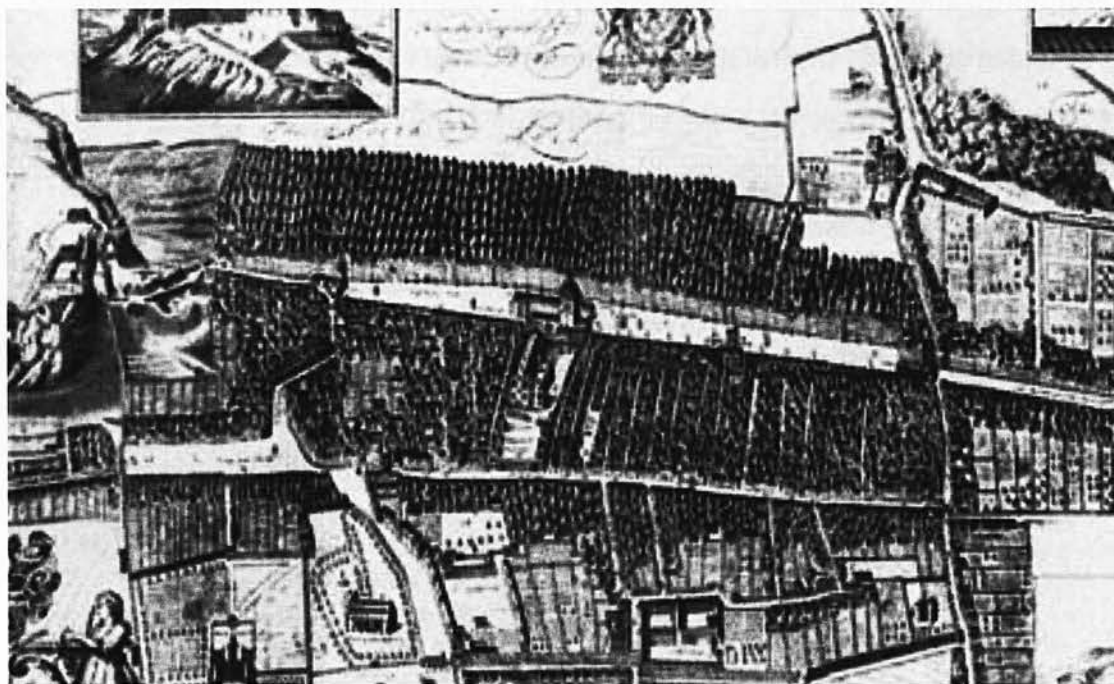
⁹⁵ Laura Stewart, 'Politics and Government in the Scottish Burghs, 1603-1638', in *Sixteenth-Century Scotland: Essays in Honour of Michael Lynch*, eds. J. Goodare and A. MacDonald (Leiden, 2008), p. 431.

⁹⁶ Stewart, 'Politics and Government', pp. 431-2.

⁹⁷ Lynch, 'Emergence of a Capital City', p. 229.

As is evident in both Figures 0.2 and 0.3, Edinburgh had two main streets, the High Street and the Cowgate. In the fifteenth century, and for most of the sixteenth century, the High Street was home to a variety of markets. With the draining of the Cowgate loch in the fifteenth century, however, many of the town's markets had been moved into the Cowgate by 1587, leaving the High Street a broad procession route.⁹⁸ By 1592 Edinburgh was home to just over 2,200 households and 15,000 people.⁹⁹ By 1635 the number of households had increased by 74 per cent, to 3,900, and the population had increased by approximately 70 per cent, to nearly 25,000.¹⁰⁰ The image below (Figure 0.3) sketches out the boundaries of the town in 1635, showing how the town was bounded on the west side by the Castle Rock, on the north by the Nor Loch, on the east by the Netherbow Port, and on the south by the Society and Potterrow Ports.

Figure 0.2. Gordon of Rothiemay Map of Edinburgh, 1647:



⁹⁸ Ibid, p. 230, 233.

⁹⁹ Walter Makey, 'Edinburgh in the Mid-Seventeenth Century' in *The Early Modern Town in Scotland*, ed. M. Lynch (London, 1987), p. 205.

¹⁰⁰ Ibid, pp. 230-1.

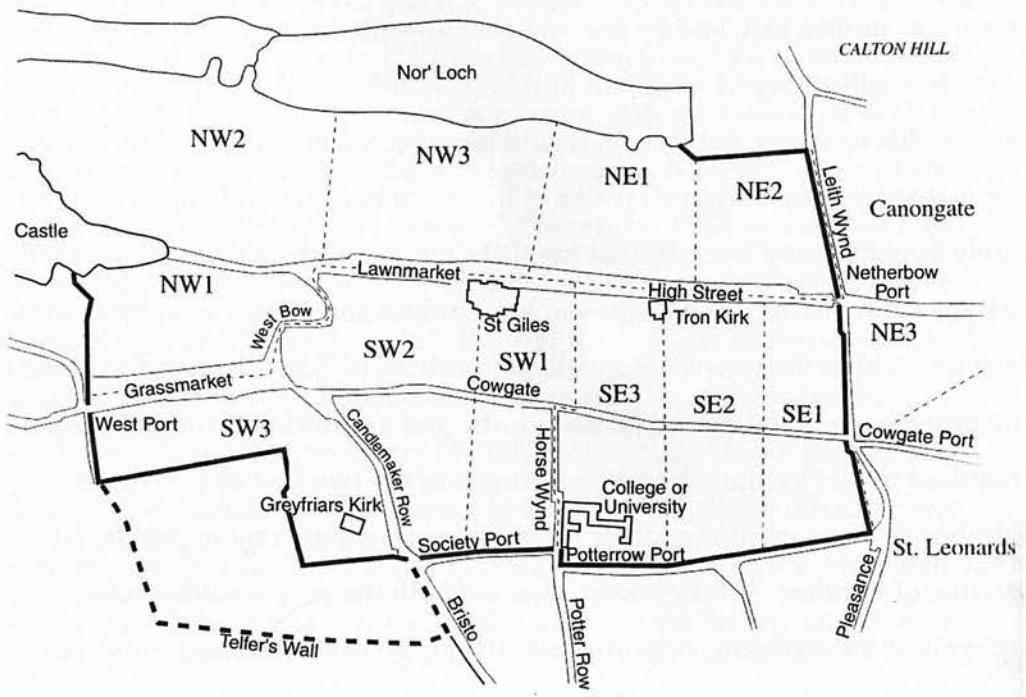
The ability to accommodate such a large population within such a small space was quite a feat, and by the mid-seventeenth century Edinburgh was home to multi-storeyed tenement buildings which could accommodate several households or shops. Further, as would be expected in a major town, it was populated by people from all walks of life, from beggars and vagrants (who rarely appear in any records, making their actual numbers difficult to calculate) to the wealthy merchant princes and local nobles and gentry who conducted business within the town.¹⁰¹ As well, the position of Edinburgh as the home to the privy council, the central justice courts, and a resulting throng of lawyers 'required to service the expanding business of the two bodies [...] made Edinburgh into something rather more interesting than a mere provincial satellite of London'.¹⁰² Edinburgh attracted both the very wealthy, who recognised the economic opportunities the burgh presented and sought to increase their own fortune, and the very poor, who sought to eke out a living in the shadows of those who were better off. In between, a great variety of merchants, craftsman, and their wives and families made their livings. Those of middling to high status likely pursued one profession. Further down the social scale, both men and women tended to pursue multiple occupations in order to make ends meet. Lynch, in his examination of the Edinburgh tax roll of 1583, notes that some of the poorest tailors and cordiners (shoemakers) depended on the proceeds from brewing in addition to the money they earned pursuing their primary occupations.¹⁰³

¹⁰¹ Makey, 'Edinburgh in the Mid-Seventeenth Century', p. 205; Stewart, 'Politics and Government', p. 432.

¹⁰² Stewart, *Urban Politics*, p. 2. For the difficulties associated with assessing the number of lawyers and other professionals living in the town before 1630 see Lynch, 'Social and Economic Structure', pp. 278-9.

¹⁰³ Lynch, 'Social and Economic Structure', p. 278.

Figure 0.3. Sketch of Edinburgh, 1635:



Source: McNeill and MacQueen (eds.), *Atlas of Scottish History to 1707*, p. 456.

Thirty per cent of adult males living in Edinburgh in this period (approximately 1,000 in 1583¹⁰⁴) would have been merchants or incorporated craftsmen who had been made burghesses and admitted to the freedom of the burgh.¹⁰⁵ Approximately one-third of these men attained their burghesship through inheritance, and in the absence of a son the right could be passed to a son-in-law through the daughter of a burghess when the two married, providing the daughter was, according to the town council, 'ane clene virgine'.¹⁰⁶ Burghesship allowed an individual 'to become a full participant in urban life', the principal advantage of which was the allocation of 'exclusive trading privileges, which could be further augmented by costly admission to the merchant guild'.¹⁰⁷

¹⁰⁴ Lynch, 'Introduction' in *The Early Modern Town in Scotland*, p. 13.

¹⁰⁵ Lynch, 'Social and Economic Structure of the Larger Towns', p. 262.

¹⁰⁶ Stewart, *Urban Politics*, p. 29; James D. Marwick, *Edinburgh Guilds and Crafts* (Edinburgh, 1909), pp. 134-5.

¹⁰⁷ Stewart, *Urban Politics*, p. 23.

All burgesses would have been married, and they and their families accounted for between 6,000 and 8,000 people in the early seventeenth century.¹⁰⁸

Women were also key players in the burgh. Many wives participated in the economy of the town, either working with their husbands or pursuing their own interests as producers or sellers. Widows, who headed over twenty per cent of households in Edinburgh in the 1630s,¹⁰⁹ often either carried on the businesses of their deceased husbands or pursued their own economic endeavours, regularly acting as landladies or money lenders. Female servants, meanwhile, seem to have made up a growing sector of the population over the course of the seventeenth century. Michael Lynch has described the servant population of Edinburgh in the 1690s as 'a miniature army [...] some 4,000 strong'.¹¹⁰ Seventy-five per cent of these servants were women, and Lynch estimates that a century earlier, in the 1590s, the servant population of Edinburgh might have numbered between 2,000 and 2,500 when 'the town was not only expanding rapidly but was also taking on the profile of a capital city'.¹¹¹

Key to this growing dominance was Edinburgh's economic supremacy. Laura Stewart, writing of Edinburgh in the first decades of the seventeenth century, notes that 'generally speaking, the early seventeenth century was a prosperous period when international trade expanded, home markets grew and industrial enterprises were undertaken' and the town's 'mercantile community branched out into moneylending and urban property speculation'.¹¹² Edinburgh was home to two dozen markets by the early seventeenth century, the volume and variety of which reflected Edinburgh's pre-eminence as a trading centre.¹¹³ The vast majority of imports and exports to Scotland (as much as ninety per cent with regard to some materials) travelled through the nearby port of Leith by the

¹⁰⁸ Ibid.

¹⁰⁹ Lynch, 'Social and Economic Structure', p. 263. See also Ch. 4 for a discussion of the role of women as property holders.

¹¹⁰ Lynch, 'The Emergence of a Capital City', p. 231.

¹¹¹ Ibid.

¹¹² Stewart, *Urban Politics*, p. 142.

¹¹³ Ibid, pp. 1-2.

1590s.¹¹⁴ Also important was the degree of inland trade which Edinburgh fostered over the course of the early modern period.¹¹⁵

The increasing wealth of Edinburgh did not go unnoticed, however. Although the burgh had been relatively lightly taxed as late as 1583, when only 1,245 taxpayers (approximately ten per cent of the total population) were assessed, this changed in the early seventeenth century.¹¹⁶ The crown 'sought to cash in by taxing an expanding urban middling sort, whose prosperity was based on activities previously not encompassed by the customary forms of assessment'.¹¹⁷ By the early seventeenth century Edinburgh's tax assessment was more than two and a half times that of its nearest competitor, Dundee, and more than 177 times that of the smallest Scottish burghs.¹¹⁸ The brunt of such taxes was borne by the merchant elite. James Brown has demonstrated that Edinburgh's taxpayers were assessed for various purposes thirty-five times between 1600 and 1637, and that the total tax levied against the burgh in these years was over £425,000. Forty-five per cent of the money raised, Brown argues, was paid by less than eight per cent of the taxable population, which translated into just 300 people, 'virtually all of them merchants'.¹¹⁹

Despite the varying wealth and status of its inhabitants, Edinburgh was not so large that the members of its population would not have known each other. Rather, the small physical area of the burgh, and the close proximity in which people lived to one another, fostered a community in which, as Walter Makey described it, 'the poor jostled the rich in an atmosphere of riotous conviviality'.¹²⁰ While this might be a slightly romantic view of Edinburgh during this period, it is likely people of all classes would have had reason to

¹¹⁴ Stewart, 'Politics and Government', p. 428; MacQueen and McNeill (eds.), *Atlas of Scottish History to 1707*, pp. 252-3, 270-1; Lynch, Spearman, and Stell, 'Introduction', *The Scottish Medieval Town*, p. 4; Lynch, 'Social and Economic Structure', p. 269; James Brown, 'Merchant Princes and Mercantile Investment', in *The Early Modern Town in Scotland*, ed. M. Lynch (London, 1987), p. 126.

¹¹⁵ Martin Rorke, 'Scottish Overseas Trade, 1275/86-1597' (Unpublished PhD Thesis, University of Edinburgh, 2001).

¹¹⁶ Lynch, Spearman, and Stell, 'Introduction', *The Scottish Medieval Town*, p. 12.

¹¹⁷ Stewart, 'Politics and Government', p. 428.

¹¹⁸ Stewart, *Urban Politics*, pp. 2, 148.

¹¹⁹ Brown, 'Merchant Princes', p. 127.

¹²⁰ Makey, 'Edinburgh in Mid-Seventeenth Century', p. 216.

interact with each other on a daily basis, as evidence from the 1635 Annuity Tax Roll demonstrates. Assessed between 1634 and 1636, this tax roll lists every landlord and tenant in Edinburgh, as well as a description of each property and its value. Makey, in his analysis of the tax roll, and investigating only the properties of tenants (both women and men) whose surnames began with an A, B, C, or D, determined that out of a sample of 1,042 households (approximately one-quarter of all householders), 224 householders paid maills worth between £0 and £9, 224 paid between £10 and £19, 208 paid between £20 and £39, 203 paid between £40 and £69, 158 paid between £70 and £199, and 25 paid maills worth more than £200 (see Table 0.1).¹²¹

Table 0.1. Edinburgh Householders, 1635 (By Occupation - A, B, C, D Surnames Only):

Occupation	Annual Rent Payable (£ Scots)						Total
	0 - 9	10 - 19	20 - 39	40-69	70 - 199	200+	
Merchants	0	7	28	48	52	12	147
Craftsmen	5	30	66	45	20	1	167
Other Trades	7	12	12	7	3	1	42
Professional	0	4	9	30	37	8	88
Journeyman	16	44	11	1	0	0	72
Labourers	7	6	0	1	1	0	15
Unknown	115	53	34	26	6	0	234
Women	74	66	41	31	19	3	234
Non-Edinburgh	0	2	7	14	20	0	43
All Householders	224	224	208	203	158	25	1,042

Source: Makey, 'Edinburgh in the Mid-Seventeenth Century', p. 208.

A comparison, using the same division of maill values used by Makey, of *all* women entered as householders in the 1635 Annuity Tax Roll, is shown in Table 0.2. As illustrated, just over seventy-three per cent of women living or working in properties whose maills were valued between £0 and £39. However, this is not impressively higher than the overall percentage of individuals living

¹²¹ Ibid, p. 208.

in this range of property found in Makey's sample, which was sixty-three per cent. Also, women could – and did – own properties of significant value. William Dick of Braid may have owned a property worth £500, but so too did Lady Yester.¹²² And Alison Steinson, who rented a dwelling house, cellars, and two shops, had the distinction of being the tenant of the most expensive property entered into the tax roll. Its mail was valued at £533 6s 8d.¹²³

Table 0.2. Edinburgh Householders, 1635 (Women):

Property Values	£0 – £9	£10 – £19	£20 – £39	£40 – £69	£70 – £199	£200+	No Maill Entered	Total
Property Totals	295	264	234	133	73	6	7	1,012
Percentage of Total Properties	29.2	26.1	23.1	13.1	7.2	0.6	0.7	100

Source: ECA, 1635 Annuity Tax Roll.

Further, the tax roll indicates that women were conspicuously active as heads of household in Edinburgh in 1635. Women identified as wives do not appear as tenants, their husbands being the heads of their households. All female tenants in the tax roll were identified either as 'widows', 'relicts', or only under their own names, with no further designation. Nevertheless, women were named as the heads of household (or as landlords, in the case of business premises) of a total of 1,012 properties. Of these 1,012 properties, women were identified as the heads of 905 dwelling houses, ninety-seven booths or shops, ten taverns, seventy-two cellars or vaults, eleven stables, eight lofts, and four other properties.¹²⁴ More than 3,900 dwellings and 900 business premises appeared in the tax roll. Women thus appeared as the heads of household of 21.3 per cent of properties in Edinburgh in 1635. 206 female tenants were identified as 'widows' or 'relicts', while the vast majority of female tenants – 797 – were identified only

¹²² ECA, 1635 Annuity Tax Roll, pp. 111, 445.

¹²³ ECA, 1635 Annuity Tax Roll, p. 515.

¹²⁴ It is important to note that the properties listed in the tax roll could contain more than one architectural feature; a dwelling house could also hold a cellar, or a tavern or booth could also hold a vault or cellar. In these cases, each element has been counted separately.

by their own names. However, it would be erroneous to assume that all of these 797 female tenants identified by only their own names were never-married women. It is likely that many of these female tenants were widows (or may even have been wives), but have not been identified as such. Greckie Hamilton, for example, appears in the tax roll as a tenant and under her own name.¹²⁵ This disguises her actual status as the widow of Clement Tours, a glasswright, something which is elucidated through the town's burgh records from the 1630s, in which she appears as debtor pursued for both her own debts and those of her husband several times.¹²⁶

It is striking that women (whether widowed or never married) were identified as heads of 21.3 per cent of households in Edinburgh in 1635. This percentage is higher than percentages for many other studies which have investigated the number of female-headed households in a variety of locations. Goldberg in his work on the late fourteenth-century poll returns for England identified a wide range of percentages with regard to female-headed households, from a low of eight per cent in Northampton to a high of 23.4 per cent in Hull, with the average of all towns being 18.6 per cent.¹²⁷ Clark and Clark in their assessment of the 1563 Canterbury census discovered that nearly one-fifth of households in the suburbs surrounding Canterbury were headed by single adults, virtually all of whom were widows. (Widows accounted for 17.9 per cent of household heads in that census.)¹²⁸ A survey of 100 English communities between 1574 and 1821 stated that widows, 'unspecified' females, and single females accounted for 16.3 per cent of household heads,¹²⁹ while another survey of English households between 1650 and 1749 determined that 18.3 per cent of households were headed by widows, although that percentage

¹²⁵ ECA, 1635 Annuity Tax Roll, p. 587.

¹²⁶ ECA, SL234/1/14; ECA, SL234/1/16.

¹²⁷ Goldberg, *Women, Work, and Life cycle*, p. 310.

¹²⁸ Peter Clark and Jennifer Clark, 'The Social Economy of the Canterbury Suburbs: The evidence of the census of 1563' in *Studies in Modern Kentish History*, eds. A. Detsicas and N. Yates (Maidstone, 1983), pp.70-1.

¹²⁹ Peter Laslett, 'Size and Structure of the Household in England over Three Centuries', *Population Studies* 23:2 (1969), p. 216.

fell to 13.9 per cent between 1750 and 1821.¹³⁰ Certainly, these figures accord with Amy Froide's statement that 'of the residential options a widow entertained upon her spouse's death, heading her own household was the most popular'.¹³¹

Helen Dingwall, using the returns of the 1694 Poll Tax, ascertained that 18.5 per cent of households in Edinburgh in the late seventeenth century were headed by women.¹³² However, the same caveat identified by Dingwall in her work must also be mentioned here: the majority of these households headed by women would have been located towards the poorer end of the rental spectrum, with the experience of Helen Brown, who lived in a low house in the southeast quarter of the town whose maill was valued at £4, much more the norm than that of Beatrix Waddell, who rented a house and cellar in the northwest quarter of the town worth £140.¹³³ In her discussion of the type and appeal of ready-made food available in late medieval England, Martha Carlin describes what must have been the experience of many women who lived alone: 'many must have lived in garret rooms and other cheap lodgings, lacking not only kitchens but even hearths'.¹³⁴ There would thus definitely have been appeal in sharing the burdens of tenancy.

In some cases, widowed or never married women did elect to live together, presumably both to mitigate the cost of their accommodation and to provide themselves with a person or persons with whom they could share household duties and costs, and companionship. Such arrangements have also been uncovered elsewhere, including between poor, unmarried women in the fourteenth and fifteenth centuries, widows living in London in the late fifteenth century and in Canterbury in 1563, and among widows and never-married

¹³⁰ Richard Wall, 'Regional and Temporal Variations in English Household Structure from 1650' in *Regional Demographic Development*, eds. J. Hobcraft and P. Rees (London, 1977), pp. 93-4.

¹³¹ Froide, *Never married*, p. 18.

¹³² Helen Dingwall, *Late Seventeenth-Century Edinburgh: A demographic study* (Aldershot, 1994), p. 38.

¹³³ ECA, 1635 Annuity Tax Roll, pp. 426, 109.

¹³⁴ Martha Carlin, 'Fast Food and Urban Living Standards in Medieval England' in *Food and Eating in Medieval Europe*, eds. M. Carlin and J. T. Rosenthal (London, 1998), p. 48.

sisters in early modern Southampton.¹³⁵ Related women living together can be found in Edinburgh as well, as in the case of Bessie Montgomery, a widow, and Elizabeth Acheson, her daughter, who on 24 June 1628 owed £3 to James Kinloch for 'rest of maill'. One year later, on 6 June 1629, Bessie and Elizabeth again appeared before the court and again owed money to James Kinloch for maill. This time, the debt was for £12. Six months later, on 17 November 1629 the mother and daughter again appeared in front of the burgh court, again owing money to James Kinloch for maill. This time, the debt was for £6. The final time the pair appeared before the burgh court was on 22 May 1630, when they again owed £6 to James Kinloch for maill.¹³⁶ Through these debts, it is possible to trace the yearly cost of a home for the two women: £12 (which was commonly the yearly rent of a low, or ground floor, house in the 1635 Annuity Tax), with £6 due at Whitsunday and £6 due at Martinmas.

Information contained in the tax roll is also valuable when examining where women lived and worked in Edinburgh, as it provides a 'map' of where women who were the heads of households lived, even if it does not identify with whom they lived. Although women obviously lived throughout Edinburgh's four quarters in 1635, the way in which information was recorded in the tax roll (literally, house by house and close by close) can help to identify certain tenements and areas in which the concentration of women seems unusually high. Evidence of such behaviour – sometimes referred to as 'spinster clustering' – has also been found in fourteenth-century Yorkshire, fifteenth-century Spain, sixteenth-century Canterbury, seventeenth-century England, eighteenth-century England and France, and nineteenth-century Bruges.¹³⁷

¹³⁵ Goldberg, 'Female Labour, Service, and Marriage', pp. 20-1; Carlin, 'Fast Food and Urban Living Standards', p. 48; Clark and Clark, 'Social Economy', p. 79; Amy M. Froide, 'Marital Status as a Category of Difference' in *Singlewomen in the European Past, 1250-1800*, eds. J. M. Bennett and A. M. Froide (Philadelphia, 1999), pp. 239, 243.

¹³⁶ ECA, SL234/1/10.

¹³⁷ See Goldberg, *Women, Work, and Lifecycle*, p. 313; Clark and Clark, 'Social Economy', p. 79; Amy L. Erickson, *Women and Property in Early Modern England* (London, 1993), p. 191; Amy Froide, 'Old Maids: The lifecycle of single women in early modern England' in *Women and Aging in British Society since 1500*, eds. L. A. Bothelo and P. Thane (Harlow, 2001), p. 96; Olwen Hufton, 'Women without Men: Widows and Spinsters in Britain and France in the Eighteenth Century', *JFH* 9:4 (1984), p. 361; Richard Wall, 'The Composition of Households

Goldberg refers to this as creating 'group solidarity among women', which may 'often have been determined by or reinforced by their concentration within certain areas of [a] town.'¹³⁸ This certainly seems to have taken place in early modern Edinburgh. In Castle Wynd in the northwest quarter of Edinburgh, for example, the tenement owned by William Sklaitter listed five women as the tenants of a total of seven properties. The maills of their dwelling houses ranged between £3 and £8.¹³⁹ Similarly, in the northeast quarter, bordered by the high street, Trinity Kirk and Leith Wynd (which separated Edinburgh and Canongate) in eleven living quarters provided by two tenements a total of seven women lived near to each other; this time in properties that ranged in value from £12 to £100.¹⁴⁰

This type of arrangement, however, and the tenements that allowed for it, was relatively unique in Scotland. Most communities in Scotland did not have the necessary population density. For instance, the other two communities focused upon in this thesis, Haddington and Linlithgow, were smaller centres situated within reach of Edinburgh. Haddington lies thirty-two kilometres (twenty miles) to the east of Edinburgh, and has long served as a gateway to Edinburgh. The site of a sizeable settlement by the year 1000, Haddington was made a royal burgh in the reign of David I (1124-53).¹⁴¹ By the fourteenth century the town had established itself as an important centre for wool export, and was the fifth most important Scottish town with regard to the customs revenues it generated through wool and woolfells.¹⁴² Sadly, this prosperity did not last. Haddington's importance in the export of wool declined in the sixteenth century, thanks both to a general stagnation in overseas trade and to Edinburgh's growing dominance with regard to the export of wool, woolfells, hides, and cloth. The town did continue to produce fine cloth, however.

in a Population of 6 Men to 10 Women: South-East Bruges in 1814,' in *Family Forms in Historic Europe*, eds. R. Wall, J. Robin and P. Laslett (Cambridge, 1983), pp. 426, 454-5.

¹³⁸ Goldberg, *Women, Work, and Lifecycle*, p. 305.

¹³⁹ ECA, Annuity Tax Roll, p. 11.

¹⁴⁰ ECA, Annuity Tax Roll, p. 201-2.

¹⁴¹ George S. Pryde, *The Burghs of Scotland: A Critical List* (Glasgow, 1965), pp. 5, 37-8.

¹⁴² McNeill and MacQueen (eds.), *Atlas of Scottish History to 1707*, p. 243

Linlithgow is located thirty-two kilometres (twenty miles) to the west of Edinburgh. It was founded c. 1138.¹⁴³ If Haddington served as a gateway to Edinburgh from the south, Linlithgow served as a gateway from Edinburgh to the north and west, connecting Edinburgh with Stirling, Perth and Inverness. Like Edinburgh, Linlithgow was the site of a royal residence, Linlithgow Palace, where both King James V and Mary, Queen of Scots, were born. Also like Edinburgh, whose official port lay outside its official boundaries in Leith, Linlithgow's official port lay outside its boundaries at Blackness. In the fourteenth century Linlithgow was the only coastal town in the seventeen miles between the River Avon and Cramond which held the right to trade, and its resultant prosperity is evident in the customs returns which survive for that period. Linlithgow's main export in the fourteenth century was wool.¹⁴⁴ By the fifteenth century the production and working of cloth were important trades in the town. 4.4 per cent of Scottish cloth exports left through Blackness, Linlithgow's port, compared to the 59.2 per cent that left through Leith, Edinburgh's port, but the percentage of Scottish cloth which left through Linlithgow was still higher than those reported for Aberdeen, Dundee, or Haddington.¹⁴⁵

While smaller than Edinburgh, Haddington and Linlithgow were nevertheless significant market centres for the still smaller communities which surrounded them. Much as Edinburgh served as a draw for people from communities like Haddington and Linlithgow, Haddington and Linlithgow served in turn as draws for people from their own hinterlands. All three communities held markets and acted as trading points where raw materials could be brought in from the countryside and processed, and where ready-made goods could be bought. In addition, the evidence which will be presented for Haddington and Linlithgow provides a glimpse into the experience of Scottish people in this period who lived outside of Edinburgh, as the majority of the

¹⁴³ Pryde, *Burghs*, p. 7.

¹⁴⁴ E. Patricia Dennison and Russel Coleman, *Historic Linlithgow: The Archaeological Implications of Development* (East Linton, 2000), p. 15.

¹⁴⁵ *Ibid*, p. 15.

Scottish population did. The sheer size and importance of Edinburgh, particularly by the end of the seventeenth century, makes it somewhat of an anomaly for Scotland, much like London was for England in the same period. As a result, the comparison of Haddington and Linlithgow with Edinburgh serves to highlight the many ways in which the evidence presented for Edinburgh is so striking and to underline its importance as Scotland's premier centre for production, distribution, and other forms of trade for a variety of products, performed by a variety of inhabitants, immigrants, and visitors to the town.

Sources

To examine women's economic roles through debt and credit networks in Edinburgh, Haddington, and Linlithgow, this thesis draws upon four main primary sources: the Register of Deeds for the Burgh of Edinburgh; the Registers of Decrees for the towns of Edinburgh, Haddington, and Linlithgow; the 1635 Annuity Tax Roll for Edinburgh; and a variety of testaments written by women and men who lived in these three communities.¹⁴⁶ The major sources examined for this study were burgh court records. Edinburgh has two runs of these records, the Register of Deeds and the Register of Decrees, while Haddington and Linlithgow each have only one. The Register of Deeds and Register of Decrees for Edinburgh are similar in nature in that they were both largely concerned with the recording of the settlements of petty debts, and cases of larger amounts of lent money which had been lent out 'on obligation' or 'by bond'. The Register of Deeds for Edinburgh is the most continuous source which was consulted for this thesis, with its run of records existing for the entire eighty years under study. The Register of Deeds, while also mainly concerned with cases of debt, also contains other types of cases, including those concerned with the sale of property, marriage contracts, and the responsibility of providing

¹⁴⁶ Register of Deeds, National Archives of Scotland (NAS), B22/8/1-31; Register of Decrees for Edinburgh, Edinburgh City Archives (ECA), SL234/1/3-16; Burgh Court Registers for Haddington, NAS, B30/10/3-13; Burgh Court Registers for Linlithgow, NAS, B48/8/1-11; Testaments, NAS, CC/8/8; ECA, 1635 Annuity Tax Roll.

orphaned children with guardians, or 'curators'. The Registers of Decrees for Edinburgh are somewhat less continuous, surviving from between 1581 and 1583, and 1589 and 1592, and then becoming continuous from 1598. In the catalogue in the Edinburgh City Archives the Register of Decrees for Edinburgh is described as a 'narrative for imprisonment'. The register contains the full transcripts of the judgements (not the processes) of the courts for each case tried by the Burgh Court.

This court had wide civil jurisdiction, although most cases relate to debt, slander, or relations between landlords and tenants. The magistrates were elected by the out-going and in-coming councils together, and could issue sentences such as fines, banishment, and corporal punishment, with some even having the power to order an execution. There is a note in the last volume that the decrees were not recorded on the day they are pronounced, but on the day upon which they were issued and signed by the clerk. The court typically sat three days per week (Tuesday, Thursday, and Saturday) throughout the year, with time off for public holidays, annual fairs, and in times of sickness, public celebration, and mourning. The court also adjourned every year between the first week of September and the first week of October while a new provost, four bailies, a treasurer, and a dean of guild were elected, who would oversee the court for the next year. All 'office-holders had to be merchant burgesses with previous experience on the town council, and any craftsman nominated to an office was expected to suspend practice of his craft during his tenure'.¹⁴⁷ No court fees are recorded in these registers, but a similar register for the burgh of Canongate between 1569 and 1573 includes amounts for 'expenses of plea' at the end of some of its judgements. These range between 20d and a few shillings.¹⁴⁸ It is likely that the costs associated with pursuing a case in the Edinburgh, Haddington, or Linlithgow would have been similar.

¹⁴⁷ Stewart, *Urban Politics*, p. 24.

¹⁴⁸ Marguerite Wood (trans.), *Court Book of the Regality of Broughton and Burgh of the Canongate, 1569-1573* (Edinburgh, 1937). See, for example, the cases entered on p. 95, all of which have an expense assigned to them.

In the final stages of this thesis an inconsistency was discovered in the Register of Decrees for Edinburgh. In the official, catalogued run of the Register of Decrees, the way in which the decreets were presented in the register between 1607 and 1622 changed. In these years, the cases entered into the register are much lengthier than they are in any volumes before 1607 or after 1622, yet typically contain no more information than do the shorter cases entered into the register in the other years. The number of cases entered into the volumes also dropped drastically in these years, from several thousand for each of the volumes between 1598 and 1606, and 1622 to 1640, to a few hundred cases per volume in the years between 1607 and 1622. Also, the volume containing the cases from 1620 to 1622 actually extended until 1629, overlapping with two other volumes in the Register of Decrees, one containing cases entered between 1622 and 1625, and the other containing cases entered between 1625 and 1630. There were thus three separate volumes for the period 1622-29, when there should have been only either one volume (covering 1620-29) or two volumes (covering 1622-25 and 1625-30).

The reason for this change and overlap was explained by the existence of the Register of Diets. Apparently last mentioned in a volume from 1899 detailing the records held in the ECA (many of which were subsequently relocated to the National Archives of Scotland), the Register of Diets contains the processes of the Edinburgh burgh court, and are uncatalogued in the ECA. However, a close examination of the volumes of the 'Register of Diets' held by the ECA indicate that, rather than being a record of the processes of the Edinburgh burgh court, these volumes were in fact records of the judgements made by the court. In short, those volumes categorised as 'Register of Diets' were in fact 'Register of Decrees'. It therefore seems likely that sometime after 1899 the Registers of Decrees and Diets in the ECA were reorganised and all volumes of a certain size were grouped together as the Register of Decrees, while all volumes of another, smaller size were grouped together as the Register of Diets, with little regard for the type of information (processes or judgements) the volumes actually contained. In order to gain the most complete picture possible of

women's roles in debt and credit networks in Edinburgh, all extant volumes of the official, catalogued run of the Edinburgh Register of Decrees between 1581 and 1640, and all volumes of the Edinburgh Register of Diets (which are actually part of the Register of Decrees) between 1606 and 1622, have been consulted for this study.

Consulting the burgh records for Haddington and Linlithgow was much more straightforward. The Register of Decrees for Haddington exists from 1571, from which time it is continuous, and the Register of Decrees for Linlithgow exists from 1580, from which time it is continuous. Reflecting the smaller populations of Haddington and Linlithgow compared to Edinburgh, the number of cases entered into the records for Haddington and Linlithgow in the decades under study is less than the number of cases which exist for Edinburgh. More than 37,000 cases were recorded in Edinburgh between 1560 and 1640, while in Haddington almost 7,000 cases were recorded and in Linlithgow slightly more than 5,000 cases were recorded. The debt cases in all four sources follow a formula: a debtor is discerned by the bailies of the court to pay to a creditor a certain amount of money for certain items or services rendered. Infrequently, cases in the records are crossed out and marginal notes used to indicate that these cases have been settled and that confirmation of this settlement was requested by one or both parties, but in general marginalia in the records is limited to the surnames of the creditors and debtors who acted in the cases.

Another major source examined for this study was the 1635 Annuity Tax Roll for Edinburgh. Commissioned by Charles I in order to raise money for the stipends for church ministers in the burgh, this tax was assessed (but never collected) between 1634 and 1636 and lists the household head (both landlord and tenant) and value of every building in the burgh. The resulting record features five columns of information devoted, in turn, to landlords, tenants, a description of each property, the value of each property, and the annuity it was determined the household should pay, based on the value of the property. Significantly, the list was also taken of each household in sequence, allowing subsequent readers to 'walk' from door to door along the High Street, alleys,

and closes of seventeenth-century Edinburgh. As a result, this tax can be used to determine which households and businesses located in Edinburgh at this time were headed by women, the value of these properties, and also where these properties were located in the city, whether along the prestigious High Street, or in the lowly alleys and closes of the south side of the Cowgate and Grassmarket. This tax has been useful in determining the extent to which women were landlords and heads of household in Edinburgh, but comparative sources for Haddington and Linlithgow do not exist.

Testaments were the final major source consulted for this study, and were consulted for all three towns. Although much maligned (somewhat unfairly) in studies carried out by some historians,¹⁴⁹ Scottish testaments contain a wide variety of information. When examined in a way that is sensitive to the type of information they typically contain, testaments can be used effectively to chart involvement by the testator in a variety of business ventures, personal relationships, and material consumption, although some testaments are more detailed than others. Scottish testaments written after the Reformation in 1560 were written in Scots, and are either dative or testamentar. Testaments dative are ones which were written after the death of a testator, and contain a preamble, an inventory of the testator's goods, a list of debts owed to him or her, and a list of debts owed by him or her. Testaments testamentar, meanwhile, were written while the testator was still alive. In addition to the four distinct sections contained in a testament dative, testaments testamentar also contain a latter will and legacy. Testaments testamentar are typically longer and more detailed than testaments dative, perhaps because they were made by the testator rather than his or her executor.

¹⁴⁹ See, for example, Lorna Weatherill, *Consumer Behaviour and Material Culture in Britain, 1660-1760* (London, 1988), p. 59. Weatherill notes that Scottish inventories are much less detailed than are English inventories, which is true, but inventories are not the only section of a testament which can indicate what items were owned by testators. Further information can be gleaned from both the debt sections and latter will and legacies. Ownership of goods can also be pieced together from cases concerning disputes over heirship goods, which sometimes appear in the burgh records for Edinburgh.

The first section of a testament, after the preamble, was the inventory. Inventories ostensibly listed the goods owned by a testator at the time of his or her death, but in reality they often omitted certain goods, simplified the actual amounts and types of other goods (referring to clothes and personal items under the catch-all term of 'abulymments', for example), and cannot be relied upon to be consistent in their recording of items. This limitation has also been identified in studies of English inventories for a similar period.¹⁵⁰ Inventories are typically limited to lists of valuable items, such as amounts of wine (which, unlike ale and beer, could keep long enough to be included in an inventory), merchandise, and 'ready money'. Inheritance laws also decreed that certain items, such as brewing equipment, pass immediately and without question to a testator's heir, negating their need to be entered into an inventory.¹⁵¹

The second section of a testament, which listed the debts owed to the testator, typically listed debts for food and drink, maill (house rent), merchandise, and lent money which had been supplied by the testator to others. In turn, the third section of a testament, which listed the debts owed to a testator, typically listed debts for these sorts of items which had been provided by the testator to others. The value of the inventory, together with the value of the debts owed to the testator, was then added together to give a value of the testator's estate. From this, the debts owed by the testator to others were deducted, giving a final statement of the testator's worth in monetary terms. The fee for proving the testament was then noted, as was whether the estate was to be divided into two or three parts (known as dead's part, spouse's part, and bairn's part). These parts comprised the part of the estate the testator was free to bequeath as he or she wished, the part that the testator was required to leave to

¹⁵⁰ Jan de Vries, 'Between purchasing power and the world of goods: understanding the household economy in early modern Europe', in *Consumption and the World of Goods*, eds. J. Brewer and R. Porter (London, 1993), p. 102; Mark Overton, Jane Whittle, Darron Dean and Andrew Hann, *Production and Consumption in English Households, 1600-1750* (London, 2004), p. 89.

¹⁵¹ Cosmo Innes (ed.), *Leges Burgorum, Ancient laws and customs of the burghs of Scotland* (Edinburgh, 1868), clxi, pp. 56-7.

his or her spouse, and the part that the testator was required to leave to his or her children.¹⁵²

A latter will and legacy, if the testament contained one, was then set out, before the section identifying the testament as proved was added at the end of the document. Latter wills and legacies, in which the testator might commend his or her soul to God or nominate a spouse, child, or sibling his or her executor, can also be helpful in determining what personal items the testator owned thanks to bequests set out by the testator for amounts of money, or items of clothing or jewellery. The latter will and legacy section allows for a testator to highlight any personal items which he or she held in particular esteem, as the majority of personal items are usually grouped together in the inventory under the catch-all term of 'ornaments and abulyments' and not described in greater detail.

The date range which this thesis covers, 1560 to 1640, was chosen both to neatly bookend the study with important national events, as well as to reflect the sources which are extant. The Register of Deeds exists from 1560. Scottish testaments became increasingly numerous after 1560, reflecting changes wrought by the Scottish Reformation. The key records consulted for this study, the burgh court records for each of the three towns, each began their run at a slightly different point between 1570 and the early 1580s and then quickly became continuous. The Annuity Tax Roll for Edinburgh was assessed between 1634 and 1636. The end date of 1640 was chosen to reflect the encroaching outbreak of the Scottish civil war and a desire to avoid any upheaval caused in debt and credit practices, and in the recording of these practices, by that period of trouble.

This date range also coincides with a supposed crisis of gender relations in England, originally put forward by David Underdown.¹⁵³ He argues that a preoccupation with scolding women during the period 1560 to 1660 'can be seen

¹⁵² McNeill (ed.), *The Practicks of Sir James Balfour*, p. 217.

¹⁵³ D.E. Underdown, 'The taming of the scold: the enforcement of patriarchal authority in early modern England?' in *Order and Disorder in early modern England*, eds. A. Fletcher and J. Stevenson (Cambridge, 1985), pp. 116-36.

as a by-product of the social and economic transformation that was occurring in England in that period – of the decline in the habits of good neighbourhood and social harmony that accompanied the spread of capitalism'.¹⁵⁴ Other historians, including Martin Ingram, Margaret Spufford, and Susan Dwyer Amussen, disagree with this argument.¹⁵⁵ Anthony Fletcher suggests the roots of this anxiety 'lay in turbulence about male sexuality', while Karen Jones and Michael Zell argue instead for 'a wave of concern about disorder and immorality amongst those whom *men* of the local elites expected to behave in suitably subservient and respectful manner, namely women, youths, and men of the lower orders'.¹⁵⁶ Implicit throughout this study will be a consideration of whether or not a crisis similar to that initially proposed by Underdown for England also took place in Scotland during this period.

Methodology

In order to organise and assess the information contained in the above sources, a variety of spreadsheets and databases were employed. In assessing the debt cases examined for this study (the total of which extends to approximately 49,000; more than 37,000 for Edinburgh, slightly less than 7,000 for Haddington, and slightly more than 5,000 for Linlithgow), each case was entered into a spreadsheet in which the date of the case, the debtor, the creditor, the amount the debtor was ordered to pay, and the reason for the debt were each assigned their own column. Further columns were added to tabulate the differing marital or social statuses of the women involved in the debt cases, as well as the different reasons for which debts were contracted. In this way, it was possible to

¹⁵⁴ *Ibid*, p. 126.

¹⁵⁵ Martin Ingram, 'Scolding women cuckold or washed?: A crisis in gender relations in early modern England?' in *Women, crime and the courts in Early Modern England*, eds. J. Kermode and G. Walker (London, 1994), p. 71; Margaret Spufford, 'Puritanism and Social Control?' in *Order and Disorder in early modern England*, eds. A. Fletcher & J. Stevenson (London, 1985), esp. pp. 56-7; Susan Dwyer Amussen, 'Gender, Family and the Social Order, 1560-1725' in *Order and Disorder in early modern England*, eds. A. Fletcher & J. Stevenson (London, 1985), pp. 216-7.

¹⁵⁶ Anthony Fletcher, *Gender, Sex and Subordination in England, 1500-1800* (London, 1995), p. 28; Karen Jones and Michael Zell, 'Bad Conversation? Gender and social control in a Kentish borough, c. 1450-c. 1570', *C&C* 13:1 (1998), p. 17.

assess the number of wives, widows, servants, or women identified by another or no designation who appeared as creditors and debtors, as well as the main categories for which people in Edinburgh, Haddington, and Linlithgow contracted debts which ended in litigation in this period.

Divisions using the designations of wife, widow, servant, and daughter were also employed when assessing the testaments examined for this study. Testaments exist in the thousands for Edinburgh in the late sixteenth and early seventeenth centuries, and in the hundreds for Haddington and Linlithgow, and so a random sample of 215 Edinburgh testaments, thirty-seven Haddington testaments, and twenty-seven Linlithgow testaments was taken when consulting these records held at the National Archives of Scotland (NAS). Although the majority of these testaments were written by women, testaments written by the husbands of some of these women were also consulted in order to gain a more complete picture of the couples' finances. As it is not possible to consult the testaments physically, common Scottish surnames (as determined by consulting the *Edinburgh Register of Marriages*) were entered into the 'Wills and Testaments' search engine. Date parameters were also set using the search engine. The list of wills generated by this type of search was then consulted randomly in order to achieve as complete a picture as possible of the experiences of women and men in making testaments in early modern Edinburgh, Haddington, and Linlithgow. The information contained in the testaments was also entered into a spreadsheet, whereby the marital status of the testator was identified (this was typically 'wife' or 'widow', although some women identified as daughters and 'servitrixs' (female servants) did make testaments). The information contained in the three main sections of the testaments (the inventory, the debts owed to the testator, and the debts owed by the testator) was then recorded to determine what items typically appeared in inventories in this period, the reasons why testators were owed money, and the reasons for which they themselves owed money to others.

Evidence contained in the tax roll, meanwhile, was also entered into a spreadsheet to determine which women acted as landlords and for which types of property (whether house, booth, tavern, stable, loft, or cellar), and which

women acted as the tenants for the same categories of properties. Widows and women of no marital designation were those who were most prevalent in each category, as any property owned by married women came under the control (and name) of their husbands, while female domestic servants seemed to have tended to live with their employers during their terms of service.

Thesis Structure

This thesis adds to the existing corpus of work on early modern Scotland in three specific ways: with regard to women's history, economic history, and urban history. It is important for women's history in that it brings to light the roles of women from a variety of marital and social statuses in debt and credit networks, both in terms of sheer numbers and in how these debt cases reveal women's roles in a variety of economic activities. Women purchased items which allowed them to engage in production, they sold items which allowed them to engage in merchandising, they rented out properties, and they lent out money. Further, this thesis brings to light the variety of marital and social statuses of the women who performed these activities. It proves that married women, while still legally 'covered' by their husbands, were not prevented from engaging in a variety of economic roles, that widows were not limited to continuing the businesses of their former husbands, and that female servants could also be active as creditors in a variety of transactions with others from a range of social statuses. Further, this thesis contextualises these women within the wider economy of their communities, illustrating the range of products and services these women provided in an urban milieu.

The first chapter sets out quantitative evidence to establish the conspicuous participation of women in the debt litigation which has been consulted for this thesis. It then uses this information to argue that the role of women in debt and credit networks in Scotland in this period was much more extensive than has been supposed, especially with regard to the role of wives. In particular, this chapter looks at the total number of debt cases contained in the Edinburgh Register of Deeds and in the burgh court records for all three

communities. From this information, the total number of women involved in debt and credit transactions from these three communities in the period under study is presented. This chapter then considers the various classifications and designations employed by or assigned to women who acted in these transactions; specifically, whether these debtors and creditors were identified in the debt cases as wives, widows, servants, mothers, daughters, or other, less easily categorised women, who were identified in the debt cases as 'indwellers', 'cramers', or, frustratingly, by no designation at all.

The second chapter begins to employ the presence of women in debt and credit networks as a lens through which to evaluate women's roles in work. In particular, Chapter Two explores the roles of women in the import and export trade. Testaments were the main source used for this chapter as inventories containing large amounts of mercantile goods indicated a number of female testators had been involved in this type of work. Debts owed to and by these women in their testaments also helped to illuminate their roles in this type of work. Information contained in debt litigation was used to supplement the information contained in the testaments, specifically with regard to the sale of these types of goods by merchants and their wives to other merchants, craftsmen, and to others members of the community. Edinburgh's dominance in Scotland's import and export trade by the early modern period means that evidence from the town's testaments and debt litigation is the strongest for the three towns under consideration in this chapter, but evidence taken from similar sources for Haddington and Linlithgow also contain evidence of trading networks with England and Europe.

Chapter Three is intended to follow on from the discussion put forward in Chapter 2. This chapter discusses the role of women as merchandisers, from those who were of high status and sold items from commodious merchant booths, to those who sold goods in the street. Key in this discussion will be a consideration of marital statuses, and what this might mean for a woman's position as a merchandiser. As in Chapter Two, evidence from testaments is

used, as is evidence from debt litigation, the 1635 Annuity Tax Roll for Edinburgh, and the town treasurer's accounts for Edinburgh.

Chapter Four discusses types of work in which a woman used her own property (either in terms of real estate or money) to make more money. This chapter therefore explores the roles women played as landlords of property, moneylenders, and pawnbrokers. It makes extensive use of the 1635 Annuity Tax Roll for Edinburgh to determine the types of buildings women owned and rented out, as well as using debt litigation related to the renting of houses, booths, taverns, and other properties to further establish women's roles as renters of property over the long term. This chapter also looks at the differing marital and social statuses of the women who rented properties to others. A strong comparison with Haddington and Linlithgow in this chapter is again challenging, given that no tax roll like that for Edinburgh exist for either of those two communities. However, debt litigation from all three communities is used to assess the extent to which women were owed money for rent for both residential and business properties, as well as their roles as money lenders and pawnbrokers. Testaments are also used to uncover amounts of money lent by women prior to their deaths.

Chapter Five assesses what women produced through an examination of women's roles in the trades. Reflecting the limitations presented by using litigation and testament sources to analyse women's roles in production, this chapter narrows to focus on a close consideration of two areas in which women played significant roles: the drink trade and the lace-making trade. The dominance of women in the production and sale of ale in Scotland in the medieval period has been well documented but changes in the early modern period meant that brewing was increasingly taken out of the hands of women and deposited in the hands of larger, more professional and more commercialised undertakings, which tended to be controlled by men. While such developments certainly affected small-scale ale brewers in Edinburgh, including women, this chapter argues that evidence from debt litigation and testaments suggests that women continued to procure the items necessary to

brew ale, and to sell it. The practice of lace-making, meanwhile, seems to have been mainly pursued by young women.

The final chapter, Chapter Six, considers the roles of servants in debt and credit networks. As with Chapter Four, comparisons in this chapter between Edinburgh, Haddington, and Linlithgow are difficult given the small number of women identified as servants who were active in Haddington and Linlithgow compared to Edinburgh. Reasons for the discrepancy in servant numbers between Edinburgh and Haddington and Linlithgow are presented, and then a consideration of the types of debts for which servants acted as creditors in all three communities is undertaken. Information concerning the ways in which servants were hired, paid, and housed is also presented to help explain the role of servants in debt and credit networks.

Through these six chapters, this thesis attempts to achieve two goals. Firstly, to show the extent to which women were involved in debt litigation and debt and credit networks in Edinburgh, Haddington, and Linlithgow, providing quantitative evidence of an involvement which, previously, has only been alluded to qualitatively. Secondly, to use evidence from these debts to determine the reasons why women were engaging so conspicuously in these debt and credit networks, illustrating the involvement of women from a variety of marital and social statuses in an assortment of economic activities including merchandising, production, property renting, money lending, and service.

Chapter 1:

The Presence of Women in Debt Litigation

On 24 February 1629, George Reid and Isabel King, his wife, were ordered by the Burgh Court of Edinburgh to pay £6 10s to James Graham and his wife, Agnes Johnston, for cloth.¹ While this case is largely unremarkable – in that it was just one of hundreds of debt cases entered into the burgh's Register of Decreets for 1629 – it does highlight an important aspect of the networks of debt and credit that existed in Edinburgh in the early modern period. Specifically, it highlights the role that women played in these networks, for while Isabel's and Agnes's husbands are both named with their wives in the case and presumably appeared with them in court, the reason for the debt is identified as being for the complete payment of six quarters of lint bought by *Isabel* from *Agnes* a year and a half prior to the two couples' appearance in court. Nor is this case exceptional when considering the tens of thousands of debt cases which were entered into the court records of Edinburgh, Haddington, and Linlithgow between 1560 and 1640. Rather, numerous examples exist in the debt litigation for all three towns that help bring to light the real and dynamic role that women played in the economy of debt and credit in early modern Scotland, whether acting as a wife, widow, or servant.

This chapter examines the ways and extent to which women were involved in the debt and credit networks of Edinburgh, Haddington, and Linlithgow between 1560 and 1640. Their involvement is explored through quantitative analysis of their appearances as both creditors and debtors in the burgh court records of these three towns throughout the different stages of the life cycle. The categories of women under consideration were taken from the designations under which women were acting in debt cases, as given by the clerks of the courts. The main designations are those of wife, widow, or servant, although consideration of women who were not identified in one of these three ways will also be undertaken and their status explored. Whether a wife, widow,

¹ Edinburgh City Archives (ECA), SL234/1/11.

or servant, these records show women of all marital and social statuses suing and being sued, albeit to differing extents and for different causes. Women accounted for more than thirty per cent of litigants in some of the debt litigation examined. The types of debts entered into these records included not only debts for money, but also debts for goods and services.

To date, relatively few works have discussed women's roles in debt and credit networks in late medieval and early modern Scotland, and the majority of those that have do not approach the topic quantitatively. Testaments consulted from the seventeenth century for the Panmure estates in Forfarshire, and from the seventeenth and eighteenth centuries for the Grandtully estates in Perthshire, indicate that the vast majority of those populations, including women, were involved in debt and credit relationships to some extent.² Ewan suggests that women appeared in only ten to fifteen per cent of cases which involve issues of debt and credit in the late medieval period in Scotland. However, Ewan makes the important point that cases in which the debtor and creditor were both satisfied in a timely manner tended to leave no trace, while transactions that involved small amounts of money did not make it to court either, often because they were too small to be worth pursuing, or because they had been contracted verbally, and therefore informally, and so were difficult to prove in a court of law.³ It is probable that many of the debts of those women responsible for small household purchases would have fallen into one of these categories, thus absenting them from the records.

Sanderson alludes to the role of wives in debt litigation in her discussion of wives' contributions to their families' incomes, noting that records rarely make clear whether a wife who appeared with her husband in a debt case was working with or separately from her husband. However, she presents only a smattering of examples to back up her assertions, rather than detailed quantitative analysis of the Commissary Court and Court of Session evidence to

² Whyte and Whyte, 'Debt and Credit, Poverty and Prosperity', pp. 70-80; Ewan, 'Debtors, Imprisonment and the Privilege of Girth', p. 54.

³ Ewan, "'For Whatever Ales Ye'", p. 127.

which she refers.⁴ Another study, also using Commissary Court testaments, draws out the involvement of Highland chiefs in a culture of credit that stretched from the northernmost reaches of Scotland to Edinburgh's urban centre in the late sixteenth and seventeenth centuries, but this study obviously did not include women.⁵ Most recently, an examination of the Aberdeen Baillie Court (which was the type of court that succeeded the burgh courts examined for this study) for the late seventeenth century found that single and widowed women participated in at least one-fifth of the cases entered into that court, and that, more surprisingly, married women were routinely named in debt cases. In fact, thirty-four per cent of cases examined by Desbrisay and Sander Thomson featured at least one married woman.⁶ They attribute this high figure to the Baillie Court's convention of naming wives both when they contracted debts on their own and when they acted with their husbands.

Outside of Scotland there have been a number of examinations of women's roles in networks of debt and credit, as the complex relationships between debtors and creditors have long been a focus for historians of the medieval and early modern periods. In the 1970s and 1980s, B. A. Holderness and Margaret Spufford explored the importance extensive debt and credit networks had upon members of rural societies in England in the sixteenth and seventeenth centuries.⁷ Women were involved in these networks, albeit in relatively low numbers in some communities. The same was also true of evidence presented for women's roles in debt litigation in the medieval period. Bennett found that women's participation in debt litigation in Brigstock fell between 1300 and 1350, and that while women appeared as thirty-three per cent

⁴ Sanderson, *A Kindly Place?*, pp. 106-7.

⁵ Douglas Watt, "'The labyrinth of thir difficulties': The influence of debt on the Highland Elite c.1500-1700", *SHR* 85 (2006) pp. 28-51.

⁶ Desbrisay and Sander Thomson, 'Crediting Wives', pp. 92-4.

⁷ B.A. Holderness, 'Credit in a Rural Community', *Midland History* 3:2 (1975), pp. 94-115; B. A. Holderness, 'Credit in English Rural Society before the Nineteenth Century, with Special Reference to the Period 1650-1720', *Agricultural History Review* 26 (1976), pp. 97-109; B. A. Holderness, 'Widows in Pre-Industrial Society: An Essay Upon Their Economic Functions', in *Land, Kinship and Life-Cycle*, ed. R. M. Smith (Cambridge, 1984), pp. 423-42; Margaret Spufford, *Contrasting Communities: English Villagers in the Sixteenth and Seventeenth Centuries* (London, 1974).

of all litigants in 1301-03, by 1343-45 they made up only ten per cent of litigants.⁸ Hutton's study of women's economic roles in Ghent found a similarly significant female presence: twenty-two per cent of cases entered into the city's annual registers between 1339 and 1350 involved a woman.⁹ Her study gives a more quantitative picture of Flemish women's roles in debt litigation than does David Nicholas's study of city accounts for fourteenth-century Ghent. He found that between six per cent and thirty per cent of the city's moneylenders were women between the years 1314 and 1389.¹⁰ Tim Stretton, in his analysis of England's Court of Requests in the Elizabethan period, argues that the number of active female litigants increased over the late sixteenth century.¹¹ He calculates that twenty-two per cent of the 132 cases featuring a female plaintiff entered into that court dealt with debt. Nineteen per cent of the 197 cases with male and female plaintiffs acting jointly did so.¹²

Elsewhere, women were consistently less active in debt litigation. Elaine Clark's use of court rolls in her study of the town of Writtle between 1382 to 1490 found that 7.5 per cent of debt litigants in that town were women.¹³ Similarly, Kathryn L. Reyerson's exploration of notarial registries for late-thirteenth to mid-fourteenth century Montpellier showed that seven to eight per cent of debt cases involved women: 7.6 per cent of loans included a female creditor and 7.8 per cent of loans included a female debtor.¹⁴ McIntosh's study of the manor of Havering found that female litigants made up six to eight per cent of parties in personal suits in that community between 1352 and 1353 and 1444 and 1445.¹⁵ Such percentages give credence to the arguments by some historians

⁸ Judith Bennett, *Women in the Medieval English Countryside: Gender and household in Brigstock before the plague* (Oxford, 1987), pp. 194-5.

⁹ Hutton, "On Herself and All her Property", p. 330.

¹⁰ David Nicholas, *The Domestic Life of a Medieval City: Women, Children, and the Family in Fourteenth-Century Ghent* (Lincoln, 1985), pp. 85-6.

¹¹ Tim Stretton, *Women Waging Law in Elizabethan England* (Cambridge, 1998), pp. 38-42.

¹² *Ibid.*, p. 99.

¹³ Elaine Clark, 'Debt Litigation in a Late Medieval Vill', in *Pathways to Peasants*, ed. J. A. Raftis (Toronto, 1981), p. 252.

¹⁴ Kathryn L. Reyerson, 'Women in Business in Medieval Montpellier' in *Women and Work in Preindustrial Europe*, ed. B. Hanawalt (Bloomington, 1986), p. 132.

¹⁵ Marjorie K. McIntosh, *Autonomy and Community: The Royal Manor of Havering, 1200-1500* (Cambridge, 1986), p. 219.

that women in the medieval and early modern periods were, at best, involved in only small-scale money-lending with other women, with few women acting as independent lenders and borrowers.¹⁶

McIntosh, however, has elsewhere argued that virtually all women in England were deeply involved in debt and credit networks in the late medieval and early modern periods, and could manoeuvre skilfully within these networks despite a variety of legal and cultural handicaps imposed upon them.¹⁷ Chris Briggs has questioned this in his examination of credit and debt relationships in five rural communities in fourteenth-century England, in which he determined that women's participation rate in debt transactions ranged between ten and 18.1 per cent. He argues that the majority of women engaging in debt and credit networks would have been widows and single women because of the problems associated with attempting to recover a debt contracted by a married woman.¹⁸ Indeed, less than four per cent of cases in his study of two towns – Oakington and Horwood – featured married women as litigants, the vast majority of whom appeared with their husbands as joint litigants.¹⁹

Studies like those of McIntosh and Briggs, as well as the collection of essays, *Credit and Debt in Medieval England, c. 1180-c.1350*, which explores the mechanics of contracting and pursuing debts in medieval England and the relationships among several types of debtors and creditors,²⁰ acknowledge the impact made by Muldrew, whose own studies of the litigation records for a number of English towns encouraged and expanded the discussion of debt and credit networks in England.²¹ Muldrew argues that all people, both men and

¹⁶ See Chester Jordan, *Women and Credit*, p. 20; Chris Briggs, 'Empowered or marginalized? Rural women and credit in later thirteenth- and fourteenth-century England', *C&C* 19:1 (2004), pp. 13-43; Victoria Hoyle, 'The bonds that bind: Money lending between Anglo-Jewish and Christian women in the plea roles of the Exchequer of the Jews, 1218-1280', *JMH* 34 (2008), pp. 119-29; Muldrew, 'A Mutual Assent of Her Mind?', p. 57.

¹⁷ McIntosh, *Working Women*, pp. 86-80; McIntosh, 'Women, credit and family relationships'; McIntosh, 'Benefits and Drawbacks', pp. 424-31.

¹⁸ Briggs, *Credit and Village Society in Fourteenth-Century England* (Oxford, 2009), p. 114.

¹⁹ Briggs, 'Rural Women and Credit', p. 21.

²⁰ P. R. Schofield and N. J. Mayhew (eds.), *Credit and Debt in Medieval England, c. 1180-c.1350* (Oxford, 2002).

²¹ Muldrew, 'Credit and the Courts: Debt Litigation in a Seventeenth Century Urban

women, were drawn into what he calls a 'culture of credit' in early modern society through both desire and necessity. He found that people from nearly all levels of society took part in what was partially a self-regulating practice which crossed both gender and social status boundaries. Muldrew argues that the basis of this activity was not profit but the maintenance of an equitable balance between the social and economic factors that held the community together. Defaulting on a loan meant repercussions not just for the debtor and creditor immediately involved, but also for those linked by further degrees of debt and credit, and thus the well-being of the larger community.²²

Muldrew's studies were also important for their illumination of the extent to which women acted in debt and credit networks. His use of borough court records for Great Yarmouth between 1552 and 1700 has shown that between ten per cent and eighteen per cent of litigants in those courts were women, while his examination of the Tolzey court records of 1655, the Langbaugh and Wapentake Hundred Court Records of 1660, and the guildhall court records of King's Lynn for the 1680s all revealed that fifteen per cent of litigants were women.²³ Furthermore, his examination of the Hampshire Hundred Court records of Andover in 1670, the Mayor's Court records of Exeter between 1690 to 1692, the Court of Conscience records of Bristol for 1692, and the Westminster Palace Court Records of 1686 revealed that, respectively, twenty-one per cent, twenty-six per cent, twenty-seven per cent, and thirty-six per cent of litigants were women.²⁴ However, one major caveat identified by Muldrew with regard to his sources is that the legal responsibility held by a husband for debts contracted by those in his household likely means the role of wives has been underestimated in the debt and credit networks of which these households were a part, and that wives were, in actuality, much more active

Community', pp. 23-38; Muldrew, 'Interpreting the Market', pp. 163-83; Muldrew, *Economy of Obligation*; Muldrew, 'Hard Food for Midas', pp. 78-120; Muldrew, 'A Mutual Assent of Her Mind', pp. 47-72.

²² Muldrew, *Economy of Obligation*, p. 4.

²³ Muldrew, 'Credit and the Courts', 28; Muldrew, 'A Mutual Assent of Her Mind?', p. 55.

²⁴ Muldrew, 'A Mutual Assent of Her Mind?', p. 55.

than the sources indicate.²⁵ This supposition is echoed by Scott Taylor, who argues that women were important in the debt and credit system of early seventeenth-century Castille. Taylor gives examples of married women with independent debts acting on their own to collect them, but does not give quantitative data about how often this occurred.²⁶ The percentages uncovered by Muldrew, however, suggest a strong correlation between the experience of Scottish and English women in debt litigation in the late sixteenth and seventeenth centuries, as they are comparable both with those found by Desbrisay and Sander Thomson in Aberdeen and those this study has found in Edinburgh, Haddington and Linlithgow.

Women in Debt Litigation in Edinburgh, Haddington and Linlithgow

Women certainly had a great deal of power over their own affairs in the burgh court records for early modern Edinburgh, Haddington and Linlithgow that were consulted for this study. A close reading of this debt litigation can bring to light a great deal of information concerning the role of women in debt and credit networks in these communities during this period. The three types of records consulted for this chapter were the court records for each of the three towns of Edinburgh, Haddington, and Linlithgow. Specifically, these were the Register of Decrees for Edinburgh, the Register of Deeds for Edinburgh, and the Burgh Court Registers for Haddington and Linlithgow.²⁷

The recording of the debt litigation in these records is usually both straightforward and fairly formulaic. The debtor is ordered by the bailies of the court to pay the creditor a certain amount of money. The majority of cases deal with successful actions, but some cases in which a defendant was absolved of a debt were also recorded. In the Register of Decrees for Edinburgh, and the court registers for Haddington and Linlithgow, the reason for the debt – typically for food, drink, house rent, cloth, borrowed money, or a combination of two or

²⁵ *Ibid.*, p. 49.

²⁶ Scott Taylor, 'Credit, Debt and Honor in Castille, 1600-1650,' *Journal of Early Modern History* 7:1 (2003), p. 21-2.

²⁷ ECA, SL234/1/3-16; NAS, B22/8/1-31; NAS, B30/10/3-13; NAS, B48/8/1-11.

more of these items – then concludes the decret. Men are typically identified by their profession or trade in these decreets. Women, however, are usually identified in one of three ways: either by their marital status, as a wife or widow, by a relational status, as a mother, daughter, or sister to another (normally a man), or as a servant. Servants could be identified either relationally, as the servant of a merchant, widow or other member of the community, or simply by the term ‘servant’.

Michael Roberts, writing of women and work in early modern England, has also noted the common practice of women begin identified in records by marital status and puts forward several reasons as to why this might have been so. He argues that women tended to be identified more often by marital status thanks to the ‘comparatively restricted range of occupations followed by women, which made this a less useful form of identification than the use of marital status, or the husband’s name and occupation’. Further, he notes, ‘as heads of their households husbands were given priority by record-keepers over women; their names were listed first, and their activities recorded in greater detail’.²⁸ As such, record-keepers assumed that ‘women merely “did” various kinds of work, whereas their husbands were identified by them’.²⁹

Table 1.1. Female Creditors and Debtors in Edinburgh, Haddington, and Linlithgow:

	All Creditors (A)	Female Creditors (B)	B as a % of A	All Debtors (C)	Female Debtors (D)	D as a % of C
Edinburgh	37,537	13,434	35.8%	37,537	12,768	34.0%
Haddington	6,953	1,356	19.5%	6,953	1,412	20.3%
Linlithgow	5,042	767	15.2%	5,042	741	14.7%

Sources: ECA, SL234/1/2, 4-12, 14, 16, ECA, Register of Diets, 1606-22; NAS, B22/8/1-31; NAS, B30/10/3-13; NAS, B48/8/1-11.

²⁸ Michael Roberts, ‘“Words they are women, deeds they are men”: Images of Work and Gender in Early Modern England’ in *Women and Work in Pre-Industrial England*, eds. L. Charles and L. Duffin (London, 1985), p. 138.

²⁹ *Ibid*, p. 139.

As illustrated by Table 1.1, women maintained a strong presence as both creditors and debtors in all three communities between the late sixteenth and mid-seventeenth centuries. Women in Edinburgh in this period were clearly more active – or recorded as being more active – as debtors and creditors than were women in Haddington and Linlithgow. There are several possible reasons for this, the first being that Edinburgh women simply contracted debts more often. Edinburgh's position as Scotland's premier town might have offered greater opportunities to purchase, sell, or rent goods and services, which in turn might have necessitated more stringent recording of these transactions in order to ensure payment. Edinburgh's larger size and population, as well as its appeal to immigrants and frequent turnover of population relative to Haddington and Linlithgow, might have also necessitated a more stringent process for the recording of small debts, rather than a simple agreement between friends or neighbours, to ensure that those debts were repaid. There is also a possibility that the discrepancy in the number of women involved in networks of debt and credit might be a result of different clerical conventions in each of the three towns. Clerks in Edinburgh, for example, might have chosen to record the names of wives along with their husbands more often than clerks in Haddington and Linlithgow. As wives were still the dominate group in these towns, however, this seems unlikely.

While the percentages in Table 1.1 clearly show that women were participating in the economies of debt and credit in Edinburgh, Haddington and Linlithgow, more information can be gleaned by breaking down these percentages into different classifications of women. This allows the differing legal statuses of wives and widows to be taken into consideration. Widows were legally allowed to enter into contracts, while wives required the permission of their husbands. Thus, it would be expected that widows would be visible in debt and credit transactions, while the presence of wives would be covered by the legal responsibility of their husbands. As will be shown, this was not the case. It was also deemed necessary for this study to include a fourth category of women, designated as 'Other'. This grouping acted as a catch-all category for those

women featured in the records who were identified by a designation outwith the first three designations of wife, widow, or servant, or by no designation at all. It is possible, and even likely, that some women entered into this 'Other' category were a wife, a widow, or a servant, but because these statuses cannot be proven the decision was taken to keep them separate.

Table 1.2. Female Creditors and Debtors in Edinburgh:

	Total	Wives	Widows	Servants	'Other'
No. of cases	37,537	14,569	4,922	1,333	6,623
%	100%	38.8 %	13.1%	3.5%	17.6%

Sources: ECA, SL234/1/2, 4-12, 14, 16; ECA, Register of Diets, 1606-22; NAS, B22/8/1-31.

Table 1.3. Female Creditors and Debtors in Haddington:

	Total	Wives	Widows	Servants	'Other'
No. of cases	6,953	1,448	473	22	804
%	100%	20.8%	6.8%	0.3%	11.6%

Source: NAS, B30/10/3-13.

Table 1.4. Female Creditors and Debtors in Linlithgow:

	Total	Wives	Widows	Servants	'Other'
No. of cases	5,042	583	168	7	685
%	100%	11.6%	3.3%	0.1%	13.4%

Source: NAS, B48/8/1-11.

The first three of these designations - wife, widow, and servant - are largely self-explanatory with regard to the type of women to which they pertain. A wife was the spouse of a husband. A widow was a woman who was the 'relict' of a deceased husband, or identified under her own name along with the descriptor 'widow'. A servant was a woman identified as the servant of a man, a husband and wife, or a widow. The fourth category of women, who were

identified using some other designation, or by no designation at all, is more problematic. Some of these women were identified relationally, as a mother or a daughter. Others were identified by their occupation, as a weaver, a cramer, or a brewster. Still others were identified by their status, either as a lady (although female members of the aristocracy also appeared with their husbands and were identified as wives) or as an indweller, denoting a person who lived in, but was not of, the town. However, women of these designations did not appear in numbers large enough to warrant their own categories. The majority of women who were grouped into this fourth category were identified only by their own names, and not by any descriptors related to family, occupation, or status. As a result, any attempt to discuss them as a cohesive group would be fraught with problems. However, their existence, especially in such large numbers, deserves both acknowledgement of the significant proportion they form of female litigants, and consideration as to what may have been their marital status.

In her discussion of the construction of women's social identity in medieval Douai, Ellen E. Kittell notes that 'historians have frequently developed "rules of thumb" to help make sense out of their material.' One such rule, she notes, 'is the assumption that women who are identified in records by name only, that is, without articulated familial association, were probably single or widowed.'³⁰ Although Kittell does state that this approach can be 'problematic' because it ignores the significant distinctions that some regions made between widows and never-married women, she does agree that, in areas where the identification of women with reference to male relatives is the norm 'there is probably some validity in the assumption that an absence of specification implies a lack of family connections.'³¹ This was not the case in Douai, which was the area studied by Kittell, where more than sixty per cent of women who appeared in the records were not identified by familial connections.³² However, Kittell does note that some women who were identified under only their own

³⁰ Ellen E. Kittell, 'The construction of women's social identity in medieval Douai: Evidence from identifying epithets', *JMH* 25: 3 (1999), p. 215.

³¹ *Ibid.*, p. 216.

³² *Ibid.*, p. 217.

name in one case were identified by familial associations in others, and this was at least occasionally the situation in the Scottish records as well.³³ This raises the question as to how far it can be assumed that there were not two women of the same name living in the same town at the same time, or even within a few years of each other. Kittell also suggests that the degree to which women were identified in a court case depended upon the type of case, and whether it concerned the allocation of an inheritance, the transfer of property, or the transaction of a debt, but such differing situational factors are not usual with regard to the burgh court records used in this study since there are no discernible differences based on the types of cases in which women appeared.³⁴

Hutton, in her study of women's economic roles in fourteenth-century Ghent, interprets a lack of familial designations for women somewhat differently. She notes that the largest group of women in her study were women identified only by their first and last names, not by their marital status.³⁵ While Hutton acknowledges that 'it is problematic to conclude anything based on missing information', she argues that 'the sheer number of these cases strongly suggests that this was not a mere erroneous omission on the part of the clerk, but that the aldermen regarded these women as independent of any male control.'³⁶ Hutton speculates that these women could have been single women, widows, or even married women acting independently. Further, she suggests that, because it was not essential to identify a woman by her marital status when she appeared before the court in medieval Ghent, 'marital status was not the all-important determinant of women's economic and legal position that it was elsewhere in medieval Europe.'³⁷

It is tempting to believe that this might also have been the case in early modern Scotland, and that these women who appeared in the records without any indication of their marital status might actually have been single women, servants, widows, or even, in some cases, wives. Without doubt, it is perplexing

³³ Ibid, p. 225.

³⁴ Ibid, p. 218.

³⁵ Hutton, "On Herself and All Her Property", p. 337.

³⁶ Ibid.

³⁷ Ibid.

as to why the burgh court clerks would so painstakingly record the marital and occupational statuses of so many women – in some cases even denoting that a woman was the widow of one man, and was now married to another – and not devote the same or similar attention to other women who appeared in front of the same court, even on the same day. Certainly, it is obvious why wives and widows seem to have usually been identified as such; the debts of a wife were legally the responsibility of her husband, and widows, in addition to being allowed to contract debts for their own purposes, also often appeared in court to settle the debts of their deceased husbands and likely appreciated a written records that these tasks had been accomplished. However, lending to never-married women or widows could also be problematic if the woman in question later married or remarried, as any existing debts became the responsibility of their new husbands.³⁸ Cases do appear infrequently in the burgh court records whereby a woman had contracted a debt ‘before her marriage’, ‘in her widowhood’, or otherwise before her current marriage and her new husband is either explicitly or tacitly responsible. Robert Steill, a baker, appeared as a co-litigant with his wife, Bessie Logan, in 1612 when the couple were determined to pay Robert Logan, another baker, £13 10s 8d for more than twenty-three dozen loaves of rye and wheat bread that Bessie had bought from Robert ‘before her marriage’.³⁹

Elsewhere, women who are named in court records without any familial connections have been presumed to be widows. Briggs, in his study of credit in rural English villages, argues that women recorded without any indication of ‘dependency status’ in relation to a male household member tended to be unmarried, and were usually widows rather than never-married women.⁴⁰ Admittedly, it does seem likely that many of the women identified solely under their own names in the burgh court records for Edinburgh, Haddington and Linlithgow were in fact widows. This is supported by the growing prominence of women identified as widows as both creditors and debtors in the records over

³⁸ Bennett, *Ale, Beer, and Brewsters*, p. 54.

³⁹ ECA, Register of Diets, 1609-12.

⁴⁰ Briggs, *Credit and Village Society*, p. 115.

the course of the seventeenth century. As Tables 1.5 and 1.6 illustrate, prior to 1620 the number of women in the 'Other' category drastically outnumbered the women in the 'Widow' category as both creditors and debtors. Beginning in the early 1620s, however, this trend reverses and women in the 'Widows' category begin to outnumber women in the 'Other' category. It is possible, therefore, that large numbers of the women who appear in the records solely under their own names in Edinburgh prior to 1620, and in Linlithgow across the whole period under study, were in fact widows, but that the clerics of the court chose not to identify them as such. Why this might have been so is unclear. Perhaps, in the case of Edinburgh, where the number of court cases entered into the burgh court records doubled between the first and fourth decades of the seventeenth century, the practice of clearly and properly identifying a litigant became increasingly important so that the right people could be pursued to the full extent of the law. This might account for the growing numbers of female litigants identified both as widows and as servants in the records. Wives were perhaps not as susceptible to this fluctuation because clerical practice was stricter in stating how they were to be identified.

Tables 1.2 to 1.4 also illustrate that wives were, on average, the most common group of women to appear as creditors and debtors in court in Edinburgh and Haddington. (In Linlithgow, women from the 'Other' category were the most common, highlighting what may have been an important difference in the record keeping for Linlithgow, whereby clerks seem to have been less likely to record the marital or occupational status of those who appeared in court.) The presence of so many wives acting as litigants in Edinburgh and Haddington is striking. As previously stated, the doctrine of coverture made the recording of wives theoretically unnecessary in litigation cases. Thus, the fact that they are mentioned so frequently is particularly noteworthy, indicating that they were actively involved in these debt cases – an agency previously unmentioned in studies of early modern Edinburgh. Widows and servants in Edinburgh, while not as active as wives in the records, played a significantly more visible role in the economy of debt and credit in that town

than did their counterparts in Haddington and Linlithgow. Finally, women who fell into the 'Other' category were frequently recorded within the debt and credit litigation of all three communities. Although the significance of their presence is difficult to ascertain because they have the potential to represent such a diversity of women, their presence nevertheless contributes to the overall picture of women in debt and credit networks during this period.

To further break down these figures and consider the roles of the different classifications of women as creditors and debtors reveals even more about their roles, as Tables 1.5 and 1.6 illustrate. These tables chart the changing roles of the different classifications of women as creditors and debtors over the course of the early seventeenth century in Edinburgh through the town's burgh court records. As these tables illustrate, and as Table 1.1 has already indicated, women were significantly more likely to appear as creditors rather than debtors, and this was true of women of all marital statuses, whether identified as a wife, a widow, a servant, another designation, or by no designation at all. Women identified as wives were slightly more likely to appear as a creditor than a debtor, while women identified as servants were much more likely to appear as creditors rather than debtors. Women identified as widows were slightly more likely to appear as debtors, while women who were identified under some other designation or, most commonly, by no designation at all, were more likely to appear as creditors.

The reasons for the differing roles as creditors and debtors among the different statuses of women are difficult to determine with any certainty, but it seems likely that the make-up of the households headed by wives, widows, and other women played a role in how they participated in debt and credit networks. The way in which servants lived also influenced their roles as debtors and creditors. Wives, through their position as one-half of the marital partnership, were typically charged with provisioning the household with food, drink, clothing, lodgings, and medicine. Termed the 'law of necessities' and the 'law of agency' respectively by Margot Finn and Joanne Bailey in their discussions of women and consumption in England, this convention allowed

wives to pledge their husbands' credit when purchasing necessary items for the household.⁴¹ Because providing for a household was a day-to-day endeavour, the debts transacted by wives in this pursuit tended to be small scale and similar to the types of debts observed by Beverley Lemire in her study of women's roles in debt and credit networks in England.⁴² Similarly, because the debts in which wives acted as creditors had been transacted for items produced by themselves or their husbands, including drink, food, goods, and services, these too tended to be small scale debts that reflected the day-to-day necessities of the community.

Table 1.5. Women's Roles as Creditors in Edinburgh, 1589-1640:

Years	All debts (Total)	All debts Involving women	Cases with Women as Creditors	Wives	Widows	Servants	Other
1589-92	1,143	400	223	112	23	3	99
1598-03	1162	451	283	181	16	2	91
1603-06	2381	1057	751	343	85	13	348
1606-09	2434	1202	837	404	44	11	397
1609-12	3761	1899	1230	794	52	19	488
1612-15	3921	1936	1352	1009	54	52	479
1615-19	3162	1585	1067	673	107	58	349
1619-22	3325	1810	1201	716	159	102	347
1622-25	4079	2103	1419	782	376	153	277
1625-30	4055	2120	1557	816	349	163	238
1630-35	4321	2323	1623	793	348	243	246
1635-40	4936	2728	1891	962	475	330	165
Totals	37537	19214	13434	7585	2088	1149	3524

Sources: ECA, SL234/1/2, 4-12, 14, 16; ECA, Register of Diets, 1606-22; NAS, B22/8/1-31.

⁴¹ Finn, 'Women, Consumption and Coverture', pp. 66-70; Bailey, 'Favoured or Oppressed?', pp. 353-6.

⁴² Beverly Lemire, 'Petty Pawns and Informal Lending: Gender and the transformation of small-scale credit in England, circa 1600-1800' in *From Family Firms to Corporate Capitalism: Essays in Business and Industrial History in Honour of Peter Mathias*, eds. K. Bruland and P. K. O'Brien (Oxford, 1998), pp. 119-20.

Table 1.6: Women's Roles as Debtors in Edinburgh, 1589-1640:

Years	All debts (Total)	All debts Involving women	Cases with Women as Debtors	Wives	Widows	Servants	Other
1589-92	1,143	400	183	83	31	0	72
1598-03	1162	451	279	151	48	3	78
1603-06	2381	1057	596	268	112	2	215
1606-09	2434	1202	668	294	94	2	282
1609-12	3761	1899	1198	662	80	3	520
1612-15	3921	1936	1159	738	139	9	360
1615-19	3162	1585	993	559	195	15	293
1619-22	3325	1810	1191	704	262	21	279
1622-25	4079	2103	1421	747	429	18	231
1625-30	4055	2120	1467	821	386	25	244
1630-35	4321	2323	1579	870	429	36	251
1635-40	4936	2728	2034	1087	629	50	274
Totals	37537	19214	12768	6984	2834	184	3099

Sources: ECA, SL234/1/2, 4-12, 14, 16; ECA, Register of Diets, 1606-22; NAS, B22/8/1-31.

Widows, meanwhile, tended to appear most often as debtors precisely because they were no longer part of marital partnerships. As a result, they tended not to share the responsibility for provisioning themselves and their households with anyone, and so were indisputably active in all transactions related to their need for food, drink, housing, and services. Widows with extra money, however, frequently acted as moneylenders, sometimes loaning hundreds of pounds, a practice also undertaken by their English counterparts.⁴³ Single women in England were also key lenders of capital in the seventeenth century, as elucidated by Froide and Spicksley, but because it is not possible to determine conclusively if the women who appeared in the burgh court records under only their own names and with no marital designation were, in fact, single women it is not possible to state with any certainty what the impact of these women on Scottish debt and credit networks might have been.⁴⁴ Servants

⁴³ McIntosh, *Working Women*, pp. 106-7; Hanawalt, *Wealth of Wives*, p. 175.

⁴⁴ Spicksley, "Fly with a duck in thy mouth", pp. 187-207.

appeared so often as creditors because they were employed so often as sellers of drink and because they tended to live with their employers and so had many of their day-to-day necessities (including food, drink, and lodging) provided for them. This left servants with ready money, which they could lend out to others.⁴⁵

The Role of Wives in Debt and Credit Networks

Wives are named in over one-third of the more than 37,500 debt cases entered into the records for Edinburgh-based courts between 1590 and 1640, one-fifth of the cases entered into the records for Haddington between 1570 and 1640, and one-tenth of the cases entered into the records for Linlithgow between 1580 and 1640. Wives are invariably named alongside their husbands in these cases. While Scottish law in this period did not allow wives to sue or be sued independently of their husbands, Scottish legal custom did allow wives to be named in debt cases, and court clerks were usually careful to name a husband when they named a wife.⁴⁶ They did not, however, always name a wife when they named a husband. While women identified as wives never appear without their husbands, men known to be husbands (often because they have elsewhere appeared in a case with their wife, or their wife has been named in the explanation for the debt) did appear in cases without their wives. When a wife appears with her husband in court, it is important to take a closer look at the case to determine who exactly it was that contracted the debt and how active the wife may have been in the transaction.

Hutton, in her study of women's economic activities in fourteenth-century Ghent, classified the women appearing in the court registers as 'active women, passive women and consenting wives'.⁴⁷ Hutton classified as 'active' all women who acted as creditors, debtors, sellers, buyers, donors, or sureties, appeared as principals in disputes, appointed male representatives, were empowered by their husbands, collected debts, or granted quittances. All

⁴⁵ The role of servants as debtors and creditors will be discussed in further detail in Ch. 6.

⁴⁶ Desbrisay and Sander Thomson, 'Crediting Wives', p. 89.

⁴⁷ Hutton, "'On Herself and All her Property'", p. 330.

women who appeared in the records for this study have been considered 'active' under this definition, although there is some cross-over between 'active' and 'consenting' wives. Hutton defines consenting wives as 'married women who were consenting to their husbands' activities and women whose names appear after their husbands' in the introduction of parties and throughout the act, suggesting the couple was acting together'. While she does admit that some of these married women may have been the more active member of the couple, Hutton excludes these women from 'consideration as an active woman unless there is specific wording in the act that suggests independent action'.⁴⁸ Such an approach highlights the importance of examining the reasons for the debts entered into the burgh court records under consideration for this study. Wives could not appear in court independently of their husbands, yet to classify them as consenting wives because they appeared with their husbands downplays somewhat their roles as creditors and debtors. Similar to the approach taken by Hutton, it is important to examine the explanations for the debts and evaluate the roles of wives from the information therein.

Most commonly, both partners have acted together to contract the debt, and thus both partners are named in the explanation for the debt. An example of this is the case concerning Thomas Scott, a beer brewer, and Marjorie White, his spouse, who on 20 July 1622 were ordered to pay to John Bourdone, a merchant, and Margaret Lowes, his spouse, £7 7s 2d in complete payment of merchandise bought by one couple from the other.⁴⁹ There are also examples in the records where a husband and wife appear together in a debt case, and the next debt case following directly after features only the husband, obviously acting without his wife. In other cases, it is clear that only one of the partners has been explicitly involved in the debt, as the reason for the debt is given as the actions of either the husband or the wife, not the couple together. In the vast majority of cases where only one partner is named in the explanation for a debt which has been transacted by a married couple, it is the wife whose role as the principal actor in

⁴⁸ Ibid, p. 331.

⁴⁹ ECA, SL234/1/10.

the debt is stated; only very rarely is the husband identified as the principal actor in a debt case that names both a husband and a wife. When the Scottish records do explicitly state that it was the wife alone who acted as a creditor or debtor, or as a buyer or seller, it seems reasonable to assume that the wife was acting alone, although she had (or was assumed to have had) the explicit or tacit permission of her husband.

Some cases in which husbands and wives are named as the creditors or debtors feature the phrase 'for his interest' after the husband's name, an element Desbrisay and Sander Thomson have suggested was a stock phrase 'signaling both the nominality of the husband's role in the transaction and his legal responsibility for it'. They argue that readers of a debt case in which it appears can infer that a husband, although named, was not actively a part of the deal.⁵⁰ This too seems to have been the case in transactions earlier in the seventeenth century. An example of this can be seen in a case entered into the Register of Decrees for Edinburgh in 1624. Jean Borthwick and Thomas Deans, her spouse 'for his interest', were ordered to deliver four and three quarter ells of cloth to Andrew Borthwick. The couple had received the cloth from Andrew four years previously in pledge of £4 12s, which he had borrowed from Jean alone.⁵¹ However, despite the impression that all actions involving a wife were supposed to use the words 'for his interest',⁵² the phrase seems to have been employed only infrequently in burgh court legislation.

Cases in which this convention was not used similarly require a close reading of the reason for the debt to ascertain which debts were initially contracted by wives alone. This is illustrated both by the case presented at the beginning of this chapter, and also by a case entered into the Register of Decrees in 1600. This second case featured Steven Bannatyne and Agnes Clavie, his spouse, as the debtors, and Elspeth Howson and Alexander Wardlaw, her spouse, as the creditors. The debtors were ordered to pay the creditors £19 10s in remuneration for money paid by Elspeth for Steven (at his command) to another

⁵⁰ Desbrisay and Thomson, 'Crediting Wives', p. 89.

⁵¹ ECA, SL234/1/10.

⁵² Coutts, *Business of the College of Justice*, p. 139.

man, Alexander Livingston, for four barrels of beer bought by Steven from Alexander at the feast of the previous Martinmas.⁵³ The case does not explain why Steven requested Elspeth pay for his beer, nor why Elspeth complied, but it is clear by whom and to whom the money was owed. It is also clear that despite the fact that Elspeth's husband was named he was not part of the deal and that the phrase 'for his interest' was not used to signal that the responsibility for his wife's role in the transaction was legally his.

In many such cases that do not employ the phrase 'for his interest' it is similarly clear that the debt was contracted by the wife rather than the husband, and often that money in question referred to goods or services prepared and provided by the wife alone. The case between Adam Rea, one of the Edinburgh town guard, and Eupham Mark and John Kers, her spouse, that was entered in the Edinburgh Register of Decreets on 6 June 1622, ordered Adam to pay to Eupham and John £3 3s 'in complete payment of ale and lent money furnished and lent by her to him two years ago.'⁵⁴ The wording of the explanation for the debt, as well as the fact that John, Eupham's husband, is identified in the case as an officer, makes clear that Eupham was engaged in the practice of making ale and lending money independently of her husband.

The Scottish records also seem careful to record when a debt was contracted by a widowed or single woman prior to a subsequent marriage, as in the case of the debt for £6 owed by Marion Bannatyne, a widow who had remarried, to Henry Bannatyne, a lawyer. The case made clear that Marion was a widow at the time the debt had been contracted but that her new husband was aware of it and accepted responsibility for it. He appeared in the case 'for his interest', as did another man, who Marion had recruited as her 'cautioner' for the debt.⁵⁵ In this way, these explanations function similarly to statements used in the court rolls examined by Chris Briggs, where wives were sometimes identified as having been '*sola*' (alone) when the loan was made.⁵⁶ Briggs is clear

⁵³ ECA, SL234/1/4.

⁵⁴ ECA, SL234/1/10.

⁵⁵ ECA, Register of Diets, 1619-22, 6 May 1619.

⁵⁶ Briggs, 'Empowered or marginalised?', p. 29.

that this statement should not be read as though the wives were acting without their husbands, but rather that the wife had not been married at the time of the transaction.

One final indication as to which half of the marital partnership had contracted the debt can be found in the margins of the court book. There, the surnames of the principal actors in the case were recorded for ease of reference. Desbrisay and Sander Thomson found in their investigation of debts entered into the Aberdeen Baillie Court in the 1680s that such marginalia tended to only include the wife's name when the debt had been contracted by her alone.⁵⁷ However, evidence from the debt litigation consulted for this study indicates that while the surnames of both spouses appeared in the marginalia, in cases where the wife was the principal actor her name tended to appear first, above her husband's. Some examples of only the wife's surname appearing in the margins do exist, but these are infrequent.

There are several pertinent questions raised by cases in which husbands and wives are mentioned together in the debt, whether as creditors or debtors. If the debt was not specifically contracted by the wife, necessitating legally that the husband be named with her, why bother to name the wife at all? Surely the naming of only one member of the marital partnership (presumably the husband) was necessary when documenting these court cases. Why bother to waste both the time and ink identifying both the husband and wife as either creditors or debtors? Stretton has also grappled with these questions. In his examination of the English Court of Requests during the Elizabethan period he noted that 'the single largest grouping of women who involved themselves in Requests actions were married women appearing with their husbands'.⁵⁸ Stretton too questions why wives appeared so often when husbands were able to litigate alone, and how active a part they played in joint actions.⁵⁹ In answer, Stretton argues that

⁵⁷ Desbrisay and Sander Thomson, 'Crediting Wives', p. 90.

⁵⁸ Stretton, *Women Waging Law*, p. 129.

⁵⁹ *Ibid*, p. 135.

some married couples preferred to sue as a couple, as they would both be affected by the outcome. And plaintiffs named wives and husbands as joint defendants if they suspected complicity. In terms of procedure, rights obtainable in Requests were *in personam*, good against a named individual, rather than *in rem*, good against the whole world. Hence plaintiffs cast their nets wide, often naming wives as well as husbands, [...] to ensure they named any and every opponent who might have a material connection with the interests they were claiming or contesting.⁶⁰

These reasons are likely applicable to the Scottish cases as well, and, it is likely that in Scotland wives were named with their husbands to identify the party upon whom responsibility for the debt or credit would fall should the husband die or become absent. As well, it is possible that Scottish wives, just like English wives, played a more important role in these family businesses than these relatively reticent entries suggest.⁶¹ As wives were not mentioned in all of their husbands' dealings, it is certainly reasonable to assume that the second option is the more probable explanation. Briggs has made a similar argument in his examination of women's roles in debt and credit networks in fourteenth-century England. Although admittedly dealing with a much smaller number of wives, who appeared with their husbands in only four per cent of cases, Briggs argues that 'the fact that the wife appeared too in these cases implies that she had been directly involved in some way in the disputed transaction'. This, he suggests, indicates that 'the principles of coverture did not completely prevent married women's practical experience of credit matters'.⁶²

The main types of goods and services for which wives pursued or accrued debts can be readily ascertained from the records. Debts were typically pursued by creditors identified as wives for six distinct reasons, which were, in order of prevalence, drink, food, house rent (maill), lent money, cloth, and

⁶⁰ Ibid, p. 136.

⁶¹ Ibid, p. 136. In his discussion of how active wives named in Court of Request actions might have been, Stretton notes that while there is evidence that some married women participated in name only (i.e. the language of the bills is singular and uses 'he' and not 'she' or 'they', the husband alone signs an agreement, or a blank space is left where the wife's name should be), other indications suggest a greater inclusion of married women, and concludes that married women rarely participated in joint actions in name only. Ibid, pp. 136-9.

⁶² Briggs, 'Empowered or marginalised?', p. 22.

merchandise, or a combination of two or more of these. The first of these, drink, includes all types of alcoholic beverages (ale, beer, wine, and aqua vitae), non-alcoholic beverages (milk), and those items which were used in the preparation of alcoholic beverages (malt, which was necessary for brewing ale, and draff, which was a byproduct produced by brewing ale). Food consists of all types of food stuffs, including bread products, grain products and animal products. Maill refers to all amounts of money due for the rentals of houses, shops, chambers, or beds. Lent money includes all amounts of money identified as being borrowed or lent by one person to another. Cloth refers to all amounts and types of cloth bought by one person from another, whether that cloth was simply an amount of cloth, or had been turned into clothing. Lastly, 'merchandise' might have been entered into debt cases specifically as 'merchandise', or as a certain type of merchandise, including tobacco, tar, apothecary wares, and cramery wares, which were bought less frequently than other items and due to their scarcity in the records have been dealt with under the umbrella term 'merchandise'. Most of these debts seem to have been contracted by wives as part of their role of provisioning their households, although wives also appeared as creditors in the sale of drink and food, and as lenders of money. Debts were also contracted by wives for unspecified 'furnishings' and 'necessaries', as well as for the provision of services, including work done by tailors in the making or mending of clothes, schoolmasters in the teaching and instructing of pupils, washerwomen in the cleaning or mending of clothes, and various people in the 'burding [boarding] and entertainment' of the children of others.⁶³

Both the volume and variety of debts which featured a wife as either a debtor or creditor speaks to the important roles that networks of debt and credit played in the lives of wives in Edinburgh, Haddington, and Linlithgow during the early modern period. Wives clearly found it necessary to participate in these networks both to procure necessary food, drink, and household and business

⁶³ The roles of wives as creditors and debtors in transactions regarding these various goods and services will all be discussed further in later chapters.

wares for themselves and their families, and to pursue those to whom they themselves had provided goods or services and from whom they were now seeking payment. Due to their husbands' legal responsibility for their debts, their full involvement in networks of debt and credit is difficult to measure with absolute certainty. This is not the case, however, with widows and servants.

The Role of Widows in Debt and Credit Networks

Widows have, traditionally, been the easiest of the stages of the female lifecycle to discuss in terms of debt and credit networks.⁶⁴ No longer a daughter under the guardianship of her father, and no longer a wife under the coverture of her husband, widows were free – and also, in some cases, obliged – to act as their own agents and to contract debts when their desires or needs demanded they do so.⁶⁵ As a result, debts entered into by widows were contracted for myriad reasons, including the purchase of food, drink, and merchandise, house rent, and the borrowing of lent money. The first two of these refer to day-to-day necessities that widows were obliged to contract for themselves. The presence of widows in debts for house rent and lent money, particularly as creditors, highlights two aspects of the economy which were more important sources of income for widows than for wives. Widows often acted as landladies, letting out rooms or shops which may have been part of their marital property and which they now controlled alone. Widows also seem to have often had access to ready money, which they formally lent out to others through obligations and bonds.⁶⁶

Often, widows were called upon to settle any final debts which had been contracted by their husbands before their deaths, but more frequently the litigation in which they appeared referred to their own needs and wants. Helpfully, in terms of placing these women within the wider community, widows are still identified in regards to their relationship with a man; specifically, many widows are identified in the records as a 'relict' of a man. Identifying a widow in relation to her deceased husband can be helpful in

⁶⁴ McIntosh, *Working Women*, p. 34; Desbrisay and Sander Thomson, 'Crediting Wives', p. 86.

⁶⁵ Hanawalt, *Wealth of Wives*, p. 174.

⁶⁶ Both of these pursuits will be discussed further in Chapter 4.

learning more about the widow, both through information which may exist regarding him, and by learning the surname of any children the widow and her husband might have produced between them. Women in early modern Scotland kept their maiden names upon marriage, while any children from that marriage would take the surname of the husband.

The role of widows in the debt and credit networks of early modern Edinburgh, Haddington and Linlithgow followed many of the same patterns as did the role of wives, but with the obvious difference that while wives' roles in debt and credit networks were, by necessity, often bound up with the roles of their husbands in the same networks, widows' roles – for the most part – were not. Although widows often appeared in front of the burgh courts to settle any debts left unpaid by their deceased husbands, many of the debts entered into by widows were clearly their own. As a result, widows appeared in significantly fewer debts than did wives in the burgh court records for each of the three communities. A partial reason for this must lie in demographics – there were fewer widows than wives – but determining precise numbers for this period is not possible.

In Edinburgh, as Table 1.7 demonstrates, widows were increasingly active as both creditors and debtors over the course of the seventeenth century. Widows appeared as creditors in five to thirteen per cent of cases that involved women in Edinburgh between 1589 and 1620. Between 1620 and 1640 their presence as creditors nearly doubled, and they appeared as creditors in between twenty-one and twenty-six per cent of cases involving women. Widows were more active as debtors than creditors in Edinburgh, although their activities as debtors also increased over the course of the seventeenth century. Acting as debtors in six to twenty per cent of cases involving women between 1589 and 1620 (and in fifteen per cent of such cases on average), their presence increased to thirty per cent by the late 1630s.

In Haddington and Linlithgow widows acted in debt cases much less frequently than they did in Edinburgh. Widows in Haddington made up only six per cent of litigants named in debt cases in the last decades of the sixteenth

century and the early years of the seventeenth century, rising to just over ten per cent of litigants by the 1630s and 1640s. Widows in Linlithgow accounted for only a few per cent of the litigants named in the debt cases in these communities in the final decades of the sixteenth centuries, although the presence of widows in this community in debt cases did increase by the middle decades of the seventeenth century, when they made up approximately eight per cent of litigants. The reasons for these increases are unclear, but it seems likely that many women who were assigned no classification, or another classification, in the debt litigation in the earliest decades under consideration for this study were in fact widows, and, as record-keeping became more standardised over the course of the seventeenth century, the women who appeared in debt litigation were identified by their actual marital status more consistently. This would explain why the number of 'Other' women present in debt litigation declines over time, while the number of women identified as widows rises.

Table 1.7. Widows as Creditors and Debtors in Edinburgh, 1589-1640:

Years	Female Creditors (A)	Widows (B)	B as a % of A	Female Debtors (C)	Widows (D)	C as a % of D
1589-92	223	23	10.3	183	31	16.9
1598-03	283	16	5.6	279	48	17.2
1603-06	751	85	11.3	596	112	18.8
1606-09	837	44	5.3	668	94	14.1
1609-12	1230	52	4.2	1198	80	6.7
1612-15	1352	54	4.0	1159	139	12.0
1615-19	1067	107	10.0	993	195	19.6
1619-22	1201	159	13.2	1191	262	22.0
1622-25	1419	376	26.5	1421	429	30.2
1625-30	1557	349	22.4	1467	386	26.3
1630-35	1623	348	21.4	1579	429	27.2
1635-40	1891	475	25.1	2034	629	30.9

Sources: ECA, SL234/1/2, 4-12, 14, 16; ECA, Register of Diets, 1606-22; NAS, B22/8/1-31.

The debts for which widows pursued others – and for which they themselves were pursued – varied. The most common reasons for a debt

transaction involving a widow across all three communities were lent money, maill (either for a house, a booth, a tavern, or some other structure), and drink (which might pertain to finished products, but could also include those items involved in the production of ale or beer). However, even among these three categories the role of widows varied depending on the community and type of record. House maill was the most common cause of debt for which widows in Edinburgh pursued others, or were pursued themselves. That maill was a common cause of debt is sensible, as it was a near-mandatory expense.

However, widows were also likely to engage in transactions concerning lent money. This was perhaps a result of widows having increased access to ready money or other capital, possibly as a result of their husbands' death and any resultant provisions that had been made for them. In any event, these debts for lent money clearly show that these contracts were their own, and not related to the actions of their deceased husbands. In varying, but generally much smaller, debt amounts, widows in Edinburgh were also involved in cases which pertained to the sale of food, grains, animals, cloth, merchandise, other goods, and services, which had usually been performed by a servant or workman for the widow.

Widows in Haddington and Linlithgow, while most likely to pursue or be pursued for lent money, maill, and drink, were also pursued for debts regarding cloth, merchandise, food, grains, animals, service, and other furnishings. However, given the smaller number of debts contracted by widows in Haddington and Linlithgow compared to debts contracted by widows in Edinburgh, the proportion of debts contracted by widows in Haddington and Linlithgow is greater among the second group of debts than are similar debts contracted by widows in Edinburgh. This was perhaps due to the more rural nature of the smaller centres of Haddington and Linlithgow, compared with Edinburgh. As a result of this, widows from Haddington and Linlithgow were more likely than widows from Edinburgh to contract loans for grains and animals, and to receive payment for the debts they pursued (particularly debts for house maill) in amounts of grain or numbers of capons rather than in money.

The Role of Servants

The presence of servants as litigants in debt litigation underwent the most significant increase over the course of the late sixteenth and early seventeenth centuries of any classification of women considered for this study. Non-existent in the debt litigation before 1590, in that year women identified as servants began to appear in the debt litigation for Edinburgh, with servants beginning to appear in the court records for Haddington and Linlithgow in the same decade. Between 1590 and 1640 the number women identified as servants who were active as creditors and debtors increased exponentially. This was particularly notable in debt litigation for Edinburgh, as illustrated by Tables 1.5 and 1.6. Moreover, servants in all three towns were far more likely to appear as creditors rather than debtors, which were functions of where they lived, how and when they were paid, and what duties they were employed to perform.

Female servants were much more active in the debt and credit networks of early modern Edinburgh than were their counterparts in Haddington and Linlithgow, as Table 1. 8 illustrates. The reasons for such a dramatic discrepancy between the role played by female servants in the debt and credit networks of Edinburgh as compared to Haddington and Linlithgow was likely a result of a greater number of servants per capita in Edinburgh than in outlying communities. While Haddington and Linlithgow were themselves market centres, they could not compete with the opportunities offered by the population and wealth of Edinburgh. The much larger population of Edinburgh and its position as the hub of economic activity meant that households of wealthy merchants, craftsmen, and widows provided employment opportunities for many female servants. Many female servants also earned money by selling measures of wine, beer, and ale on behalf of their employers, either on a small scale in the streets, or through taverns.⁶⁷ Further, the combination of the way in which servants were paid wages at one or two times in the year, or at the end of their service, and that they seemed to have lived

⁶⁷ The role of servants in the sale of wine, beer, and ale will be discussed further in Chs. 3 and 6.

with their employers, allowed many female servants to earn money on top of their regular wages by lending out money to others at interest.⁶⁸ In this, they acted very much like servants who participated in debt and credit networks in other towns in England and Europe.⁶⁹

Table 1.8. Female Servants in Debt Litigation:

	No. of Cases (A)	No. of Cases Involving a Servant (B)	B as a % of A
Edinburgh	37,537	1,333	3.5
Haddington	6,953	22	0.3
Linlithgow	5,042	7	0.1

Sources: ECA, SL234/1/2, 4-12, 14, 16; ECA, Register of Diets, 1606-22; NAS, B22/8/1-31.NAS, B30/10/3-13; NAS, B48/8/1-11.

The experience of service in Edinburgh compared to Haddington and Linlithgow may have been very different. There may have been fewer opportunities for servants in Haddington and Linlithgow to engage in networks of debt and credit compared to their Edinburgh sisters. Perhaps as a result of the more agrarian nature of Haddington and Linlithgow, servants in these communities seem to have been paid more in kind than in cash, and received lower wages overall compared to their Edinburgh counterparts. As a result, they may not have had as much access to ready money which could then be lent out. However, although these few examples of servants engaged in debt litigation in Haddington and Linlithgow make for poor statistical representation, it is noteworthy that also in these communities servants were becoming more active during the early decades of the seventeenth century.

⁶⁸ The role of servants in money-lending will be discussed further in Ch. 6.

⁶⁹ Merry Wiesner, 'Having her own smoke: Employment and independence for singlewomen in Germany, 1400-1750' in *Singlewomen in the European Past, 1250-1800*, eds. J. M. Bennett and A. M. Froide (Philadelphia, 1999), p. 202; McIntosh, 'Servants and the household unit in an Elizabethan English Community', *JFH* 9:1 (1984), p. 12.

Conclusion

Women were demonstrably important participants in debt and credit litigation of Edinburgh, Haddington, and Linlithgow, whether considered as a whole, as members of their individual communities, or under the different designations of wife, widow, and servant. The exact sizes of these groupings of women and their relation to each other are difficult to pin down because of the high prevalence of cases in which other designations or no classification are used to identify women, especially in Linlithgow, and to a lesser extent in Haddington. Overall, women were most active in the economy of debt and credit in Edinburgh, where they made up more than one-third of litigants who appeared in the town's burgh court records. However, women were undeniably active across all three towns. This was primarily as creditors, and particularly as sellers of goods and services and as lenders of money.

Wives in particular were active in debt and credit networks, and although they appeared in court with their husbands it is clear that they were often there either as equal partners to their husbands or because it was the wife who had actually transacted the debt. The strong presence of wives in debt litigation is likely a reflection of not only their familial responsibilities, which required that they contract debts to purchase the necessities with which to provision their households, but also as a result of their roles as producers and sellers of a wide variety of goods and services, which will be discussed in more detail in the following chapters.

Widows, while less active than wives, were also fewer in number than wives, and were often solely responsible for the needs of themselves and their households, no longer having a husband with whom to share these concerns. As a result, widows often appeared as debtors, although when they appeared as creditors their actions tended to reflect the stage of the lifecycle at which they found themselves. Widows often made use of that which they owned or had inherited to act as renters of property and lenders of money.⁷⁰

⁷⁰ These pursuits which will be discussed in greater depth in Ch. 4.

Women identified as servants were the category of female litigant who appeared proportionately most often as creditors and who experienced the greatest degree of growth in their presence as litigants over the course of the seventeenth century. Like wives and widows, their actions were influenced by their stage of the life cycle. Servants seem to have typically lived with their employers in these communities. As a result, they did not have to contract debts for necessities such as drink, food, and lodging. This left some servants with a considerable amount of money at their disposal, which they could then lend out to others.⁷¹

The final category of women considered as part of this study is also the most problematic. The roles of women identified in the records under a designation outwith that of wife, widow, or servant, or by no designation at all, cannot be discussed in any real detail. Women identified by another relational designation, such as 'mother' or 'daughter', or by another occupational designation, such as 'cramer' or 'brewster', or even by their status as an 'indweller' or 'lady' do not appear in numbers significant enough to merit comparing them quantitatively to women identified as wives, widows, or servants. Women not identified by any designation, and who appeared solely under their own names in the litigation, cannot be discussed as singlewomen because there is not evidence that they were, in fact, singlewomen. Rather, these women were likely a combination of widows, singlewomen, servants, and perhaps even wives, but to attempt to discuss them as a cohesive group would be misleading. These women made their presence known in the debt and credit networks of their communities, but little more can said of them than that.

Taken together, however, these findings reveal both the very visible role that women played in debt and credit networks across all three communities and the extents to which different types of women were able to participate in these networks. Women of all statuses and at all stages of the life cycle could and did make their presence known in the economy of debt and credit in early modern Scotland. Women in Edinburgh, and wives in Edinburgh in particular,

⁷¹ The experiences of servants as creditors and debtors will be considered more fully in Ch. 6.

were certainly the most active debtors and creditors, but women across all three communities and all classifications become visible with a close examination of the extant debt litigation.

Chapter 2:

Women and the Import-Export Trade

Women participated in mercantile activity in two ways. A small number of high-status women were active, usually with their husbands or as widows, as merchants in the import-export trade. As exporters, these women shipped large quantities of goods to England and Europe. As importers, they imported large amounts of goods that were then re-sold in smaller amounts to local merchants and other, small-scale retailers. Cloth, leather, skins, and hides were among these exports, while cloth and wine were common imports. Secondly, as merchandisers, a larger number of women, of a wider range of social statuses, were involved with the retail of imported and ready-made goods. These women, who came from high, middling, and lower social statuses, sold cloth, wine, and miscellaneous items termed 'merchandise' in small amounts to a wide range of consumers. As a result, the different manners in which women from Edinburgh, Haddington and Linlithgow participated as merchants and merchandisers were similar to the distinction made by Maryanne Kowaleski in her discussion of those involved in the distributive trades in medieval Exeter. She categorised the distributive trades into two groups: merchants and retailers (merchandisers). Merchants were those characterised as having 'strong distributive functions and wholesaling interests', while retailers 'focused primarily on the resale of a variety of relatively inexpensive items [... and] rarely if ever engaged in wholesale and maritime trade'.¹ Such a distinction has also been employed in the analysis carried out for this chapter, and for the accompanying Chapter 3 which focuses on women as merchandisers, in order to clearly draw out the differing social statuses (and often, by extension, the differing marital statuses) of those women who acted as merchants and those who acted as merchandisers.

Women who acted as merchants, and engaged in wholesale import-export overseas trade, will be considered in this chapter. In early modern

¹ Maryanne Kowaleski, *Local Markets and Regional Trade in Medieval Exeter* (Cambridge, 1995), pp. 126-7.

Scotland, only merchant burgesses were allowed to engage in overseas trade. While women could, in theory, attain merchant burgess status, in reality most overseas trade was carried out by men. The wives of these men often acted with their husbands, or carried on the trade after the deaths of their husbands. Merchant wives and widows are acknowledged to have played significant roles in partnership with their husbands or acting singly in a number of cities across late medieval and early modern Scotland, England, and Europe.

This chapter will begin with a consideration of the importance of the roles played by women as daughters, wives, and widows in the import-export trades across north-western Europe. It will investigate how women prepared for their positions as the wives of merchants, how they carried out their duties as wives, and how their roles changed when they became widows. This chapter will then turn to a consideration of the importance of the import-export trade to Scotland in the late medieval and early modern periods and how women played a role in that trade. An examination of the items merchant wives and widows imported and exported will be undertaken, using first the inventories of testaments to determine what goods women owned in large quantities at the time of their deaths. Significant quantities of cloth or skins and hides, for example, valued to hundreds and even thousands of pounds, indicate a woman active in the import or export of these items. References in testaments to the necessities associated with overseas trade, including shares in ships and factors based overseas, can also indicate that a woman acted as a merchant. Debt litigation, which can reveal evidence of wholesale and large-scale selling to others, can also be indicative of merchant activity. The role of women in the import and export of three common types of goods – cloth; skins, hides, and leather; and wine – will be given special attention. Through this evidence, this chapter will argue that a significant number of wives and widows were active with, or independently of, their merchant husbands in the import and export trade in Edinburgh, Haddington and Linlithgow during this period.

Women as Merchants

Women's contributions to the running of the mercantile family of the late medieval and early modern periods have been increasingly recognised in recent decades.² Just as the rural-based family relied on the actions of all members of the household to succeed, so too did families who lived in towns and were involved in the import or export of goods often rely on the combined effort of the husband and wife. In this regard, women contributed in a variety of ways. At the outset of a marriage they often provided their husbands with wealth, connections, and status.³ Women who became the wives of merchants engaged in the import-export trades seem to have often come to the position almost hereditarily, in that the wives of merchants were often born to the position as the daughters of other merchants. Heide Wunder argues that 'the daughters of merchants were prepared from a young age for their future field of work' in early modern Germany, either in the homes of their parents or in the homes of other merchants. Merchant daughters would often be charged with keeping the books of their fathers' businesses, a task they would later perform for their merchant husbands.⁴ The practice of the daughters of merchants marrying the sons of other merchants and into other merchant families has also been uncovered elsewhere. Hanawalt, writing of merchants in late medieval London, noted that such men were 'high-status persons in English society and sought out alliances within their circle'.⁵ Kermode, in her discussion of merchant families in York, Beverley, and Hull in the medieval period also notes that daughters of

² See Howell, *Women, Production, and Patriarchy*, pp. 124-158; Barron, 'The "golden age" of women', esp. pp. 43-45; Martha C. Howell, *The Marriage Exchange: Property, Social Place and Gender in Cities of the Low Countries, 1300-1500* (London, 1998), esp. pp. 104-5; Jennifer Kermode, *Medieval Merchants: York, Beverley, and Hull in the Later Middle Ages* (Cambridge, 1998), esp. pp. 90-97; Goldberg, *Women, Work, and Life Cycle*, esp. pp. 82-137; Barbara Hanawalt, 'Re-marriage as an option for urban and rural widows in late medieval England', in *Wife and Widow in Medieval England*, ed. S. Sheridan Walker (Ann Arbor, 1993), p. 144; McIntosh, 'Benefits and Drawbacks', pp. 412, 420; Hanawalt, *The Wealth of Wives*, pp. 122-3; Elizabeth Ewan, 'Mons Meg and Merchant Meg: women in later medieval Edinburgh' in *Freedom and Authority: Scotland c. 1050-c. 1650*, eds. T. Brotherstone and D. Ditchburn (East Linton, 2000), esp. pp. 133-5.

³ Hanawalt, *Wealth of Wives*, pp. 70, 114; Kowaleski, 'Women's Work', p. 147.

⁴ Heide Wunder, *He is the Sun, She is the Moon: Women in Early Modern Germany* (London, 1998), pp. 89-90.

⁵ Hanawalt, *Wealth of Wives*, p. 83.

merchants tended to marry other merchants, thus helping to 'retain wealth and commercial expertise within the merchant class' through extensive marriage networks.⁶ This has also been observed in previous studies of Edinburgh's merchant community. Brown, in his study of the approximately 300 merchants and their families that made up Edinburgh's merchant elite between 1600 and 1638, noted similar practices and identified multiple merchant daughters who themselves married merchants.⁷

Family connections could also serve to increase a merchant's political status. In Edinburgh this was particularly pronounced. Many Edinburgh merchants (and craftsmen) in the early modern period attained burgess status through their wives, as their wives were the daughters of established burgesses. Between 1600 and 1649, thirty-seven per cent of men who attained burgess status did so by 'right of wife'.⁸ Burgess status conferred upon a man a number of important civic and economic rights, not the least of which was the ability to engage in local and overseas trade. This practice continued through the seventeenth century, although the underlying organisation changed. In 1681 the Merchant Company of Edinburgh was established, replacing the old system of the Merchant Guild. Like the Merchant Guild, membership in the Merchant Company was needed before a merchant could engage in overseas import-export trade or sell certain products locally. Also like the Merchant Guild, the husband of a woman who held membership in the Company could himself gain membership.⁹

In medieval York, Beverley, and Hull 'among the mercantile elite, marriage not only strengthened business connections but also echoed political

⁶ Kermode, *Medieval Merchants*, p. 321. Conversely, Mary Prior has noted that merchant daughters in early modern Oxford married immigrants of the same or similar trades to their fathers and brothers, assimilating them into the community. (Mary Prior, 'Women and the Urban Economy: Oxford, 1500-1800' in *Women in English Society, 1500-1800*, ed. M. Prior (Oxford, 1985), pp. 100, 102.)

⁷ James J. Brown, 'The Social, Political and Economic Influences of the Edinburgh Merchant Elite, 1600-1638', Unpublished PhD thesis, University of Edinburgh (Edinburgh, 1985), pp. 54-5.

⁸ *Ibid.*, p. 29.

⁹ Helen Dingwall, 'The Power behind the Merchant? Women and the Economy in Late Seventeenth-Century Edinburgh' in *Women in Scotland, c. 1100-c.1750*, eds. E. Ewan and M. Meikle (East Linton, 1999), p. 154.

associations between civic officeholders'.¹⁰ Similarly, in the early decades of the seventeenth century in Edinburgh, many merchants gained seats on the town council as a result of the family connections they made through marriage. Further, political connections were often parlayed into business connections, as merchants who sat on the town council together later entered into business with one other.¹¹ These mercantile and political connections were carefully guarded by members of the Edinburgh merchant elite, who attempted to 'conserve and protect their wealth through marriage to one another'.¹² Brown traced out the family connections of members of the Edinburgh town council between 1600 and 1638, identifying multiple marriages that connected members of the Edinburgh town council to one another between those years, usually through the sisters and daughters of important merchants.¹³

Once married, women performed a variety of important activities as wives of merchants. These activities included taking in and giving out of payments, keeping account books, handling employees and shipments, selling products imported by their husbands, making investments, contracting loans, and supervising or controlling various aspects of the family business either in concert with their husbands or during their husbands' absences.¹⁴ A point which is important to stress, however, is how few women were involved in the highest status and most lucrative aspects of the import-export trades in Scotland, England, and Europe. These small numbers led Wiesner, in her consideration of women's work in Germany between 1500 and 1700, to chose not to discuss women who were involved in the overseas and long-distance import-export trades, citing as her reasons that the 'total number of such women was so small', that 'their ability to act [was] determined by [their] relationship to a male merchant', and that 'such women rarely continued to do these things when they

¹⁰ Jenny Kermode, 'Sentiment and Survival: Family and Friends in Late Medieval English Towns', *JFH* 24:1 (1999), p. 7.

¹¹ Brown, 'The Social, Political and Economic Influences', pp. 50-1.

¹² *Ibid.*, p. 54.

¹³ *Ibid.*

¹⁴ Wiesner, *Working Women*, p. 221 (n.2); Ewan, 'Mons Meg and Merchant Meg', p. 133; Martin Rorke, 'Women Overseas Traders in Sixteenth-Century Scotland', *Journal of Scottish Historical Studies* 25:2 (2005), p. 81.

were widowed, at least until they married again'.¹⁵ Prior, writing of Oxford between 1500 and 1800, argued that a wife reached the peak of her 'adaptability' with regard to her role in business after her husband died, but that in running that business 'she was never fully accepted into the trading community'.¹⁶ Kowaleski, in her study of medieval Exeter, found evidence of 'only a very few oligarchic widows, who were continuing the business interests of their husbands' who 'traded wholesale or overseas and thus could be classified as merchants'.¹⁷ However, Wiesner does admit that 'numerous accounts and letters of merchants from a number of Germany cities show that their wives did everything while they were away on business – took in and gave out payments; handled workers and shipments; made business decisions, investments, and loans'.¹⁸ Examples of merchant wives performing all of these duties exist for early modern Scotland in debt litigation and testaments, and will be discussed in due course.

McIntosh, writing of late medieval and early modern England, also agrees that 'beyond the reach of most women working on their own were the great import and export businesses', but does note in a corresponding footnote that 'married women may, of course, have joined their husbands in ways we cannot observe'.¹⁹ Women who can be seen acting as merchants and engaging in import-export trades and wholesale selling tended to be wives, or widows, of male merchants, and of high social status with the wealth and prestige necessary to back extensive ventures. In medieval Montpellier, for example, wives and widows were the most active category of women who engaged in the luxury trades between 1293 and 1348, and appeared in greater numbers than did never-married women. Reyerson posits that this may have been because 'the luxury trades demanded capital and commerce organization, resources that married and widowed women may have more readily enjoyed', adding that 'single

¹⁵ Wiesner, *Working Women*, p. 222 (n.2).

¹⁶ Prior, p. 96.

¹⁷ Kowaleski, 'Women's Work', p. 147.

¹⁸ Wiesner, *Working Women*, p. 221 (n.2).

¹⁹ McIntosh, *Working Women*, p. 124.

women without a large inheritance would have lacked the requisite capital for luxury trade investments'.²⁰

Howell, in her examination of women in the import-export trade of fifteenth-century Cologne, found examples of wives acting as agents for and partners with their husbands.²¹ She argues that 'most – if not always the most active – women merchants were married. [...] Others were widows that carried on their husbands' trades.'²² Howell is clear that most women who worked as merchants had to do so in concert with their husbands in order to accomplish all the tasks required of such a demanding vocation. She does admit that

some of the most important [women merchants] were indeed single or independent of their husbands, but these were most likely the women with the time and energy for business. The few married women who worked independently may have been childless or may have been married to men whose political interests left them without time for the family business.

Elsewhere, some women were granted special permission to work independently of their husbands. In London, and some other towns in England, *femme sole* status, whereby a married woman could make agreements and sign contracts in her own name, without obtaining her husband's approval, was extended in the mid-fifteenth century to include married women who defined themselves as merchants, or 'wealthier businesspeople often engaged in import and export activity'.²³ According to McIntosh, most women described as *femme sole* merchants between 1450 and 1530 bought and distributed textiles, and were most often engaged in importing silk, flax, and canvas from the Continent.²⁴

The demands faced by women who acted as merchants, either in concert with or independently of their husbands, meant that many seem to have relied on assistance in the form of servants to help free them from household duties, thereby allowing them more time to engage in business. In York, mercantile households employed fifty per cent of all servants who lived in the town, with

²⁰ Reyerson, 'Women in Business', p. 122.

²¹ Howell, *Women, Production and Patriarchy*, p. 139.

²² *Ibid*, pp.145-6.

²³ McIntosh, 'Benefits and Drawbacks', p. 415

²⁴ *Ibid*.

many households employing two servants. Some merchants in Hull, meanwhile, employed as many as eight or nine servants.²⁵ In Perth, in 1694, merchant households employed an average of 1.5 servants each, and Helen Dingwall, in her analysis of the Edinburgh Poll Taxes of the 1690s, states that figures for Edinburgh would have been 'largely comparable' to those for Perth.²⁶ Evidence from debt litigation involving servants which was examined for this study suggests that the majority of servants were employed by merchant households, indicating that higher status merchant women in Edinburgh may have been able to expend less of their time on household duties and more on the activities of buying and selling.²⁷

It is easy to imagine that the various duties and responsibilities expected of the wife of a merchant would have kept these women very busy, and to understand why the husbands of these women would have valued their involvement and trusted their wives to act for them in their merchant booths and while they were away. Hanawalt, writing about the roles of wives in late medieval London, states

the custom of leaving the wife at home to manage affairs was strongly ingrained in London merchants and craftsmen. Many of these men [...] had business factors who routinely handled their trade, but often the best expedient was to put the wife in charge of matters in London. Wives had direct access to accounts and knew the general family business deals. They could also assume legal responsibility, if need be. To many men [...], trusting [their wives] to carry on the business was a matter of routine.²⁸

Magdalena Paumgartner, a wife who lived in Nuremburg in the late sixteenth century, never accompanied her merchant husband, Balthasar, on his trips to Lucca and Frankfurt, yet she acted as his 'virtual agent' at home, informing relatives, friends, and clients of the state of their orders, and receiving, storing, and distributing merchandise as it arrived.²⁹ She also, when necessary,

²⁵ Kermode, 'Sentiment and Survival', p. 11.

²⁶ Dingwall, *Late Seventeenth-Century Edinburgh*, p. 47.

²⁷ For a discussion of the role of servants in Edinburgh, please see Ch. 6.

²⁸ Hanawalt, *Wealth of Wives*, pp. 122-3.

²⁹ Steven Osment (ed.), *Magdalena and Balthasar: An Intimate Portrait of Life in 16th Century Europe Revealed in the Letters of a Nuremburg Husband and Wife* (New Haven, 1989), p. 17.

negotiated with clients and suppliers over payments for goods.³⁰ This also seems to have been the case in Scotland, where in the medieval and early modern periods it was routinely assumed that merchant wives could act on their husbands' behalves. As a result, because overseas merchants were frequently absent, their wives effectively worked jointly with their husbands, supervising business affairs and receiving payments and goods while their husbands were away.³¹

Also in Scotland, as was the case elsewhere, women usually played their roles from the safety of their home communities. Ewan has found evidence of one woman, Margaret Hog, accompanying her husband on overseas trips and acting as a merchant in 1360s, but she seems to have been an exception to the rule.³² In general, women who engaged in merchant activity rarely travelled, no matter what stage of the lifecycle they were at, as noted by Reyerson:

Departure from the family home would have been more difficult for women at any stage in life – whether as mother raising children and running a household or as young unmarried women or older widows – than for men. Factors mitigating against the activity of women as long-distance traders were the dangers inherent in travel – robbery and piracy – and the general hardship entailed by primitive roads and transportation systems.³³

As well, many wives faced disadvantages with regard to the ability to access credit and hire necessary labour.³⁴ All three factors inhibited women's abilities to act alone in establishing large-scale or long-distance business ventures. While Scottish women faced the same challenges as their English and European counterparts, many would nevertheless have had intimate knowledge of their husbands' business deals and would have been active 'on the ground' in Edinburgh. Even widows who engaged in import-export trade usually chose to

³⁰ Ibid, pp. 71-2, 152.

³¹ Ewan, 'Mons Meg and Merchant Meg', p. 134

³² Ibid.

³³ Reyerson, 'Women in Business', p. 132.

³⁴ McIntosh, 'Benefits and Drawbacks', p. 412; McIntosh, *Working Women*, pp. 38, 40-1; Wiesner, *Working Women*, p. 3.

liaise with agents or factors in England and Europe, rather than travel to these areas themselves.

Connections between merchant families were often further preserved through second and subsequent marriages. Widows in Edinburgh and elsewhere often carried on the businesses of their deceased husbands, at least for a short time, maintaining these businesses until they remarried, when their endeavours would be taken over, officially, by their new husbands.³⁵ Ewan, writing about medieval Edinburgh, notes that many widows took over their husbands' businesses and ran them successfully, suggesting they were able to do so because they had been familiar with them while their husbands had been alive.³⁶ When the widows of merchants did remarry, they often wed other merchants.³⁷ In this way, 'some of the working capital and assets of a merchant's business were retained in the merchant group', since wives traditionally inherited one-third of their husbands' estates if the couple had children and one-half if they did not.³⁸ Similar trends for widows of merchants to remarry merchants have also been uncovered by Hanawalt and Barron for late medieval London, where most widows chose merchants (some from the same companies as their former husbands) as their second husbands, and by Brown for seventeenth-century Edinburgh.³⁹

Of course, not all widows remarried. Some chose to continue the businesses in which they had participated with their husbands on their own. Wunder notes that in early modern Germany a wife 'was quite capable of taking over the business if her husband died', thanks both to her 'formal training and years of experience'.⁴⁰ Natalie Zemon Davis has explored the life of Glikl bas

³⁵ Kowaleski, 'Women's Work', p. 146; Barron, 'The "golden age of women"', p. 45; Rorke, 'Women Overseas Traders', p. 96.

³⁶ Ewan, 'Mons Meg and Merchant Meg', p. 134.

³⁷ Kermode, *Medieval Merchants*, pp. 80-1, 87-8; Ewan, 'Mons Meg and Merchant Meg', p. 134. Ewan highlights the case of Margaret Hog, an Edinburgh merchant woman active in the mid-fourteenth century who, after her husband died married his business partner.

³⁸ Kermode, *Medieval Merchants*, p. 87.

³⁹ Hanawalt, 'Remarriage', p. 154; Hanawalt, *Wealth of Wives*, p. 109; Caroline Barron, 'Introduction: The Widow's World' in *Medieval London Widows, 1300-1500*, eds. C. M. Barron and A. F. Sutton, pp. xxv-xxvi; Brown, p. 55.

⁴⁰ Wunder, *He is the Sun, She is the Moon*, p. 90.

Judah Leib, a woman who lived in mid-seventeenth-century Hamburg, and demonstrated that she was well able to continue the business of her husband after his death. In fact, Glikl's husband 'felt no need to name executors or guardians ("My wife knows about everything," he said on his deathbed), and the widowed Glikl assumed the responsibility herself'. Glikl later manufactured and sold stockings, bought and sold pearls, imported and sold goods from Holland, and engaged in moneylending.⁴¹ In Edinburgh, the widows of merchants enjoyed many of the same freemen privileges as had their husbands, and were allowed to engage in international trade, retail imports at the burgh market, and employ apprentices, and so found themselves in 'a favourable legal and commercial position', accepted, and tolerated.⁴² In some cities, including London, the participation of widows in trade was even encouraged as one method of ensuring that widows did not end up as burdens on their communities.⁴³

Scottish Overseas Trade

Tied to women's roles as merchants in early modern Scotland was the country's presence in international trade. In general, the Scottish overseas import-export trade in the early modern period was acknowledged to have been relatively small in scale compared to similar activity taking place in England and Europe, yet was vital to the Scottish economy. Throughout this period such trade was restricted to royal and ecclesiastical burghs and their burgesses (who were usually, but not exclusively, men). The burghs most active in overseas trade in the sixteenth century - Edinburgh, Aberdeen, Dundee, and Perth - were also the country's largest towns. Edinburgh was the most important, accounting for three-quarters of all Scottish exports by the end of the sixteenth century. Most imports also entered the country through Edinburgh.⁴⁴ The role of Edinburgh in

⁴¹ Natalie Zemon Davis, *Women on the Margins: Three Seventeenth-Century Lives* (Cambridge, Mass., 1995), p. 13.

⁴² Rorke, 'Women Overseas Traders', p. 93.

⁴³ Barron, 'The "golden age"', p. 45.

⁴⁴ Martin Rorke, 'Trade and Traders: Edinburgh's sixteenth-century exporting community' *Historical Research* 81:213 (2008), p. 448.

Scotland's overseas trade was thus comparable to London's role in England, but on a smaller, and less restricted, scale. Although in Scotland only a burgh's burgesses were allowed to engage in exporting, there were no trading companies in Edinburgh like those found in London.⁴⁵ The larger percentage of Scottish merchants who could participate in overseas trade, compared to those in London, is most marked when considering that by the 1590s approximately 400 exporters per year participated in Edinburgh's overseas trade market. In contrast, 300 to 400 exporters participated in London's cloth trade (which made up eighty per cent of the city's export total) in the same decade, even though London's export trade was approximately ten times as large as Edinburgh's.⁴⁶ Most of the items coming into and leaving Scotland originated from or were destined for England, France, Scandinavia, the Baltic, or the Low Countries. Imports to Scotland consisted of fine cloth, wine, timber, iron, grain, spices, dried fruits, nuts, drugs, and manufactured items. Exports, meanwhile, tended to be raw materials, including wool, skins, hides, coarse woollen cloth, fish, coal, and salt.

In addition to controlling the overseas import-export trade, burghs also controlled the sale of imports once these items had arrived in the country. Only members of the merchant guild of a burgh were allowed to sell wine, wax, spices, silks, cloths of gold and silver, and fine imported woollen cloth. The merchant burgesses of a burgh (slightly down the social scale) were allowed to sell coarser types of cloths, oil, soap, butter, fruit, eggs, raisins, prunes, fish, and vinegar, while unfreemen and outsiders could sell only an even more restricted number of goods in the burgh, and only on market and fair days after they had paid the required duties and tolls.⁴⁷ The same rules that applied to a merchant or other man applied to his wife or widow. Because a wife could not act, contract loans, or engage in business without her husband's consent, any wife who acted

⁴⁵ *Ibid.*, pp. 448-9.

⁴⁶ *Ibid.*, p. 452.

⁴⁷ *Ibid.*, p. 461. A similar system was in place in medieval Exeter, where only men who had been admitted to the 'freedom' of the town were allowed to trade at retail and enjoyed monopolies in commodities like wool and cloth. Other men and women, who had not attained such 'freedom', could engage in retailing. (Kowaleski, 'Women's Work', p. 146.)

in the sale of any such items did so with her husband, or with his consent. While noting that such a subject has not yet been addressed, Rorke observes that with such luxuries as wine, silk, cloth, spices, and ornamental metal goods imported in 'considerable quantities' at the town's port of Leith, as well as the 'large amounts of more basic foodstuffs, raw materials, and manufactured goods' which were also imported and traded, Edinburgh 'must have acted as a centre of conspicuous consumption'.⁴⁸ As merchants and merchandisers, women were often at the forefront of that consumption as they helped to import and sell these items to others.

In terms of the roles of Scottish women in mercantile trades, Rorke has investigated their roles in overseas import-export trade between 1300 and 1600 using custom books, which recorded exporters and their customable exports (which did not include all types of exports). Customable exports were limited to wool, skins, hides, coarse woollen cloth, salmon, sea-fish, coal, salt, and re-exports. Customs books recorded female exporters either by their first and maiden names, or, more commonly, as the widow of a deceased husband. Rorke's study is therefore limited to a consideration of women who acted as traders in their own names, or as widows, rather than also considering the roles that the wives of the male merchants named in the books might have played in the trade that operated in the name of their husband. Further, his study could only consider the role of women with regard to the export of a limited number of goods, and no imports. Records of imports to Scotland were not kept prior to 1597. Nevertheless, Rorke was able to identify a number of women exporters, noting a peak in those from Edinburgh in the 1530s and 1540s, when approximately fifteen women per year exported wool and forty exported hides, skins, cloth, fish, or some other export, accounting for ten and five per cent, respectively, of the export of these goods out of Edinburgh's port at Leith. In the late 1530s there were approximately 800 exporters active in Edinburgh per year.⁴⁹ In other words, Rorke writes, 'during the boom there were around fifty

⁴⁸ Ibid, p. 448.

⁴⁹ Ibid, p. 452.

women exporters each year, shipping about seven per cent of Edinburgh's exports'. Between 1550 and 1580, however, the number of women exporters in Edinburgh had fallen to thirty per year. By the 1590s, when there were approximately 400 individuals exporting from Edinburgh per year, less than ten were women.⁵⁰

Certainly, Rorke makes a strong case for the declining presence of women as overseas exporters in Scotland over the course of the sixteenth century, but he does state that 'it would be wrong, however, to see women as retreating entirely from the formal economy or from trade'.⁵¹ He notes that most Edinburgh women who were both widows and exporters in the third quarter of the sixteenth century disappeared from the records after they remarried, and that these remarriages allowed the new husbands of these women to participate in overseas trade. In particular, he highlights the examples of Cuthbert Ramsay, who married Janet Fleming, and John Provand, who married Katherine Henryson. Both of these men, and their wives, will be discussed later in this chapter, and Rorke admits that 'it is conceivable that the strong bargaining position of the women allowed them to enjoy an active commercial role within these new partnerships'.⁵² Further, Rorke acknowledges the roles many women exporters may have continued to act as retailers of imports long after their careers as exporters had ended.⁵³

Women also acted as merchants in the import-export trades in Edinburgh in the latter half of the seventeenth century. Dingwall, in an examination of the 'intermittently-extant' Edinburgh and Leith port books for the later seventeenth century uncovered 'a small but consistent number of women, designated as "merchants", signing for cargoes on their own behalf, and not on the behalf of their husband or other male merchant'.⁵⁴ In all, Dingwall found approximately eighty women listed as importers or exporters in the port books, compared to several hundred male merchants who were active in the same period. Further,

⁵⁰ Ibid, p. 452.

⁵¹ Rorke, 'Women Overseas Traders', p. 96.

⁵² Ibid.

⁵³ Ibid.

⁵⁴ Dingwall, 'Power behind the merchant?', p.155.

Dingwall notes that the goods controlled by women were often of smaller quantities than the sometimes considerable quantities imported or exported by men. Women merchants prior to 1690 tended to act as importers or exporters of cloth and textiles, which Dingwall speculates may have allowed their husbands to concentrate on 'heavier' import-exports, including iron and wood. After the 1690s, women merchants were increasingly active in the import of 'a much wider range of goods, many of which were destined to stock the shelves of retail shops, owned or rented by women'.⁵⁵ Both Rorke and Dingwall clearly see the relationships between women merchants and women retailers as intertwined, whether women merchants tended to become women retailers at the end of their merchant career, or women merchants were active in supplying the goods that women retailers sold from their booths and shops. Further, their respective studies illustrate a continuing and active presence of women as both merchant wives and widows in the import-export overseas trade from the sixteenth to the late seventeenth centuries, one which will be drawn out for the period 1560 to 1640 over the course of this chapter by examining the role of wives and widows in three specific import-export trades: cloth, skins, hides and leather, and wine.

Cloth Trade

The aspect of the Scottish import-export trade in which women seem to have been most active was the cloth trade. The sale of cloth, in a variety of forms, was important to the economy of late medieval and early modern Scotland, and its import and export could be a lucrative business. As early as the twelfth century, coarse, undyed cloth was manufactured in the Scottish countryside, with finer, dyed cloth manufactured in the towns.⁵⁶ By the thirteenth century, however, the higher-quality cloth found in the urban markets had come to be dominated by Flemish imports, although Scottish cloth continued to play a role. In the fifteenth century, low quality Scots cloth began to be exported, chiefly through

⁵⁵ Ibid, p. 156.

⁵⁶ Elizabeth Gemmill and Nicholas Mayhew, *Changing Values in Medieval Scotland: A study of prices, money, and weights and measures* (Cambridge, 1995), p. 350.

Edinburgh, but also as a Dundee speciality aimed particularly at the Baltic.⁵⁷ By the post-Reformation period, a variety of types of cloth (including silk, satin, taffeta, velvet, and canvas) was imported into Scotland from a variety of locations, including England, France, and Spain, while cheaper cloth was produced in Scotland both for home use and export. Cloth could also be bought and sold in finished forms, such as articles of clothing, hats, and decorative trimmings.⁵⁸

Pursuits concerned with cloth and clothing were incredibly important in the economies of early modern Edinburgh, Haddington, and Linlithgow. With regard to debt cases involving women in these communities, those cases involving amounts of clothing or cloth accounted for 6.3 per cent of debts contracted by women in Edinburgh, ten per cent in Haddington, and twelve per cent of debts contracted by women in Linlithgow. Testaments, meanwhile, can give an indication as to how extensively a woman was involved in the cloth industry at the time of her death through inventories (in which amounts and types of cloth and clothing, sometimes in larger quantities, were listed), debts owed to the woman for cloth, and debts owed by the woman for cloth. However, it is important to remember that testaments and debt cases record only those cases in which the debtor-creditor relationship had broken down, or not been paid at time of death, and as a result these cases likely represent only a fraction of women's actual involvement in cloth-based businesses. Many other transactions were likely contracted, but because these were paid in a timely manner, and did not involve the burgh courts or remain unpaid upon the death of one of the parties, they remain hidden from view.

With regard to the types of debts that were contracted, the most common type of debt case featuring cloth were those cases concerning the simple sale of cloth from one person to another. Usually, such cases identified both the type of cloth (whether linen, silk, wool, hemp, stemming, yarn, or thread) and the

⁵⁷ *Ibid*, *Changing Values*, p. 352.

⁵⁸ The sale of cloth in its finished forms will be discussed in Ch. 3, when the role of women as merchandisers is discussed.

amount of cloth (whether an ell, a stane, a steik, or a quarter).⁵⁹ The amounts of cloth that were bought and sold in these debt cases were rarely as significant as those that appeared in the inventories of testaments. Debts in these cases could be quite small, as in the case of Isabel Gilry, a widow, who owed 53s 4d to Bessie Tod, also a widow, in complete payment of cloth bought by Isabel from Bessie at the preceding Whitsunday. Others were more substantial, and could rival the amounts of cloth listed in the inventories of testaments. Katherine Culan and James Haliburton, her spouse, were found to owe £87 to Frances Irving on 25 May 1605 in complete payment of £687 for English cloth bought in May 1603 and a further £127 worth of cloth bought in February 1604.⁶⁰ However, it is possible to determine how frequently women were involved in the buying and selling of cloth, and what their marital statuses were. Table 2.1 illustrates the percentages of women's debt cases that involved cloth in Edinburgh. While the debt litigation contains more examples of women buying cloth, rather than selling, the number of women involved in selling is nevertheless significant, with women appearing as creditors in 695 cases and debtors in 1,087 cases. In terms of the marital statuses of those women who acted most often as sellers of cloth (and thus most often as creditors in debts concerning cloth), as Figure 2.1 shows, these were most often wives.

Table 2.1. Debts Contracted by Women for Cloth:

	Total Debts Involving Women (A)	Total Debts Involving Women and Cloth (B)	A as a % of B
Edinburgh	19,214	1,246	6.5
Haddington	2,425	250	10.3
Linlithgow	1,366	172	12.6

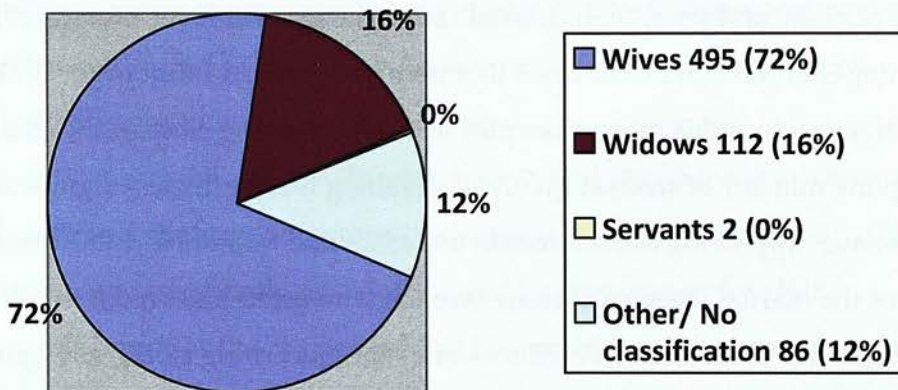
Sources: ECA, SL234/1/2, 4-12, 14, 16; ECA, Register of Diets 1606-1622; NAS, B30/10/3-13; NAS, B48/8/1-11.

⁵⁹ An 'ell' referred a length of cloth which was usually thirty-seven inches long; 'stane' referred to a 'stone's weight' of cloth; while both 'steik' and 'quarter' referred lengths of cloth. (www.dsl.ac.uk)

⁶⁰ ECA, SL234/1/6.

Those wives who appeared as creditors in debts for cloth tended to be the wives of merchants. Far from being simply the wives of these merchants, however, these women were also actively taking part in mercantile activity and appearing as active participants in the sale of cloth. Indeed, it is likely that these teams of husbands and wives had imported large amounts of cloth together and were selling it, in smaller amounts, to others, again as a partnership, rather than the husband as the sole active participant.

Figure 2.1. Women as Creditors in Debts for Cloth in Edinburgh:



Source: ECA, SL234/1/2, 4-12, 14, 16; ECA, Register of Diets 1606-1622.

Further information about the role of women in the import and export of cloth can be gleaned from testaments. As illustrated by Table 2.2, a significant percentage of the sample of testaments written by women consulted for this study listed amounts and types of cloth in their inventories.⁶¹ The amounts of cloth in the inventories of these women could range from the very small, comprising only a few ells (lengths) of cheap Scottish cloth, to the very large, comprising significant amounts and multiple varieties of cloth which had been

⁶¹ The numbers and types of testaments consulted for this study is discussed more fully in the 'Sources' section of the Introduction.

imported into Scotland. In fully one-third of the testaments examined for Edinburgh the female testators were clearly involved in the import of cloth. Their inventories either contained large amounts of cloth valued to several hundred or thousand pounds, listed types of cloth not produced in Scotland, mentioned that the woman owned the share of a ship or had a factor, or featured a combination of these elements. Large amounts of cloth in an inventory indicate that a woman was trading actively in cloth at the time of her death, while smaller amounts suggest that she either was active at one time and had since sold the cloth she had once held to others, or that she had purchased cloth from a wholesaler or distributor, and intended it for re-sale.

Table 2.2. Women's Testaments that Mention Cloth:

	No. of Women's Testaments Consulted (A)	No. of Testaments that Mention Cloth (B)	B as a % of A
Edinburgh	215	67	31
Haddington	37	12	32
Linlithgow	26	3	12

Source: NAS, CC/8/8.

Kowaleski and McIntosh, in their studies of Exeter in the medieval period and of England in the late medieval and early modern periods more broadly, both note that opportunities to import and export cloth were limited to the most successful high-status female merchants, who had 'unusual access to cash, credit, and international connections'.⁶² The same seems to have been true in early modern Scotland, as the merchant women with the largest and most extensive inventories, indicating considerable wealth and status, while few, were those who were involved in the import and distribution of cloth. Elizabeth Stevenson, who died in December 1569, was obviously quite extensively involved in the cloth industry with her husband, Alexander Park, who was himself one of Edinburgh's leading merchants in the latter half of the sixteenth

⁶² Kowaleski, 'Women's Work', p. 152; McIntosh, *Working Women*, p. 225.

century.⁶³ The inventory of Elizabeth's testament contains a long list of various amounts and types of cloth, including serge, red and black velvet, black and purple satin, and red, green, yellow, and purple taffeta. Altogether, the inventory of her goods was valued to the amount of £3,310 14s 5d. This sum jumped to an impressive £12, 263 16s 6d when the debts owing to her, which included a variety of debts owed by tailors who had likely purchased the cloth Elizabeth and her husband were bringing to Edinburgh, were factored in.⁶⁴ Another woman able to lay claim to an inventory of this size was Katherine Henryson, the wife of John Provand, who died in August 1587.⁶⁵ At the time of her death, Katherine's inventory was valued at £6,162 9s 8d, and at £22,976 12s 4d once all of the debts owing to her (and her husband, John Provand, who gained his overseas trading privileges through his wife⁶⁶) had been taken into account. The majority of Katherine's extensive testament (it is twenty pages long, rather than the three to five pages that are common for women's testaments in this period) is taken up with various amounts of cloth and debts. The inventories of both Elizabeth and Katherine indicate that these two women were both very much involved in the import and export of cloth during this period.

Janet Dick, who died in February 1568, was another Edinburgh woman who was obviously involved in the cloth industry with her husband, John

⁶³ Lynch, *Edinburgh and the Reformation*, p. 373. Alexander Park was discerned to pay £60 in the tax roll of 1565, which was an effort to raise a loan of 10,000 merks for the purchase of the superiority of Leith. The average contribution made by merchants was £11 6s, so Park's contribution of £60 is notable.

⁶⁴ NAS, CC8/8/1/708-13.

⁶⁵ NAS, CC8/8/18/106-26. Katherine Henryson was the wife of one of the merchants identified by Margaret Sanderson in 'The Edinburgh Merchants in Society, 1570-1603: The Evidence of Their Testaments' in *The Renaissance and Reformation in Scotland*, ed. I. B. Cowan (Edinburgh, 1983), as one of the six merchants whose value exceeded £1,000 sterling. Katherine was the wife of John Provand, the value of whose goods Sanderson cites as being £1,886. This figure is apparently arrived at by Sanderson using the testament of John Provand's wife, Katherine, as she alludes to Katherine's testament in her article, and as John Provand's testament is not extant among the records of the Edinburgh Commissary Court. Provand was a leading merchant of the 1580s. In the tax roll of June 1583 Provand was discerned to pay £25. The average assessment was just over 33s 4d. (Lynch, *Edinburgh and the Reformation*, p. 378.)

⁶⁶ Rorke, 'Women Overseas Traders', p. 96.

Hamilton.⁶⁷ The inventory of Janet's testament contains an extensive list of various amounts and types of cloth owned by her and her husband together, including worsted, velvet, satin, and taffeta, the value of which was computed to be £1,298 3s 4d.⁶⁸ Not all of the types of cloth mentioned in Janet's inventory were native to Scotland. There is evidence in the inventory that she and her husband were importing cloth from England, Holland and France, as, in addition to the fine cloths listed above, the phrases 'certain remains of Holland cloth', 'tanny Inglis worsale', and 'lyons cavase' all appear in the inventory.⁶⁹ As a result, John and Janet would have likely needed to own a share of a ship, or to hire the use of a ship. In the fifteenth and sixteenth centuries, transporting cargo entailed owning a share of a ship – no cases of entire ownership are extant and possession of ship usually referred to a one-half, one-quarter, one-eighth, or smaller share – or hiring the use of a ship or the services of a master to see a ship delivered.⁷⁰ Of all of the testaments examined for this study, only five, all of which pertained to women who lived in Edinburgh, list the part ownership of a ship in their inventories. For example, Helen Quintin listed her share of one-eighth of a ship called the 'Lion of Leith' and one-eighth of another ship in the inventory of her testament in 1589.⁷¹ Margaret Lauder owned one-eighth of one ship, one-sixth of another ship, and one-quarter of two more ships when she died in 1626.⁷² Elizabeth Jackson listed one-sixth of a ship from Anstruther in her inventory in 1625; Isabel Wilkie listed one-eighth of two ships, one called 'The Robert' and the other called 'The Blessing', in her inventory in 1632; and Barbara Muir listed her share of one-sixteenth of a ship in the inventory of her testament in 1637.⁷³

⁶⁷ John Hamilton was another leading merchant in Edinburgh in the late sixteenth century. In the tax roll of September 1565 (the same tax roll which names Alexander Park, mentioned above), Hamilton was determined to pay £50. (Lynch, *Edinburgh and Reformation*, 373.)

⁶⁸ NAS, CC8/8/1/139.

⁶⁹ NAS, CC8/8/1/138-9.

⁷⁰ Sanderson, 'The Edinburgh Merchants in Society', p. 190; Ditchburn, *Scotland and Europe*, p. 10.

⁷¹ NAS, CC8/8/20/347.

⁷² NAS, CC8/8/53/584.

⁷³ Elizabeth Jackson (NAS, CC8/8/52/688), Isabel Wilkie (NAS, CC8/8/56/27), Barbara Muir (NAS, CC8/8/58/104).

In general, the women who were most extensively involved in the import of cloth and imported the greatest volumes and varieties of luxury cloth into Scotland also tended to be those who were married to the richest and most prominent merchant burgesses in the burgh. That these women produced such detailed testaments and were able, in some cases, to bequeath the tools of their business (for example, the share of a ship) to their children indicates the active roles they played in the import and export of cloth, both in concert with their spouses and independently. Helen Quintin, who owned one-eighth shares in two ships, bequeathed both of these shares to her youngest son in 1589.⁷⁴ Other women, who listed smaller and cheaper amounts of cloth in their inventories, still played an important role in this aspect of trade. They may not have imported large amounts of cloth into Scotland, but they may have played a role in the distribution of that cloth.

Evidence contained in testaments also indicates that wives were involved, more frequently, in the import and export of cloth on a smaller scale, typically dealing with smaller amounts of velvet, satin, or taffeta, as well as the less-refined and more coarse types of cloth, including black, harden, buckram, and buckasie.⁷⁵ Beatrice Wallis, who was married to David Beverage, a burghess, and died in January 1568, listed a wide variety of amounts and types of cloth, ranging from nine and a half quarters of violet velvet, valued at £8, to half a steik of white bukasy, valued at 35s, and two steiks of 'auld bukrem', valued at 27s each.⁷⁶ Janet Fleming, who was married to Cuthbert Ramsay, also a burghess, and died in October 1570, in addition to listing a variety of fancier cloth in her inventory, listed no less than ten different amounts of black cloth, all presumably – as they merit no other distinction – the cheap black Scottish cloth that was the standard at this time.⁷⁷ Janet was known to be an overseas exporter. She was listed in the customs books for Edinburgh in 1558 both under her own name and

⁷⁴ NAS, CC8/8/20/347.

⁷⁵ Harden was a very coarse cloth made from 'hards' or the refuse of flax or hemp. Buckram was a stiff cloth made of cotton, and occasionally of linen. Buckasie was a kind of fine buckram. (www.dsl.ac.uk)

⁷⁶ NAS, CC8/8/1/116.

⁷⁷ NAS, CC8/8/2/160-5.

as 'Uxor Craik'.⁷⁸ Further, her husband Cuthbert began to act as an exporter himself only after his marriage to Janet, indicating he achieved the right to do so through her.⁷⁹

Conversely, some women appear to have continued the business of selling cloth after the deaths of their husbands. George Oustien was a merchant whose merchant booth contained a variety of cloth valued to £741 9s at the time of his death in July 1616.⁸⁰ His wife, Margaret Tod, apparently continued (and perhaps even expanded) the business after his death as the inventory in her testament, made in September 1634 after her death in February of that year, also features an extensive amount of cloth, valued to £1,221 14s 10d.⁸¹ Although women would have undeniably benefited from acting as part of a married couple, they were still able to continue in the cloth trade without their husbands. Acting as importers, exporters, and owning shares of ships, it is clear that women could, and did, have far-reaching influence in this trade.

Skins, Hides, and Leather

On 5 May 1590 the Haddington burgh court ordered Andrew Wilson, a merchant burgess in the town, to pay Orien Edington, the widow of George Spottiswood, £15 15s for the prices of lambskins and footfall skins which had been delivered to him to be transported to Gdansk. There, the skins were to have been delivered to James Kirkwood, her factor, but instead Andrew had withheld the skins from Orien's factor, apparently causing her much consternation and loss of revenue.⁸² While Orien's circumstances may be unusual in the records, they nevertheless reveal that at least some women did manage to participate in the international skins and hides trade.

⁷⁸ Rorke, 'Women Overseas Traders', p. 86, n. 25. In the account to which Rorke refers Janet is identified both by her own name and by title 'Uxor Craik'. On p. 85 of his article Rorke notes that women identified as 'uxor' in the customs books were typically actually the 'widows of' a deceased merchant, rather than the 'wife of'.

⁷⁹ *Ibid.*, p. 96.

⁸⁰ NAS, CC8/8/49/334.

⁸¹ NAS, CC8/8/56/724.

⁸² NAS, B30/10/6, f. 134v.

The skins produced by the slaughter of live animals was important to Scotland's economy in this period, whether those skins and hides were dried and salted for export or tanned and turned into leather for home use.⁸³ Animal skins and hides were one of Scotland's major exports to France, the Low Countries, and, in particular, the Baltic in the latter half of the sixteenth century.⁸⁴ As noted by S. G. E. Lythe, '[i]n a typical year in the 1560s and 1570s about a million skins and hides passed eastward through the Sound [in the Baltic]. Of these, on the average, a quarter came from Scotland.'⁸⁵ In the years following the 1570s, the Scottish export to the Baltic fell somewhat, averaging approximately 120,000 skins and hides per year in the years immediately preceding and following 1600. By this time, approximately eight-five per cent of the trade in skins and hides went through Edinburgh.⁸⁶ The skins and hide trade revived in the 1620s, and the number of skins and hides exported from Scotland to the Baltic per year was pushed back up over the quarter million mark.⁸⁷

In Scotland, as elsewhere, the trade in skins, hides, and leather was typically the province of men. Kowaleski, in her study of medieval Exeter, found limited evidence of women's participation in the leather crafts, with only very few women pursuing this line of work with any regularity. Those that did tended to have husbands working in the same craft. Kowaleski attributes the low number of women active in the leather crafts to three factors: the need for membership of the 'freedom' of the town to purchase the necessary raw materials (hides, skins, and unfinished leather); the need for a 'sizable capital outlay' with which to purchase not only the raw materials, but also the tools, chemicals, and premises with which to work the raw materials; and, finally, the ability to allow for the considerable time needed to train to participate in the craft.⁸⁸ McIntosh, meanwhile, found that women almost never acted as skinners

⁸³ R. M. Spearman, 'Workshops, Materials and Debris - Evidence of Early Industries' in *The Scottish Medieval Town*, eds. M. Lynch, M. Spearman and G. Stell (Edinburgh, 1988), p. 139.

⁸⁴ Ditchburn, *Scotland and Europe*, p. 162.

⁸⁵ Lythe, *The Economy of Scotland*, pp. 159-160.

⁸⁶ McNeill and MacQueen (eds.), *Atlas of Scottish History to 1707*, p. 253.

⁸⁷ Lythe, *The Economy of Scotland*, p. 160.

⁸⁸ Kowaleski, 'Women's Work', p. 152.

or tanners and rarely ran leather-making shops on their own, with the exceptions confined to widows or daughters of men who had engaged in such endeavours during their lifetimes.⁸⁹ In Scotland, skins and hides were, if treated, the province of members of the skinner craft and, by extension, men. Likely as a result of this, many of the women in this trade were involved with the finished product only and were usually widows, as these women seem to have been involved in the export of these items only to the extent of selling off those which had been in their husbands' possessions before they died.

As with the cloth trade, one of the best sources for determining the extent to which a woman was involved in the trade of skins, hides, or leather during her lifetime is to consult the inventory of her testament. Table 2.3 illustrates the number of women in all three communities who, according to their testaments, were involved in this aspect of trade. Clearly, the number of women who were involved with the import or export of skins, hides, or leather was small. However, as with cloth, there is evidence that when women were involved in this type of business, they tended to be involved on quite a large scale.

Table 2.3. Women's Testaments which Mention Skins, Hides, or Leather:

	No. of Women's Testaments Consulted (A)	No. of Testaments Which Mention Skins, Hides, or Leather (B)	B as a % of A
Edinburgh	215	13	6
Haddington	37	2	5
Linlithgow	26	4	15

Source: NAS, CC8/8.

The testament of Isabel Curror, who died in October of 1573 and was the widow of James Aikman, a merchant, who had himself died in 1569, contains the note that among her property Isabel had 1,000 'skynis', which were, at the time of her death, held 'in the handis' of George Kincaid, Isabel's factor, in Flanders. The skins had been taken to Flanders by one of Isabel's sons, and were

⁸⁹ McIntosh, *Working Women*, p. 234.

valued at £30 per hundred, or at £300 for the entire thousand.⁹⁰ Similarly, the testament of Helen Libberton, who died in June 1588 and was the wife of John Watson, states that she was in possession of 200 sheep skins, valued at £60, and 200 other skins, valued at £34, at the time of her death.⁹¹ The testament of Janet Fleming, who died in October of 1570 and was the wife of Cuthbert Ramsay, also mentions a quantity of skins, albeit a smaller quantity than those listed by Isabel and Helen.⁹² At the time of her death, Janet was in possession of six '[Spanish] skynis', valued individually at 40s, and £12 as a whole; seven '[Spanish] skynis', valued individually at 30s, and at £10 10s as a whole; and another six skins, valued individually at 16s, and at £5 4s as a whole.⁹³ Her husband, Cuthbert, began exporting goods from Edinburgh only after his marriage to her, indicating that she may have been acting in the export trade prior to their marriage, perhaps with a previous husband.⁹⁴

The overall indication is that relatively few women were actively involved in the skins and hides trade and, of those who were active, most were only involved through settling the accounts of a deceased husband. As Table 2.4 shows, debts for skins, hides, and leather makes up only a small fraction of the debts contracted by women in Edinburgh, Haddington and Linlithgow during this period. Debts contracted by women for skins, hides, or leather, differed from debts contracted for cloth in that they more frequently involved widows. Of the forty-six debts contracted by women for the sale of skins, hides, or leather in Edinburgh between 1598 and 1640, twenty-four cases named a wife, eighteen cases involved a widow, and four cases involved a woman of some other classification, such as daughter, or with no classification at all.

⁹⁰ NAS, CC8/8/2/669. Isabel's husband, James, had been a middling merchant who had sat on the town council. See Lynch, *Edinburgh and the Reformation*, pp. 173, 288.

⁹¹ NAS, CC/8/8/25/611.

⁹² Janet also seems to have been involved in the export of cloth, and is also discussed above, in the section on cloth.

⁹³ NAS, CC8/8/2/163.

⁹⁴ Rorke, 'Women Overseas Traders', p. 96.

Table 2.4. Debts Contracted by Women for Skins, Hides, and Leather:

	Total Debts Involving Women (A)	Total Debts Involving Women and Skins, Hides and Leather (B)	A as a % of B
Edinburgh	19,214	46	0.2
Haddington	2,425	13	0.5
Linlithgow	1,366	6	0.4

Source: ECA, SL234/1/2, 4-12, 14, 16; ECA, Register of Diets 1606-1622; NAS, B30/10/3-13; NAS, B48/8/1-11.

Women acted as both creditors and debtors in these types of debts, but those who appeared as creditors tended to appear either acting with their husbands or for a deceased husband. Of the thirteen debts contracted for the sale of skins, hides, or leather in Haddington, ten involved a widow acting as either the debtor or creditor in the case. Of the three remaining cases, one featured a woman acting with her son, who was a flesher, so it seems reasonable to assume that she too was a widow, but had not been identified as such in the record. The evidence contained in the Linlithgow court records follows a similar pattern to the Haddington evidence, with wives tending not to engage actively in this type of business. Rather, of the six cases which appear in the Linlithgow court records that feature both a woman and either skins, hides, or leather, only one features a woman acting on her own and not simply settling the accounts of her deceased husband. On 4 November 1597, Janet Lufference is identified as being owed £12 for three ox hides and 15 merks for three cow hides by Richard Gibson.⁹⁵ The other five debts for skins, hides, or leather are explicitly stated as having been contracted by husbands, even if their wives had been named alongside them in the debt.⁹⁶

Taken together, the information from debt cases and the inventories of testaments concerning the role of women relating to the export of skins, hides, and leather indicates that women were never major players in this type of industry. This may be accounted for by a variety of factors, the most pressing of

⁹⁵ NAS, B48/8/4, f. 130.

⁹⁶ NAS, B48/8/9, f. 179, f. 228, f. 330; NAS, B48/8/10, f. 66v; NAS, B48/8/11, f. 207r.

which was likely the physical labour required in the preparation of these skins and hides for export, or their transformation into leather. This situated the work in what was perceived as the domain of men. Further, the production and control of these products was carefully guarded by members of the skinner craft.⁹⁷ However, the presence of women is still notable in the records, whether through the employment of a factor based in Gdnask as in the case of Orient Edington, or through large numbers of skins recorded in testament inventories, as in the case of Isabel Curror.

Wine

Dingwall, writing of women's roles as merchants in Edinburgh in the latter half of the seventeenth century states that 'women do not appear to have been involved in the wine trade'.⁹⁸ Evidence from debt litigation consulted for this study, however, indicates that this may not have been the case earlier in the seventeenth century. While women did not import wine as individuals, they do seem to have engaged in the wine trade with their husbands. A number of debt cases identify women acting with their merchant husbands to sell large amounts of wine to other merchants and members of the community.

Wine was another commodity which was, by necessity, imported into Scotland in this period since the Scottish climate was not conducive to grape-growing. A wide variety of wine was imported to Scotland over the course of the medieval and early modern periods. In the fourteenth century wine from Gascony and the Rhine, as well as 'undistinguished' red and white wines, were the types of wine most commonly imported.⁹⁹ By the end of the fifteenth century references to wine from Gascony were increasingly replaced by mention of claret (which was, at this time, not solely restricted to the wines of southwest France), as well as orsay, malmsey, muscadet, and grenache. Wines from Beaune, Anjou, and Poitou were also imported from France, as were wines from

⁹⁷ For a discussion of the control exerted by guilds on a number of crafts, please see Ch. 3.

⁹⁸ Dingwall, 'Power behind the merchant?', p. 156. Work done by Ms. Siobhan Talbott at the University of St Andrews suggests this may not have been the case, as she has found evidence of widows importing wine at Leith in the late seventeenth century in the entry books for Leith (NAS, E74/15). My thanks to Ms. Talbott for this reference.

⁹⁹ Gemmill and Mayhew, *Changing Values*, p. 219.

Spain, Portugal, Greece and Rome.¹⁰⁰ Many Scottish merchants in the fourteenth and fifteenth centuries used trips to the Netherlands as ways of securing a variety of European wines without having to travel to such a large number of distinct ports. The later fifteenth century saw an even greater variety of wines being imported from an even greater variety of ports, including from England and the Norman ports of Dieppe and Hornfleur.¹⁰¹ By the sixteenth and seventeenth centuries wines from Bordeaux and Spain were popular, as was claret, white wine, and 'Canary' wine.¹⁰²

The importation of wine was clearly a risky and expensive business, one in which the initial investment did not always guarantee a return. The mere practice of importing wine was fraught with problems: Scottish importers were far from France, Spain, and the Mediterranean, and when transporting wine from these areas faced the danger of losing their cargoes to privateers. Further, Scottish wine importers were forced to pay more for their wine than did those from England (whose rule in Gascony likely allowed her importers to purchase wine more cheaply from that area), and Scottish wine prices were typically three to four times more expensive than were English prices in the early sixteenth century.¹⁰³ Nor were importers guaranteed a good return on their investment. Wine in the late medieval and early modern periods did not age well, and quickly turned sour. As a result, new wine was 'consistently prized more highly than old' and 'the current price was always dramatically affected by the latest shipments', factors which caused Gemmill and Mayhew to conclude that 'retail wastage was probably high'.¹⁰⁴

The high cost of wine itself, coupled with the cost of importing it both over sea and over land and the risk that it might sour before it could be sold, also meant that, in the medieval and early modern periods, Scottish 'retailers and wholesalers of wine were often one and the same, and belonged very definitely to the community of international merchants dominating the upper

¹⁰⁰ Ibid; Ditchburn, *Scotland and Europe*, p. 153.

¹⁰¹ Ditchburn, *Scotland and Europe*, pp. 154-5.

¹⁰² Gibson and Smout, *Prices*, p. 63.

¹⁰³ Gemmill and Mayhew, *Changing Values*, p. 218.

¹⁰⁴ Ibid, p. 216.

echelons of Scottish burgh life'.¹⁰⁵ The number of merchants importing wine continued to be small throughout the early modern period. In 1688-9, 534 tuns of French wine and 358 butts of Spanish wine (a total value of £71, 602) were imported into Scotland. Five merchants (all men) were responsible for thirty-five per cent of the French wine, and for thirty-three per cent of the Spanish wine, which was imported. Even at the end of the seventeenth century wine importation was clearly still a risky business: despite the fact that the number of men who dominated the importation of wine was small, they still attempted to mitigate the risks involved by importing their wine in several ships, rather than in one large cargo.¹⁰⁶ Once imported into Scotland, wines were often sold on to other merchants and their wives and widows in large, wholesale amounts, often valued at hundreds of pounds. The purchasers of the wine would, in turn, sell it on to others, either directly, through taverns, or through servants they had hired for that purpose.

Wine consumers also faced high and unstable prices when purchasing wines. In addition to the higher costs paid by importers of wine for their product, which were logically reflected in higher prices paid by consumers (the price of a pint of Bordeaux wine in Edinburgh increased from 6s in 1587 to 8s in 1596)¹⁰⁷, wine prices were further increased in Scotland as a result of the additional carriage costs associated with the transport of wine from its port of entry to its final destination. In England in the fourteenth century such carriage costs typically increased the cost of a gallon of wine by ½d for every twenty-five to thirty miles. Wine sold in Oxford, therefore, typically cost 1d per gallon more than did wine sold in London.¹⁰⁸ By the seventeenth century, wine cost an extra £4 per tun and 1d per quart in England for every thirty miles of land carriage over ten miles.¹⁰⁹ In Scotland in 1623 such carriage costs meant that wine sold in

¹⁰⁵ *Ibid*, p. 217.

¹⁰⁶ Dingwall, *Late Seventeenth-Century Edinburgh*, pp. 174-5.

¹⁰⁷ Gibson and Smout, *Prices*, p. 63.

¹⁰⁸ *Ibid*, p. 217.

¹⁰⁹ Andre L. Simon, *The History of the Wine Trade in England*, Vol. 3 (London, 1906; rep. 1964), p. 41.

Stirling was sold for 12d per pint more than wine sold in Edinburgh.¹¹⁰ For this reason, it is unsurprising that debts for wine were more prevalent in the burgh court records of Edinburgh, whose port at Leith would have served as the entry point for the vast majority of wines imported to Scotland in the early modern period, than in those for Haddington and Linlithgow, as illustrated in Table 2.5.¹¹¹ Although the provenance and type of most wine was not identified, some transactions specify that the wine being bought or sold was 'French', 'Bordeaux', or 'Spanish', or 'malmsey', or that it was 'claret' or 'sweet'.

Table 2.5. Debts Contracted by Women for Wine:

	Total Debts Involving Women (A)	Total Debts Involving Women and Wine (B)	B as a % of A
Edinburgh	19,214	1,285	7
Haddington	2,425	79	3
Linlithgow	1,366	3	2

Source: ECA, SL234/1/2, 4-12, 14, 16; ECA, Register of Diets 1606-1622; NAS, B30/10/3-13; NAS, B48/8/1-11.

In Edinburgh, women acted as creditors in 1,224 cases involving wine, and as debtors in 628 cases, as illustrated in Figure 2.2. Wives who acted as creditors in debts for wine tended to do so with their husbands and for large amounts, indicating that they, perhaps through their husbands, were involved with the importation of wine, although debts of this nature were few in number. Andrew Lawson and Isabel Tailpheid, his spouse, owed Isabel Cockburn and Alexander Bains, her husband who was also a skipper in Leith, £50 in 1609 for a puncheon of wine.¹¹² Bains's position as a skipper may indicate that he was engaged in overseas trade. As his wife, Isabel may have controlled the sale of the items, including wine, he imported. In 1612, James Nisbet and Marion Arnot, his spouse, were owed £46 10s by George Waldy, £280 10s by William Fleabairn, a merchant, and £247 12s by John Lamb, also a merchant, in complete payment of

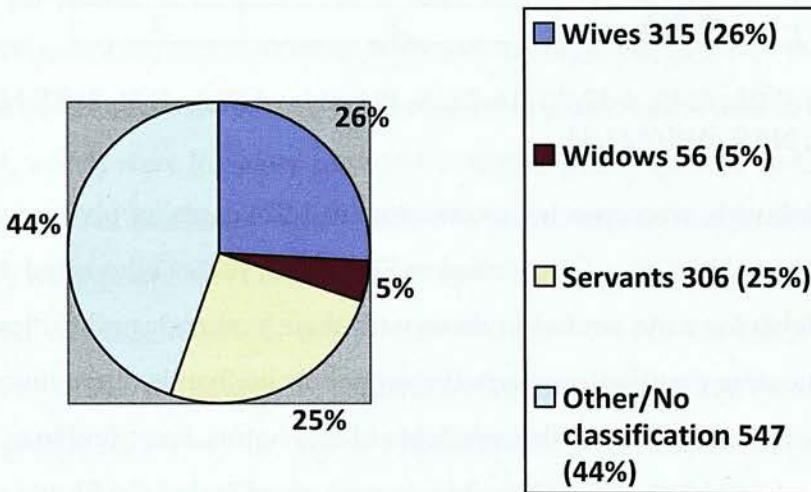
¹¹⁰ Gibson and Smout, *Prices*, p. 43.

¹¹¹ McNeill and MacQueen (eds.), *Atlas of Scottish History to 1707*, p. 276.

¹¹² ECA, Register of Diets, 1609-12 (20 June 1609).

wine. That James and Marion sold large amounts of wine to other merchants indicates that they too were involved in the importation of wine and sold it wholesale to others.¹¹³ On 3 April 1634 William Somervell, a merchant, was determined to owe Hector Purves, also a merchant, and Isabel Adair, his spouse, and William Brown, their subfactor, £215 for wine bought by William from Isabel half a year previously.¹¹⁴ While the information above is all that is contained in the case, the sale of the wine specifically by Isabel to William, as well as the mention of a factor, indicates that Hector was an overseas merchant who may not have been in Edinburgh when the wine was sold and may have trusted its sale (and perhaps other sales also contracted during his absence) to his wife.

Figure 2.2. Women as Creditors in Debts for Wine in Edinburgh:



Source: ECA, SL234/1/2, 4-12, 14, 16; ECA, Register of Diets 1606-1622

Thus, while women may not have been active in the importation of wine as individuals, they nevertheless participated in its control and sale with their merchant husbands once it arrived in port. These husbands and wives were responsible for, in turn, selling wine to a number of other married couples and

¹¹³ ECA, Register of Diets, 1609-12 (4 February 1612, 14 April 1612, and 11 July 1612).

¹¹⁴ ECA, SL234/1/14.

widows. Many of those who purchased wine from these importers then sold or provided this wine to servants, who in turn sold it in smaller measures to customers in taverns and in the streets.¹¹⁵

Conclusion

Women in Edinburgh, Haddington and Linlithgow were clear participants in the economies of their communities through the import-export trade, although the extent of their participation in this trade depended upon a number of factors. With regard to women's roles as merchants, their presence in the import-export trades depended on the social status of both themselves and their husbands. Overseas trade was a lucrative but also a risky business, and merchant husbands and wives had to have extensive wealth to be able to bring in and ship out large amounts of goods. Shares in ships and overseas factors often had to be enlisted. Buildings in which to store and from which to sell items had to be bought or rented.¹¹⁶ Such endeavours would have been stressful for both husbands and wives, and it is likely no accident that the most successful overseas merchants seem to have often involved their wives. Indeed, there is ample evidence that wives married to merchant burgesses were significantly involved in the import and sale of large quantities of goods alongside their husbands, and there is certainly the suggestion that in some cases wives played the larger role in relation to certain goods, such as cloth. Nor is it unsurprising that many merchant wives chose to continue engaging in overseas trade as widows and after they remarried. When a widow was able to do this, her role was not simply the tidying-up of their husbands' affairs, as in some cases the extent of the businesses seems to have increased between the death of the husband and the death of the wife. Once a woman had established a presence within a particular economic sphere alongside her husband, it was possible for her to continue her activities alone, aided either by the social standing of her deceased husband or her own demonstrated expertise.

¹¹⁵ For a discussion of the role of married couples and widows in the sale of wine, please see Ch. 3. For a discussion of the role of servants in the sale of wine, please see Ch. 6.

¹¹⁶ For a discussion of women's roles as rentiers, please see Ch. 4.

The first part of the paper is devoted to a general discussion of the problem of the existence of a solution of the system of equations (1) for a given set of parameters. It is shown that the system has a solution if and only if the parameters satisfy certain conditions. These conditions are derived from the requirement that the solution must be non-negative and must satisfy the boundary conditions.

In the second part of the paper, the existence of a solution is proved for a specific set of parameters. It is shown that for these parameters the system has a unique solution. This is done by using the method of successive approximations. The solution is expressed as a series of terms, each of which is a function of the parameters. The series converges to the solution of the system.

The third part of the paper is devoted to a numerical solution of the system of equations. It is shown that the system can be solved numerically for a given set of parameters. The numerical solution is obtained by using the method of finite differences. The results of the numerical solution are compared with the analytical solution. It is shown that the numerical solution is in good agreement with the analytical solution.

Finally, the fourth part of the paper is devoted to a discussion of the physical significance of the results. It is shown that the results have important implications for the theory of the system. The results show that the system has a unique solution for a given set of parameters. This is a very important result, as it shows that the system is well-posed.

Chapter 3:

Women as Merchandisers

The roles of women who acted as merchants,¹ were complemented by the roles of a much greater number of women who acted as merchandisers. Women merchants imported a variety of goods, including cloth, wine, and merchandise, while women merchandisers sold such items through booths, stall, and in the streets. Typically (though not always) of lower status than those women who acted as merchants (as women who acted as merchants with their husbands were often charged with selling the items their husbands had imported, and must have sometimes carried out this task from a merchant booth), women who acted as merchandisers came from a much broader spectrum of society than did women who acted as merchants, and this was reflected in what they sold, and where they sold it. Wives and widows of merchant burgesses, for example, typically sold from booths and shops, while never-married women who were employed as crammers or servants tended to sell from a stall or in the street. In these ways, the marital statuses of these women also influenced their roles as merchandisers.

This chapter will examine the roles of women who were engaged in the selling of many of the imports described in Chapter 2, as well as other, more general wares, classified as 'merchandise'. Information taken from testaments, debt litigation, and the 1635 Annuity Tax Roll for Edinburgh will be used to consider which women acted as merchandisers, and sold goods from a merchant booth, a temporary stall, or person-to-person on the street. Unlike women merchants, who required considerable wealth to act in the import-export trade, women merchandisers sold diverse items in a variety of ways, dependent upon both their economic and social status. The wealthiest, and those who were often of the highest social status, often sold from a merchant booth. The inventories of their testaments tended to list large amounts of disparate goods, often contained in their merchant booths. Other women, perhaps of a slightly lower social status,

¹ See Ch. 2.

sold from smaller and less permanent market stalls and tended to act alone. These women were not identified as the wives or widows of merchant burghesses, like many women who owned merchant booths were, but were often identified as 'cramers'. Finally, women of the lowest social status, who were often glimpsed only through debt litigation, were those who sold their wares in the street. All women merchandisers tended to sell a variety of items, although some of the highest status specialised in the sale of books, and some of the lowest status specialised in the sale of wine. Those of middling status often sold goods that were the least defined, and debt litigation in which they featured often described the reason for their debts as simply 'merchandise' or 'merchant wares'.

The ability of women to participate as merchandisers in the sale of these goods was likely influenced by the lack of regulation concerning their sale. Although guilds controlled the production of many items in Edinburgh, Haddington and Linlithgow, the sale of most items seems to have been less restricted. Although trade itself was limited to burghesses, this simply resulted in limiting the women involved in overseas trade to being those married to burghesses. Without the control of societies or guilds to place restrictions on membership, limiting participation to select men, women were able to continue the businesses of their husbands or, in the cases of unclassified women, act without being formally identified in relation to any man. For example, the formation of the Stationers' Company of London resulted in the restriction of women's involvement in London's book trade, but the absence of a similar company in Edinburgh allowed for the greater participation of women in this trade.² Indeed, it is possible to find some evidence of women purchasing or selling all varieties of ready-made goods in Edinburgh, Haddington, and Linlithgow, with no sector controlled exclusively by men.

The greatest evidence for women specialising in selling one type of item relates to those who were engaged in the sale of books and wine. The role of

² Alistair J. Mann, 'Embroidery to Enterprise: The Role of Women in the Book Trade of Early Modern Scotland' in *Women in Scotland, c. 1100-c.1750*, eds. E. Ewan and M. Meikle (Edinburgh, 1999), pp. 136.

women in the wine and book trades will therefore be considered first in this chapter, as these items were clearly differentiated from other items in testament inventories and debt litigation. Other women sold a variety of goods which were lumped together in the records under the term 'merchandise' and 'merchant wares', either from merchant booths or stalls. The role of women in the sale of merchandise and merchant wares will be considered subsequently to reflect the fact that the sale of merchandise included many different items, including some of those considered in Chapter 2. Cloth, for example, was commonly found in many inventories regarding merchant booths, but in much smaller quantities than in the inventories of those who acted as its importers, indicating that the occupiers of these booths had purchased it from overseas merchants for resale.

Wine

As previously discussed, wine was an extremely valuable commodity that tended to be imported by a burgh's wealthiest merchants in large amounts.³ These cargoes were then sold to others who lived in the burgh, usually merchants and their wives or widows, again in relatively large amounts. Its sale seems to have been strictly controlled. In the 1520s, wives and female servants were forbidden from buying wine directly from ships at port in Leith. This was presumably designed to prevent 'forestalling', or the sale of the wine before it had been formally presented to the town.⁴ Yet because wine was perishable and soured quickly, it was in the interest of those who purchased it to sell it as quickly as possible. The most expedient way to do this seems to have been to sell it through a tavern, which a woman might run on her own or in partnership with her husband, or to employ people identified as servants, who were usually female, to sell it in small measures to customers on the street. Wives and widows therefore often appeared as debtors in debt transactions involving large amounts of wine. Margaret Russell, wife to Alexander Watson, appeared with her husband in two debts for wine: one for £222 10s for wine the couple has

³ See Ch. 2.

⁴ Ewan, 'Mons Meg and Merchant Meg', p. 142. My thanks to Prof. Ewan for further elaboration on this matter

bought from Patrick Eleis in 1625, and the other for £126 6s in complete payment of a tun and a half of wine they had bought from Hew Brown, another merchant, in 1627.⁵ Christian Studieman, a widow, owed two merchants £36 13s 4d and £152 respectively for wine in 1619.⁶ Rather than purchasing such large amounts of wine for personal consumption, however, these wives and widows bought this wine in order to re-sell it, either through taverns or by employing these women identified as servants to sell it in small measures to others.

It was relatively common for women to run taverns. Of fifty-one taverns extant in Edinburgh in the 1560s, seventeen were run by women.⁷ Evidence of women purchasing wine and running taverns can also be gleaned from debt litigation, testaments, and information contained in the 1635 Annuity Tax Roll for Edinburgh.⁸ Women identified as wives are listed as the owners of two taverns, while women identified as widows are listed as the owners of three.⁹ All seven taverns listed in the tax roll as rented by a woman were rented by widows,¹⁰ which corresponds to evidence found for tavern keepers in England in a similar period. There, almost all women licensed to keep alehouses after 1552 were widows.¹¹ In Germany, a small percentage of establishments that sold wine were operated by women: six out of ninety-two in 1433, and seven out of 121 in 1489. Thereafter, as Wiesner states, 'quite a few women' operated taverns, 'some of them widows'.¹²

The role of Scottish widows as taverners and retailers of wine can be further assessed by seeking out the debt cases in which they appeared as a

⁵ ECA, SL234/1/11, 11 Mar 1628 and 5 Apr 1628.

⁶ ECA, Register of Diets, 1619-22, 12 Aug 1619 and 23 Nov 1619.

⁷ Ewan, 'Mons Meg and Merchant Meg', p. 142.

⁸ This tax roll is discussed more fully in the 'Sources' section of the Introduction. The role of women as owners and rentiers of property is discussed further in Ch. 4.

⁹ ECA, 1635 Annuity Tax Roll. The women identified as owning taverns were the wife of Robert Monteith, the wife of Lowys Stewart, 'the relict of James Stirling', 'the relict of George Cunynghame, a merchant', and 'the relict of Gilbert Dik'.

¹⁰ ECA, 1635 Annuity Tax Roll. The women identified as renting taverns were 'the relict of Alexander Balmanoch', Susanna Lookope (who is identified in corresponding debt litigation as a widow), 'the relict of Thoas Barbor', 'the relict of James Stirling', 'the relict of George Cunynghame, a merchant', and 'the relict of Gilbert Dik'.

¹¹ Bennett, *Ale, Beer, and Brewsters*, p. 56.

¹² Wiesner, *Working Women*, p. 130; Wiesner-Wood, 'Paltry Peddlers', p. 12.

debtor or creditor. The widow of Adam Gardin, a merchant, for example, rented the location of her fore tavern from Lord Cranston Riddell for an annual maill of £26 13s 4d.¹³ Her name was Elspeth Duff, and while her testament does not exist, the testament of her husband (Adam Gardin) does. The testament of Adam Gardin, who died in 1635, contains varying amounts and types of wines.¹⁴ This could indicate that the tavern Elspeth rented was in fact run by Adam.

However, it was common for the goods and debts of both spouses to appear in the testament of whichever spouse died first, and so it is possible that items listed in Adam's testament actually pertained to Elspeth. At any rate, Elspeth must have carried on running the tavern after Adam's death, as she appeared in front of the burgh court in January 1637 and was ordered to pay Andrew Ainslie £105 for a tun of wine she had bought from him the previous November.¹⁵

Similarly, the widow of Gilbert Dick, Alison Forman, is listed in the 1635 Annuity Tax Roll as owning and operating a high and low tavern (indicating a tavern located on the ground floor and first floor of a building), plus the turnpike house above the tavern. The value of her property was calculated to be £100, but again it is unclear as to whether she or her husband was the primary operator of the tavern.¹⁶ Gilbert's testament does not exist, and while Alison's does, following her death in 1645, it contains no mention of amounts of wine, beer, or ale, or the debts one would expect to be associated with the business of running a tavern.¹⁷ Alison is, however, named in the burgh court records on 1 June 1637 when she is ordered to pay £19 to Walter Scott, a servant to William Dick, for nineteen puncheons of wine Alison had purchased from him and in turn provided to three female servants to sell to others in her name.¹⁸ It therefore seems likely that Alison was engaged in the sale of wine during her lifetime, both through a tavern and by hiring female servants to sell her wine to customers in the streets.

¹³ ECA, 1635 Annuity Tax Roll, p. 554.

¹⁴ NAS, CC8/8/57.

¹⁵ ECA, SL234/1/14.

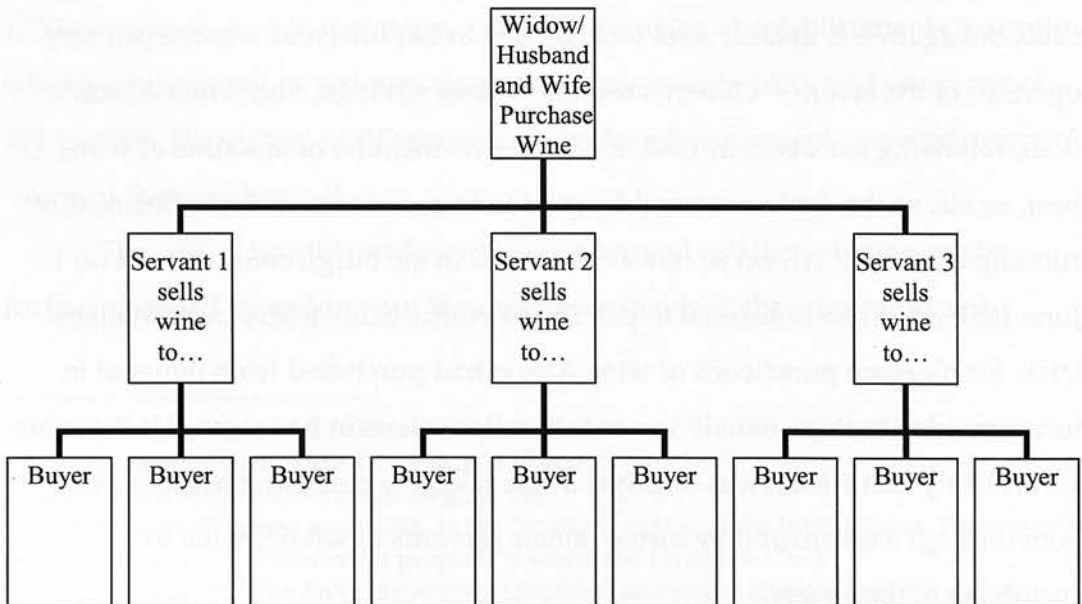
¹⁶ ECA, 1635 Annuity Tax Roll, p. 536.

¹⁷ NAS, CC8/8/61/393.

¹⁸ ECA, SL234/1/14.

As illustrated by Alison's case, women in Edinburgh were often hired to sell wine in small measures, a practice which was also common in England.¹⁹ These women were often identified as servants when they appeared in the debt litigation for Edinburgh, or were described as having been in the service of a man, married couple, or widow specifically for the purpose of the 'running and venting' of wine. Resulting from this was a series of debt and credit relationships as illustrated in Figure 3.1. These servants thus often appeared as creditors in debt transactions as they sought repayment from their customers for wine which they had sold to them. In turn, these servants often owed money to their employers for the wine which they had either received or purchased from their employers, promising payment for the wine once the servants had sold the wine to others. In order to repay those debts, the servants needed to receive payment from their own customers. In this way, women's roles as both creditors and debtors are important to consider when evaluating debts for wine.

Figure 3.1. Depiction of Service Arrangements Involving the Sale of Wine:

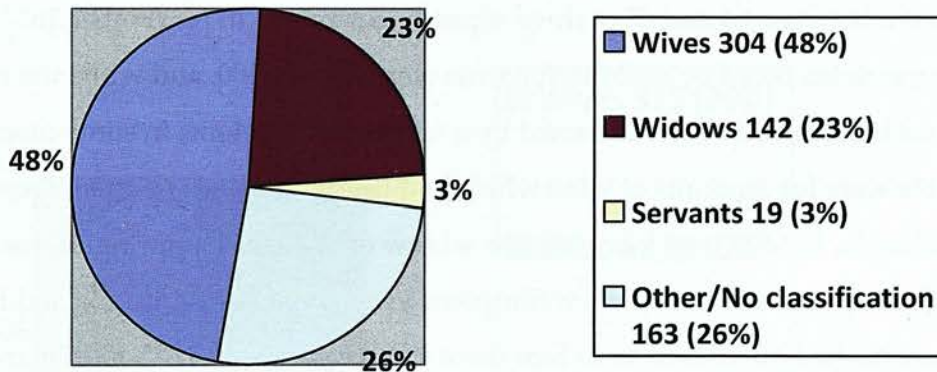


In Edinburgh, women acted as debtors in 628 cases concerning wine, and as creditors in 1,224. As illustrated by Figure 3.2, wives acted as debtors in

¹⁹ McIntosh, *Working Women*, p. 168.

transactions concerning wine in just fewer than fifty per cent of the 628 cases. While many of these cases involved the purchase of wine for household consumption, other debts were for quite significant amounts of wine. Isabel Talipher, with her husband appearing 'for his interest', owed Alexander Pearson, a merchant, £130 for wine bought by her from him.²⁰ George Ker, a tailor, and Marion Nemo, his wife, owed Archibald Tod, a merchant, £200 for a tun of wine.²¹ Large debts for large amounts of wine (barrels, casks, tuns, pipes, barykins, puncheons, and butts) indicate that the individual or couple purchasing the wine intended to resell it.²²

Figure 3.2. Women as Debtors in Debts for Wine in Edinburgh:



Source: ECA, SL234/1/2, 4-12, 14, 16; ECA, Register of Diets 1606-1622.

²⁰ ECA, Register of Diets, 1609-12.

²¹ ECA, SL234/1/16.

²² 'Tun', 'pipe', 'butt', and 'puncheon' were all words for 'barrel' or 'cask', although these terms were also used to describe amounts of wine. Gemmill and Mayhew use Rogers, *A History of Agriculture and Prices in England*, I, p. 619, to argue that there were 252 gallons to a tun of wine, and 126 gallons to a pipe, although they later suggest there may have been 111 gallons in a pipe. (Gemmill and Mayhew, *Changing Values*, p. 399, 408). In terms of puncheons, Gemmill and Mayhew suggest that the ratio fluctuated between 2.67 puncheons to one tun, and four puncheons to one tun. (Ibid.) Simon argues that a Bordeaux hogshead contained 63 gallons and a Bordeaux tun contained 252 gallons. (Simon, *The History of the Wine Trade in England*, Vol. 3, p. 262. McIntosh defines three butts as being equal to 378 gallons, and three pipes as being equal to 315 gallons, indicating English measures may have been smaller than Scottish measures. (McIntosh, *Working Women*, p. 168.)

Widows tended to act as debtors in cases involving wine for either very small or relatively large amounts. This indicates that widows purchased wine either for personal consumption (ranging from a few pence to a few pounds worth) or as employers of servants who sold wine for them (usually in amounts between £20 and £70). Elspeth Archibald, a widow, owed £52 10s to James Loch, a merchant, in complete payment for a puncheon of wine. Elspeth employed servants to sell the wine she had purchased from others, as she was, in turn, owed £40 by Elspeth Brown and £20 8s by Geillis Mowbray for wine that the two women had 'run and vented' in Elspeth's service.²³ Similarly, Margaret Melrose, a widow, was determined to owe £40 to John Bryson for claret wine on 12 June 1638 and £320 to William Dick, a merchant, for wine on 20 August 1640. She, in turn, had in the past employed a servant who sold amounts of wine valued between £4 and £5 to three separate customers in November 1637.²⁴ The largest debts owed by widows for wine were above £100, and while the majority of such debts had been contracted by a widow acting alone, in some cases the debts were for amounts of wine which had been purchased by their deceased husbands. In 1607 Jean Johnston, the widow of William Hoppringill, was ordered to pay £111 to Andrew Simpson, a merchant, for wines she and her husband had purchased from him three years earlier.²⁵ In 1625, Christian Mayne, the widow of Andrew Gibson, a bower, owed £150 to James Clark, a merchant burgher, for two tuns of French wine which had been purchased by her husband from him in August 1624.²⁶

Servants, as discussed, tended to appear as debtors in transactions involving wine in which they owed money to their employers for wine they had been hired to sell to others. The low number of servants who acted as debtors might indicate that, by and large, the wine servants sold was provided to them by their employer. Once the servant sold the wine, it was up to her to ensure

²³ ECA, SL234/1/10.

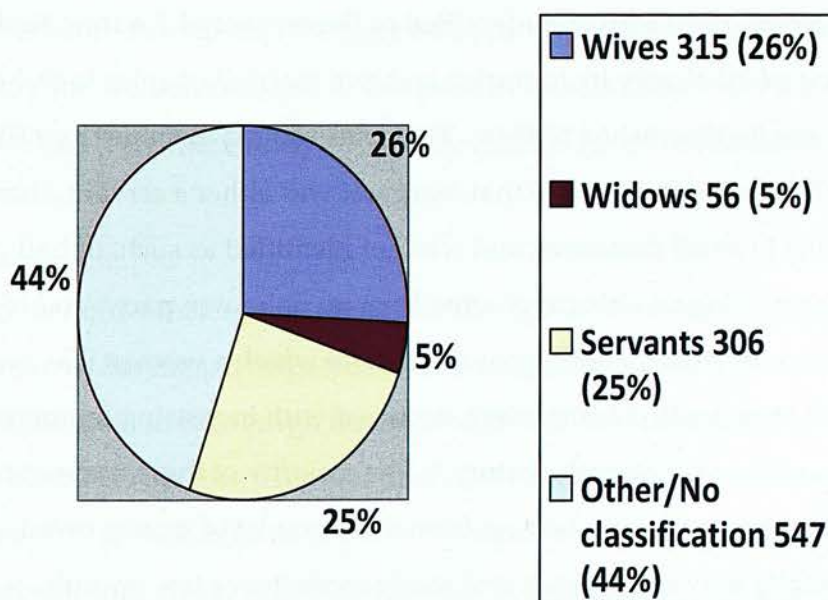
²⁴ ECA, SL234/1/16.

²⁵ ECA, Register of Diets, 1606-09, 20 January 1607.

²⁶ ECA, SL234/1/11, 24 November 1625.

that those she had sold it to paid her, so that she could turn over the money to her employer. The majority of cases in which servants appear as debtors are for relatively large amounts of money owed by the servant to an employer for 'running and venting' of the employer's wine, which had been done in his or her service. These agreements seem to have gone on for years, resulting in some very large debts when a servant's obligations to her employer finally came due. Janet Dickson, a servant, owed £210 17s 4d to her employers, Andrew Naper and Katherine Henryson, when the cost of the wine and beer they had provided to her to sell in their service was totted up.²⁷ Marjorie Mathew, also a servant, owed the astounding sum of £657 17s to her employer, William Johnston, for wine belonging to him that she had sold in his service.²⁸

Figure 3.3. Women as Creditors in Debts for Wine in Edinburgh:



Source: ECA, SL234/1/2, 4-12, 14, 16; ECA, Register of Diets 1606-1622.

²⁷ ECA, SL234/1/12.

²⁸ NAS, B22/8/25, 324v.

Women appeared as creditors in 1,224 debts for wine, as Figure 3.3 illustrates. That women appeared as creditors in almost twice as many transactions than they did as debtors is largely explained by cases of female servants selling small quantities of wine to large numbers of male consumers. Debt cases for amounts of wine often feature a creditor providing wine to more than one debtor within a single debt case. Margaret Leirmonth, for example, was owed between 23s 4d and £11 8s by twelve different people for wine she had furnished to them, but this was most expeditiously combined into only one debt case in the burgh court records.²⁹ It has proven impossible so far to learn anything more about Margaret. She appears in only one other case, which also concerns a debt for wine owed to her by a married couple. In neither case is she identified beyond her first and last name. However, that she was owed small amounts of money for wine by so many people makes Margaret's debt case similar to those in which women are identified as servants. On 15 January 1633, for example, Elspeth Hall, who was identified as the servant of Andrew Kinloch, a merchant, was owed money by four men and two married couples in five debt cases for wine she had furnished to them. The debts ranged in value from £3 15s to £20 3s 4d.³⁰ It is therefore possible that Margaret was either a servant, charged with selling wine in small measures, and was not identified as such, or had acted singly, purchasing an amount of wine from an unknown party, and re-selling it to others for profit. These types of cases, in which a woman was owed money for wine from multiple customers, occurred with increasing frequency over the course of the seventeenth century.³¹ The majority of these transactions were for small amounts of wine judging from the amounts of money owed, which were usually only a few pence and rarely more than a few pounds.

The most striking number in Figure 3.3 is the 547 women who were not classified as a wife, widow, or servant. Women with no classification, who in the vast majority of cases appeared in the records under only their own names,

²⁹ ECA, Register of Diets, 1615-19, 23 January 1616.

³⁰ ECA, SL234/1/14.

³¹ The phenomenon of servants acting as creditors in debts for wine will be explored in more depth in Ch. 6.

acted as creditors in debts for wine largely before the 1620s. Of the 547 such women noted above, 417 appeared in the records between 1598 and 1619. Between 1620 and 1640 only 130 women with no classification were identified as creditors in debts for wine. This suggests a change in the way in which women who sold wine were classified. The number of women identified as servants who appeared as creditors in debts for wine grew markedly over the course of the first four decades of the seventeenth century. Eighty servants appeared as creditors in debts for wine between 1598 and 1619 (when nearly 17,000 debt cases were entered into the records), while 226 appeared as creditors in debts for wine between 1620 and 1640 (when nearly 21,000 debts were entered into the records), representing an almost three-fold increase in the number of servants active as creditors in debts for wine in the latter two decades. Perhaps the practice of women acting as servants specifically to perform the sale of wine was initially unusual, and so the women who did this were less likely to be classified as a 'servant'. Perhaps as it became more common, clerks were more likely to identify the women engaged in this practice as servants, or perhaps the women themselves were more likely to identify themselves as servants.³²

Books

A number of women can be identified through both testaments and debt litigation as having participated in the bookselling businesses established by their husbands in Edinburgh during this period, and continued by them after their husbands' deaths. This is similar to what occurred in early modern Germany,³³ as well as other areas of Scotland and England in the later decades of the seventeenth century, and into the eighteenth century. For example, Hannah Barker has identified 437 women running some type of printing business (acting as stationers, printers, bookbinders, or booksellers) in eighteenth-century England. Of these, 155 were positively identified as widows, and the ease with which they apparently assumed these positions, as Barker says, 'suggests a prior

³² This will be explored in greater detail in Ch. 6.

³³ Wiesner, *Working Women*, p. 139; Wunder, *He is the Sun, She is the Moon*, pp. 92-3.

and substantial involvement in the operation of the business'.³⁴ Froide found few examples of singlewomen booksellers in early modern England, adding further weight to the supposition that women tended to inherit such businesses from their husbands.³⁵ In Scotland, women had been taking over the printing, bookbinding, and bookselling trades of their deceased husbands since at least the late sixteenth century. In Aberdeen in the late sixteenth and early seventeenth centuries a number of women also continued to print and sell after the deaths of their husbands. Margaret Cuthbert succeeded her husband as 'Printer of the Town' in Aberdeen in 1705. Margaret's daughter, Margaret Forbes, and her husband, James Nicholl, assumed that same position later that same year, after Margaret Cuthbert died. Nearly 50 years later, in 1764, Susan Trill, who was the widow to Nicholl's successor, and her son, assumed the role.³⁶

Alistair Mann has argued that the seventeenth- and eighteenth-century book trade was more open to women in Scotland than it was in England, and for two distinct reasons: that there was no equivalent to the Stationers' Company of London to restrict women's entry to the trade, and that Scotland was home to a number of women with the necessary 'management and technical abilities'. He highlights the cases of three women in particular in illustration of this: Helen Ross, who embroidered the binding of the personal bible of King James V between 1538 and 1543; Janet Kene, the widow of Andrew Hart, who was chosen by the magistrates of Edinburgh over the king's printer to produce a special edition of poems that was presented to Charles I on his coronation visit in 1633; and Agnes Campbell, a widow who continued the printing business she had engaged in with her husband for forty years (1676-1716) after she was widowed.³⁷ In all, Mann lists thirty women who were active in the professional

³⁴ Hannah Barker, 'Women, work and the industrial revolution, c. 1700-1840' in *Gender in Eighteenth-Century England: Roles, Representations and Responsibilities*, eds. H. Barker and E. Chalus (Harlow, 1997), p. 91.

³⁵ Froide, *Never married*, p. 101.

³⁶ Deborah Simonton, 'Claiming their Place in the Corporate Community: Women's Identity in Eighteenth-Century Towns' in *The Invisible Woman: Aspects of Women's Work in Eighteenth-Century Britain*, eds. I. Baudino, J. Carre, and C. Revauger (Aldershot, 2008), p. 110.

³⁷ Man, 'Embroidery to Enterprise', pp. 136-7.

book trade in Scotland between 1600 and 1750.³⁸ A thirty-first woman, Katherine Norwell, who was married to Thomas Bassinden, a printer in Edinburgh who died in 1579, may have been active in the book trade in 1580s, when she was married to Robert Smith, also a printer, but Mann describes the details of the Norwell-Smith business as 'murky' and seems doubtful as to the actual degree of Katherine's activity in the business.³⁹ However, the inventory of her testament, made in 1593, includes twenty-two reams of Scottish printing paper, printing ink, printing looms, and £1,408 worth of books held in her booth. Further, in her latter will and legacy, Katherine left 5 merks and 3 merks to two male Edinburgh printers.⁴⁰ It seems logical that Katherine was involved in the book trade, not just as a printer, but also as a retailer given that she owned a booth in which to store and from which to sell books.

Of the thirty women identified by Mann, six were active in Edinburgh's book trade between 1600 and 1640. The first of these, Katherine Boyd, may have been active between 1600 and 1606, or perhaps even until 1623, but although she is mentioned in the testament of her husband, John Gibson, a bookbinder, no reference to her beyond that testament seems to exist.⁴¹ The second, identified by Mann as 'widow Waldegrave', was married to Robert Waldegrave, and was active in 1604. Born in England sometime in the 1550s, Robert Waldegrave had moved to Scotland by 1590. In 1603, however, he moved back to England with King James VI, leaving his wife to continue his printing business in Edinburgh. Robert obtained a licence with the Stationer's Company of London in June 1603, but died later that year or early in 1604.⁴² And indeed, on 12 January 1604 Marion Waldegrave, the widow of Robert Waldegrave, was determined to owe a papermaker £16 10s for paper Robert had bought prior to his death, the date of which is uncertain.⁴³ Later that year, in 1604, David Colene was determined to

³⁸ Ibid, pp. 146-7.

³⁹ Ibid, p. 138.

⁴⁰ NAS, CC8/8/29/292, 293-4. Also *Bann. Misc.*, ii, pp. 218-221.

⁴¹ CC8/8/35/378. Also *Bann. Misc.*, ii, pp. 222-3.

⁴² A. J. Mann, 'Waldegrave, Robert (c.1554-1603/4)', *Oxford Dictionary of National Biography*, online edn, Oxford University Press, Sept 2004.

⁴³ ECA, SL234/1/6.

owe £15 to Marie Waldegrave for books he had bought from her four years earlier. Also in 1604 Thomas Finlayson purchased from 'Widow Waldegrave her late husband's privilege for printing certain books'. Thomas had already received Robert's printing materials.⁴⁴ Marion was thus obviously selling her husband's printing materials and business, but had nevertheless continued to sell books for several years after his departure from Edinburgh and subsequent death.

The next three women identified by Mann were the most active women in the printing and bookselling trade in Edinburgh prior to 1640. Janet Kene, the widow of Andrew Hart, was active between 1621 and her death in 1642 (as a printer and bookseller until 1639, and then as a bookseller); Agnes Mayne, the widow of Richard Lawson (formerly a tailor), was active between 1622 and 1631; and Janet Mayne, the widow of James Cathkin (formerly a skinner), was active between 1631 and 1639.⁴⁵ The links between these women are crucial in what Mann terms the book trade 'dynasties' of Edinburgh in the first half of the seventeenth century.⁴⁶ Janet and Agnes Mayne are believed to have been sisters, and both were married to booksellers.⁴⁷ Similarly, Janet Kene and Margaret Kene (who was married to bookseller John Wreitton, and is purported to have been active in the book trade in 1640-1) were also sisters.⁴⁸ Janet Hart, the wife of Edward Cathkin (the brother of James Cathkin) was likely the sister of bookseller Andrew Hart, who was himself married to Janet Kene.⁴⁹ The roles these women played in the book trade are borne out through both debt cases

⁴⁴ R. B. McKerrow (ed.), *A Dictionary of Printers and Booksellers in England, Scotland and Ireland, and of Foreign Printers of English Books, 1557-1640* (London, 1910), p. 279.

⁴⁵ James and Edward Cathkin, brothers, and both skinnners before they were booksellers, were also radicals. Edward and James took part in religious disturbances in 1585 and 1596-7. (McKerrow, p. 63; Lynch, *Edinburgh and the Reformation*, p. 367.) James Cathkin and Richard Lawson, meanwhile, were also involved in religious disturbances. In 1619 the two were summoned before the High Commission for 'not coming to the Kirk on Christmas Day, for opening of their books and walking before them in time of sermon, and dissuading others from going to the Kirk'. (McKerrow, pp. 63-4.)

⁴⁶ Mann, 'Embroidery to Enterprise', pp. 142-3.

⁴⁷ Stewart, *Urban Politics*, p. 188.

⁴⁸ The only reference to Margaret Kene seems to be in her husband's testament, when she is named his executrix. (See *Bann. Misc.*, ii, pp. 255-7.)

⁴⁹ McKerrow, pp. 63, 127-9.

and testaments. On 15 February 1631 Agnes Mayne, the widow of Richard Lawson, a bookseller, was owed £25 by James Boyd for books bought by James from Richard eighteen years previous.⁵⁰ Similarly, Janet Kene, the widow of Andrew Hart, was owed £24 14s 8d in 1638 by Andrew Wilson, a bookseller, for books he had bought from her one year previous.⁵¹ Her testament, written in 1642, lists 400 merks worth of 'certain books unsold' in her inventory.⁵²

Other women also seem to have taken over and maintained their husbands' book-selling businesses after the death of their husbands. James Cathkin's testament, for example, identifies him as a bookseller in Edinburgh who died on 30 September 1631. In his testament, given up by his widow, Janet Mayne, James lists in his inventory a large number of books contained in his house and booth, valued at just over £6,000.⁵³ Four years later, in the 1635 Annuity Tax Roll, Janet is listed as owning and using a high fore booth valued to £80.⁵⁴ Four years after that, in April 1639, she died, listing in the inventory of her testament a number of books of divinity held in that booth. Although the value of her inventory – which is calculated to £575 16s – is significantly less than that of her husband at the time of his own death, Janet nevertheless has a fairly significant quantity of books in her booth, indicating that she had continued her husband's business after his death.⁵⁵

While very few women were involved in the book trade, those that were were extensively involved, initially in co-operation with their husbands, and then, after the deaths of those husbands, on their own for what were sometimes significant periods of time. This provides additional proof that, although it was easier for women to participate in business in concert with their husbands, it was both socially acceptable and financially viable for these business to continue after the husbands' deaths.

⁵⁰ ECA, SL234/1/12. Richard Lawson's testament can be found in *Bann. Misc.*, iii, pp. 199-205.

⁵¹ ECA, SL234/1/14. See also *Bann. Misc.*, ii, pp. 241-9 for Hart's testament and pp. 257-9 for Kene's testament.

⁵² NAS, CC8/8/60/236-7. See also *Bann. Misc.*, ii, p. 258.

⁵³ NAS, CC8/8/55/498. See also *Bann. Misc.*, ii, pp. 249-52.

⁵⁴ ECA, 1635 Annuity Tax Roll, p. 132.

⁵⁵ NAS, CC8/8/59/524-5. See also *Bann. Misc.*, ii, pp. 253-4.

'Merchandise'

When Jean White of Haddington died in 1636, the task of preparing her inventory fell to her husband, Robert Leirmonth. Robert noted that in 'their' merchant booth was held a variety of types and amounts of cloth worth £64, two large iron pots worth just over £6 each and three small pots worth 40s each, ten pounds of pepper worth £9, five pounds of ginger worth £3, twenty stone of iron worth £30, and certain unspecified but 'small' cramer wares, all of which were valued to just over £20. Altogether, the inventory of the merchant booth was valued to just under £150. A further £1,800, £600 of which had been paid since Jean's death, was owed to merchants in Edinburgh for merchandise.⁵⁶ Taken together, it seems obvious that Jean had run a merchant booth in Haddington prior to her death, perhaps, given the use of the word 'their' to describe the booth, in concert with her husband. Further, it is apparent that Jean oversaw a merchant booth similar to a modern-day general store or market, from which customers could purchase a variety of items.

Many women like Jean, and particularly those who were the wives and widows of merchant burgesses, owned or rented shops in which they stored, and from which they sold, a variety of items in Edinburgh, Haddington, and Linlithgow. In this, they acted in a similar way to women who lived in late medieval and early modern England. McIntosh has uncovered evidence indicating that many women, and especially widows, were responsible for operating shops of 'middling size' in England in the late fifteenth and early sixteenth centuries. There, the most fortunate (and, by extension, those of higher social status) women merchandisers operated from an indoor shop. These shops 'commonly offered a diverse array of goods whose total value rarely exceeded a few hundred pounds, with individual sales of not more than a few dozen pounds.'⁵⁷ This again correlates with the findings for early modern Scotland. Most women who are identified in their testaments as the owners of items that were held in merchant booths were the wives or widows of merchant burgesses,

⁵⁶ NAS, CC8/8/58/146.

⁵⁷ McIntosh, *Working Women*, p. 126.

and so relatively high up the social ladder.⁵⁸ Isabel Denholme and Isabel Forbrand were, respectively, the wife and the widow of two burgesses (one a merchant burgess and the other an armourer burgess) who had booths in Edinburgh in the 1630s. Isabel Denholme's booth contained various amounts and types of cloth, the total value of which was just over £600.⁵⁹ Isabel Forbrand, meanwhile, had in her merchant booth a variety of cloth, clothing, thread, paper, spices, and candy, all in small amounts. The inventory of her booth was valued to just over £200.⁶⁰ Most women who ran merchant booths sold a wide variety of merchandise, including ready-made clothing, gloves, and trimmings, cooking and eating utensils, household wares, barrels of tar and oil, spices, sweetmeats, and dried fruits, a practice that continued throughout the seventeenth century. Dingwall, noting that thirty per cent of shops in Edinburgh were rented by women in late seventeenth century, observed that it was clear that 'several "tolerably wealthy" Edinburgh women were heavily involved in retail and general distribution of a vast array of goods, from cradles to frying pans'.⁶¹

Women also ran shops, which may have been slightly different from spaces classified as booths in that they may have been slightly smaller, and may not have had as much storage space. Ewan found evidence of Edinburgh women renting shops from the town in the fifteenth century, citing the example of Janet Scott, a widow, who rented a shop in the tolbooth from the town for 45s in 1457.⁶² This practice continued in the seventeenth century. In November 1635 the town treasurer's accounts for Edinburgh recorded that 'the maill of the flesh stands where now the goldsmith's are' had been set by James Loch to the widow

⁵⁸ The task of overseeing a husband's merchant booth was a duty of many wives in late medieval and early modern Scotland. It was even, in one case, used to help prove that a marriage had taken place. In St. Andrews in February 1568 a man and woman were trying to prove that they were indeed married. A witness called in the case reported that, in addition to his having seen them in bed naked, that 'thai war haldyn and reputt mareit folkis, the woman keptand his marchand buth as his wyff and sa haldyn'. (D. H. Fleming (ed.), *Register of the minister, elders, and deacons of the Christian congregation of St. Andrews: Comprising the proceedings of the Kirk Session and the Court of the Superintendent of Fife, Forthrik, and Strathearn, 1559-1600*, Vol.2 (Edinburgh, 1890), p. 290.) My thanks to Prof. Ewan for this reference.

⁵⁹ NAS, CC8/8/59/265-6.

⁶⁰ NAS, CC8/8/57/449.

⁶¹ Dingwall, *Late Seventeenth-Century Edinburgh*, p. 205.

⁶² Ewan, 'Mons Meg and Merchant Meg', p. 134.

of John Adie for a half a year for a rent of £40.⁶³ Similarly, in November 1637 the mail of a low booth under the weighhouse was set to the widow of John Blacklock for £13 6s 8d.⁶⁴ And for three years, in November 1635, 1636 and 1638 Bessie Thorbrand rented a shop from the town for £6 13s 4d.⁶⁵ The 1635 Annuity Tax Roll also recorded shops rented by women from the town. In a less than salubrious area of the city (on the Cowgate) five women, Bessie Forebrand, the widow of James Stirling, the widow of David Brown, Helen Black, and Bessie Wilson, all rented shops and houses from the town for rents which ranged from £3 6s 8d to £6 13s 4d.⁶⁶ Similarly, three women, Jean Brown, Catherine Leslie, and Bessie Brown are recorded in the tax roll as renting low booths beside each other in the northwest quarter.⁶⁷ Such arrangements indicate that women might have relied on other women for support in what might sometimes have been rather oppressive social and economic conditions for women living and working on their own.

Other women sold their wares not from booths or shops, but from stalls. Often identified as 'cramers' in debt litigation, these women purchased relatively significant amounts of merchant and 'cramery' wares from merchant burgesses and then resold it, likely from stalls. Usually, these women were identified in debt litigation by their first and last names and by the occupational designation of 'cramer'. Derived from the German 'kramer', denoting a retailer who sold a variety of small wares, in the debt litigation for Edinburgh this classification seems to have come to refer to a woman who sold goods from a stall or stand, and were thus different from hucksters and regrators, who often sold on commission for others and did not have stalls.⁶⁸ This method of selling

⁶³ ECA, Town Treasurer's Accounts, 1623-1636, f. 1072.

⁶⁴ ECA, Town Treasurer's Accounts, 1636-1650, f. 3

⁶⁵ ECA, Town Treasurer's Accounts, 1623-1636, f. 1163; 1636-1650, f. 3, f. 3.

⁶⁶ ECA, Annuity Tax Roll, p. 495.

⁶⁷ ECA, Annuity Tax Roll, p. 141.

⁶⁸ Kowaleski discusses women's roles as retailers in late medieval Exeter, noting that 'most of the 99 women who actively participated in Exeter's commercial life during this period functioned as petty retailers. [...] Compared with men, women were disproportionately active as retailers'. Most of these women retailed food, and were commonly referred to as 'hucksters' and 'regrators', neither of which was a type of retailer who sold from a stall or shop, and so seem to have been of lower status than the type of female retailers who were

from a stall has been described by McIntosh as being 'down a notch' status-wise when compared with selling from a booth or shop and seems to have been popular among widows and never-married women across the late medieval and early modern periods, who perhaps did not possess the necessary capital to rent or own a more permanent booth.⁶⁹ Cordelia Beattie refers to a number of women who were listed in the Chamberlains' Account Books for York in the early sixteenth century regarding stallage (the payment for permission to use a vending stall at a market or fair), noting that the women listed were identified as 'widows', 'singlewomen', by occupations (including servant and victualer), and by no designation at all.⁷⁰ Wiesner has uncovered evidence of a similar type of female merchandiser – who she describes as 'not simply peddlers or hawkers, nor were they true shopkeepers, for they sold from a small booth or stand' – in her work on early modern Germany, although she describes the items sold by these types of women as 'used merchandise', which had either been bought from citizens who needed money (in a form of pawnbroking) or after the death of a householder, when the household was being broken up.⁷¹

Although there is no evidence to indicate that crammers in Edinburgh functioned in a way similar to their contemporaries in Germany, evidence does exist in the burgh court records of Edinburgh for crammers purchasing merchandise from Scottish merchants, presumably for resale. In the majority of cases, these women purchased their wares from male merchants, or from male merchants and their wives. Because the women named as crammers in the

identified as 'cramers' in Scotland. (Kowaleski, 'Women's Work', pp. 147-8.) McIntosh also discusses women who acted as 'hucksters', 'regrators', and 'tranters', who she describes as 'poor women who could not sell from their homes' who often 'transported their goods on their backs or in baskets carried on their arms or heads'. (McIntosh, *Working Women*, pp. 130-2.) Again, these women seem to have been of lower status than the Scottish crammers, who often appeared as debtors in cases concerning what seems to have been quite large amounts of merchandise and which therefore indicated that their selling was more organised, on a larger scale, and of a high status than that done by hucksters, although not as high status as that done from merchant booths and shops. Further, hucksters often seem to have worked on commission while Scottish female crammers, who bought the items they sold directly from merchants, did not.

⁶⁹ McIntosh, *Working Women*, p. 128.

⁷⁰ Cordelia Beattie, *Medieval Single Women: The Politics of Classification in Late Medieval England*, (Oxford, 2007), pp. 132-3.

⁷¹ Wiesner, *Working Women*, p. 134.

Edinburgh debt litigation tended to appear alone, and were only identified as *cramers* and not as wives, widows, or some other designation, little evidence of their marital or social status can therefore be deduced. However, the ability of these women to engage in business with male merchants of quite high social status when purchasing their wares indicates that they were able to procure sufficient credit and were of sufficient status to engage directly with these men.

Seventy-eight of the 311 female debtors identified in Figure 3.5 who appeared in the records under either no classification, or a classification outwith that of a wife, widow, or servant, were identified as '*cramers*' or '*creamers*' in the records. Debts accrued by women identified as *cramers* could be quite large, as in the case of Margaret Aikman, who was found to owe £76 2s to Alexander Reid, a merchant, on 27 August 1622.⁷² Other *cramers* owed smaller amounts of money to multiple merchants who provided them with their wares. Mausie McNacht owed money to no less than nine Edinburgh merchants over the course of a two and a half year period.⁷³ The debts owed by Mausie to the merchants ranged from £3 2s to £27, suggesting that she may have overseen a thriving business.

The position of *cramer* also seems to have been a growing economic pursuit for women in Edinburgh over the course of the seventeenth century. No women identified as *cramers* appeared in the burgh court records before 1611, although one woman, Janet Craik, was identified as a *cramer* in her testament, proved in 1592.⁷⁴ The inventory of her possessions, which listed items held in her merchant booth and included lengths of cloth, socks, thread, reams of paper, pieces of parchment, and door and window nails, was valued to £129 11s 8d.⁷⁵ Janet also employed a servant, to whom she owed 40s for the woman's annual fee. That Janet's wealth was relatively substantial is further illustrated by the bequests in her latter will and legacy. She left bequests of money ranging from

⁷² ECA, SL234/1/10.

⁷³ See ECA, SL234/10/12, 30 August 1630, 27 November 1630, 2 December 1630, 26 February 1631 (two debts by Mausie to two different merchants were recorded on this day), 12 May 1631, 18 June 1631, 15 December 1632, 5 February 1633.

⁷⁴ NAS, CC8/8/24.

⁷⁵ NAS, CC8/8/24/148-9.

40s to £40 to seven people, plus 40s 'to the women that kept her', and bequests of clothing, household goods, and a New Testament and Psalm book to a further six people. Finally, she left the surplus of her 'gear' to 'the poor households at the discretion of her executors'.⁷⁶

Further evidence for Edinburgh in the sixteenth and early seventeenth centuries indicates that 'cramer' was initially an occupational term used to describe men, but became an occupation term used to describe women. Sanderson discusses three crammers in her description of people found in the Edinburgh 'crowd' in the sixteenth century, all of them male.⁷⁷ A trawl through *The Roll of Edinburgh Burgesses and Guild Brethren* reveals sixty-one men identified as crammers, all listed between 1515 and 1595. Only two men are identified as crammers in the roll after 1600, one in 1621 and the other in 1679. After 1700, only five men are identified as crammers.⁷⁸ Six testaments written by men between 1576 and 1603 identify these men as crammers, one of whom was identified as a 'cramer burgess' and one of whom was identified as a 'cramer indweller'.⁷⁹ After 1603 cramer was no longer used as an occupational designation by which to identify men in testaments, although two men from Dunfermline were identified as crammers later in seventeenth century.

The decline of men identified as crammers in their testaments coupled with the rise of women identified as crammers in debt litigation, indicate that woman may have replaced men as crammers. Why this might have happened is unclear. Perhaps men chose to abandon the title of cramer, preferring the more prestigious designation of merchant. Perhaps the term was, as a result, bestowed upon women who acted as merchandisers, and performed many of the same functions as did men who acted as merchants, but were not merchant burgesses and so did not have the ability to engage in overseas trade. Janet Craik, the woman who was identified as a cramer in her testament, was the daughter of

⁷⁶ NAS, CC8/8/24/149.

⁷⁷ Sanderson, *A Kindly Place?*, p. 59.

⁷⁸ Charles B. Boog Watson (ed.), *Roll of Edinburgh Burgesses and Guild Brethren, 1406-1841*, (Edinburgh, 1929 and 1930).

⁷⁹ Scotland's People (scotlandspople.gov.uk), searched for 'cramer' in the 'Occupation' section of the website.

Janet Fleming, who was herself listed as active in the export trade in 1558.⁸⁰ As Janet was the daughter of a merchant women, did she perhaps aspire to the same career as her mother, but was unable to engage in overseas trade because she was, apparently, a never-married woman?⁸¹ If so, perhaps 'cramer' was the occupational designation closest to merchant that Janet (and other women in similar situations who acted as crammers) could attain.

Whatever the reason for the decrease in the number of men identified as crammers, and the increase in the number of women, the number of women identified as crammers in the debt litigation for Edinburgh grew over the course of the early decades of the seventeenth century. Between 1611 and 1620 eleven women identified as crammers appeared as debtors in cases for merchandise. Between 1621 and 1630 the numbers of crammers appearing as debtors doubled to twenty, and between 1631 and 1640 more than doubled again as forty-seven women identified as crammers appeared as debtors in the records. This is a disproportionately large increase when compared to the number of cases entered during these decades, which did not double in each of these decades but remained relatively stable at between 8,000 and 10,000 cases per decade. Explanations for the increase in the number of women identified as crammers are elusive and open to speculation. It is possible that many more women than were identified as crammers in the records were in fact crammers, and that the classification became more common over time as these women sought to be identified in this way, or as court clerks sought to provide them with a classification.

Similarly, the variety of products involved in women's retailing of merchandise is somewhat difficult to gauge, as much is hidden by the language of the records. Frequently, debts for which women owed or were owed money were recorded as pertaining to 'merchandise' or 'merchant wares'. What exactly is meant by merchandise is hard to determine, as the term is never defined nor

⁸⁰ See notes 75-77 in Ch 2.

⁸¹ Janet is not identified as a wife in her testament, and her executors are listed as two men whose relationships to her are not explained. Nowhere in her testament is there mention that she had either a husband or children.

expanded upon when it is used in either debt cases or testaments. It is therefore likely that 'merchandise' was an umbrella term which served to describe the various items inhabitants of the burgh might need or want, and which may or may not have been available depending on what shipments the burgh's merchants had recently received. Sometimes these merchant wares came from England or Europe, as evidenced through the information contained in testaments. Such cases can give a good indication of Scotland's trading links with these areas, as well as create a degree of cross-over with regard to women's roles as merchants and as merchandisers. The inventory of Grissell Hamilton, the wife of a stabler burghess in Edinburgh, for example, included 1,100 merks of 'ready money' which was then with her husband in England and was to be used to purchase merchandise.⁸² Isabel Little, at the time of the making of her testament in 1615, owed money to nine creditors based in London, six of which debts were said to be for merchandise.⁸³ Bessie Cunningham, who died in 1617, owed money to eight merchants from a number of Flemish cities, including Utrecht, Rotterdam, and Dort, for various amounts of merchandise.⁸⁴

Evidence from the inventories and the two debt sections of testaments can be used to illustrate that women were engaged in buying merchandise from suppliers both near and far, and re-selling that merchandise to others.⁸⁵ Large amounts of merchandise listed in inventories indicate that the merchandise was intended for resale to others. This was particularly true if the items were said to be held in a testator's 'merchant booth'. Substantial debts owed by the testator to others for merchandise also indicate that the testator had purchased a number of merchant wares from a local merchant, or one from England or overseas, and was intending to resell these items. Finally, debts owed by others to the testator indicates that the testator owned large amounts of merchandise herself and had sold it to others, but had not been able to collect payment before her death. In all, forty-seven of 215 (or twenty-two per cent) of Edinburgh testaments written

⁸² NAS, CC8/8/47/166.

⁸³ NAS, CC8/8/49/35.

⁸⁴ NAS, CC8/8/49/632.

⁸⁵ The various sections which made up a testament in Scotland in this period are described in the 'Sources' section of the Introduction.

by women list 'merchandise' in their inventories. Six (three per cent) of these testaments list debts owed to the testator from others for merchandise, and twenty-three (eleven per cent) list debts owed by the testator to others for merchandise.

With regard to testaments written by women living in Haddington, four out of thirty-seven (eleven per cent) listed items of merchandise in their inventories.⁸⁶ No Haddington women were owed money for merchandise, but the debt sections of three testaments written by Haddington women did identify the testators as owing money to others for merchandise, indicating that they had purchased merchandise from others which they may have then re-sold.⁸⁷ The evidence contained in Linlithgow testaments followed a similar pattern. Only one Linlithgow testament written by a woman listed merchandise in its inventory.⁸⁸ Two testators from Linlithgow were owed money for merchandise at the time their testaments were made, and two were owed money by others for merchandise.⁸⁹ The evidence contained in the Haddington and Linlithgow testaments tends not to identify from whence the merchandise listed had come, perhaps indicating that such merchandise may have been of local origin, or had passed through the hands of several Scottish merchants before arriving in these towns.

Once a shipment of merchandise had been imported into the community, the items which made up that shipment could be sold by the importing party to other members of the community. The results of these sales often show up in debt litigation. As Table 3.1 illustrates, women contracted debts for merchandise much more frequently in Edinburgh than they did in either Haddington or Linlithgow, which correlates with the increased amounts of merchandise found

⁸⁶ These four testaments pertained to Janet Blackburn (CC8/8/53/33), Janet Sharpe (CC8/8/19/90), Jean White (CC8/8/58/146), and Christian Wood (CC8/8/22/113).

⁸⁷ These three testaments pertained to Agnes Kirkwood (CC8/8/57/52), Jean Shortous (CC8/8/48/459), and Jean White (CC8/8/58/146).

⁸⁸ The two testaments pertained to Jane (or Jean) Kae (CC8/8/40/130) and Agnes Mylne (CC8/8/50/384).

⁸⁹ The two testators who were owed money for merchandise were Sara Burne (CC8/8/50/384) and Agnes Mylne (CC8/8/50/384). The two testators who owed to others for merchandise were Agnes Burne (CC8/8/50/234) and Jane Kae (CC8/8/40/130).

in Edinburgh testaments compared with those written by inhabitants of Haddington or Linlithgow. With regards to the Edinburgh debt litigation evidence, women acted as creditors in 850 debts for merchandise, and as debtors in 1,140 cases. Women in Haddington and Linlithgow featured in debts for merchandise much less often. Between 1580 and 1640 only fifty-two debt cases involving both a woman and an unspecified amount of merchandise were entered into the Haddington burgh court records. This represents just 2.1 per cent of debt cases involving Haddington women. This was similar in Linlithgow. There, between 1590 and 1640, only thirty-three debt cases involving both a woman and an amount of merchandise were entered into the burgh court records. Again, this represents just 2.4 per cent of debt cases involving Linlithgow women. However, such results are scarcely surprising given the differences between Edinburgh and the smaller centres of Haddington and Linlithgow. Edinburgh was a larger, more cosmopolitan community than were either Haddington or Linlithgow. Edinburgh's larger population and readier access to fashionable imported and other ready-made goods likely resulted in both greater accessibility to, and greater demand for, 'merchandise' and 'merchant wares'.

Table 3.1. Debts Contracted by Women for Merchandise:

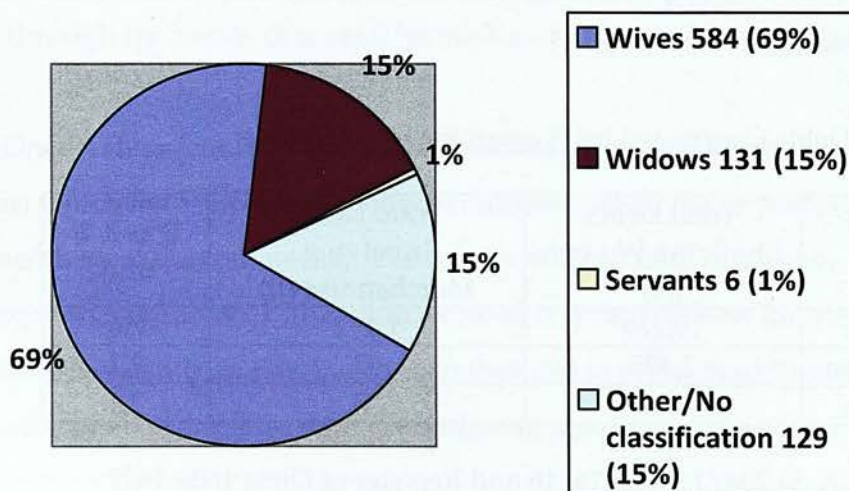
	Total Debts Involving Women (A)	Total Debts Involving Merchandise (B)	B as a % of A
Edinburgh	19,214	1,491	7.6
Haddington	2,425	52	2.1
Linlithgow	1,366	33	2.4

Source: ECA, SL234/1/3-12, 14, 16 and Register of Diets 1606-1622 (uncatalogued); NAS, B30/10/3-13; NAS, B48/8/1-11.

As Figures 3.4 and 3.5 show, women in Edinburgh who were identified as wives were most likely to appear as either creditors or debtors in cases concerning merchandise. Women classified as widows were more likely to act as debtors rather than creditors in debts for merchandise, although many such

widows acted as debtors because they were purchasing items from merchants which they then re-sold to other from their merchant booths, which they may have originally run with their husbands. Agnes Lamb, the widow of a merchant burgess, held items in her merchant booth valued to just over £350 at the time of her death in 1636.⁹⁰ Marie Lyle, another widow, had 'certain small wares' valued to just over £430 in her merchant booth at the time of her death in 1645.⁹¹ This illustrates that, like women who acted as merchants, women who were involved in the sale of merchandise tended to do so in concert with, or with the support of, their husbands, or were carrying on a business pursuit they had begun when a wife. Women who appeared in the records identified as something other than a wife, widow, or servant, or solely under their own names, meanwhile, were also active, particularly as debtors. As discussed earlier, however, almost one-third of these women who appeared as debtors were identified under the designation of 'cramer'.

Figure 3.4. Women as Creditors in Debts for Merchandise in Edinburgh:

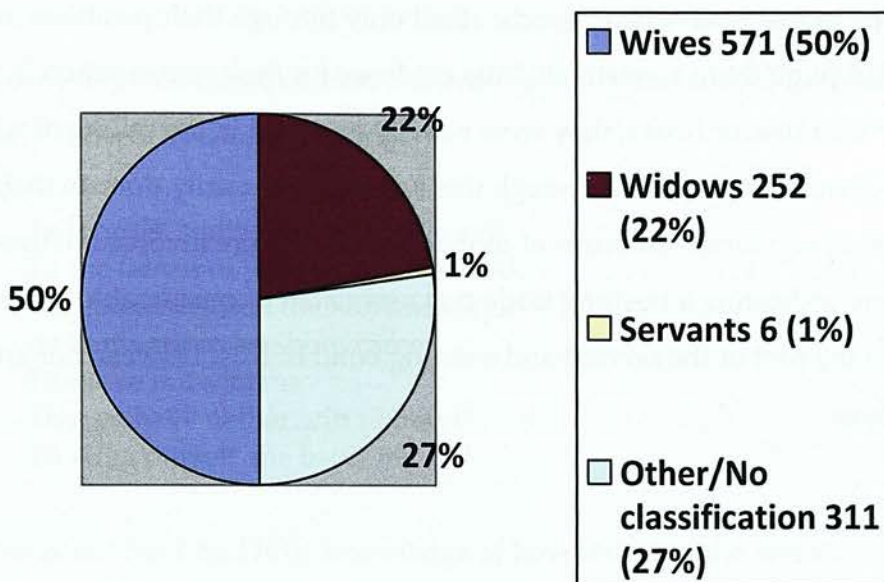


Source: ECA, SL234/1/2, 4-12, 14, 16; ECA, Register of Diets, 1606-1622.

⁹⁰ NAS, CC8/8/58/45.

⁹¹ NAS, CC8/8/63/638.

Figure 3.5. Women as Debtors in Debts for Merchandise in Edinburgh:



Source: ECA, SL234/1/2, 4-12, 14, 16; ECA, Register of Diets, 1606-1622.

Conclusion

Taken together, the picture that emerges of Scottish women as merchandisers correlates with the role of women in the markets of early modern Germany, which Merry Wiesner has described as depicting 'the primacy of women in the distributive trades'.⁹² Merchant wives and widows, situated toward the highest class of society and often involved in the import-export trade, also acted as merchandisers, selling from their merchant booths the items they had imported with their husbands. In addition, wives of middling status also acted as merchandisers and sold a variety of items from their booths and stalls. Although they were not engaged in the large-scale importation of goods, there is evidence that they were purchasing these goods in substantial quantities with the intent to resell locally. The owners of booths were the most fortunate merchandisers, having as they did a permanent, secure space from which to sell and in which to store their merchandise. Cramers were somewhat less well off, but the women who acted as merchandisers in this way - acting singly, purchasing merchandise

⁹² Wiesner-Wood, 'Paltry Peddlers', p. 12.

from merchant burgesses, and renting stalls – displayed a remarkable degree of independence. Lastly, it is worthwhile noting that even female servants were active in the sale of ready-made goods, albeit only through their positions in service. Although there is relatively little evidence for their participation in the sale of merchandise or books, they were heavily involved in the selling of wine on behalf of their employers. Although this was not necessarily done in their own interests, significant amounts of money and wine were involved in these transactions, indicating a bustling trade that necessitated considerable business acumen on the part of the servant and a strong bond of trust between her and her employer.

Chapter 4:

Women as Rentiers and Money Lenders

The poet William Dunbar decried the overcrowding and filth of Edinburgh in the early sixteenth century, writing:

Tailyouris, souteris, and craftis vyll,
 To the fairest of your streitis dois fyll,
 And merchantis at the Stinkand Styll
 Ar hamperit in ane honycame
 Think ye not schame
 That ye have nether witt nor wyll
 To win yourself ane bettir name?¹

Dunbar could have had little knowledge of how crowded the town would become. In 1560 Edinburgh's population was approximately 12,000; by 1635 it had risen to approximately 20,000, although the area the town covered was roughly the same.² Residents lived literally on top of one another, in tenement stairs that reached several storeys in height. It was just this dense population, however, that gave rise to the economic activities that will be discussed in this chapter for, as the population of the town increased, so too did the need for temporary accommodations and borrowed money. Further, while the activities of merchants and guilds were open only to a select few and often strictly regulated, resulting in the minimisation of women's roles, activities like the renting out of property, moneylending, and pawnbroking were not, and so could be undertaken by a broader range of the population. As a result, women drew from each of these sources of income, although the extent of their participation varied depending upon their social and marital statuses.

In addition to being unregulated, renting property and lending money were also socially necessary and acceptable. These three activities were similar in that they allowed women to provide a service to others – either in the form of a place to live or money with which to purchase necessities – while at the same

¹ J. Conlee (ed.), *William Dunbar: The Complete Works* (Kalamazoo, 2004).

² Lynch, *Edinburgh and the Reformation*, p. 279.

time allowing women to provide themselves with an income. Further, as McIntosh has noted, these three activities 'facilitated the operation of the broader economy': through the renting of property visitors and immigrants to these towns could find housing, while merchants, craftspeople, and merchandisers could find booths and shops to sell their wares; through moneylending those with good credit reputations could borrow money to finance personal and business-related endeavours; and through pawnbroking those who were new to the community or who did not possess a good credit reputation could use items already in their possession as collateral when borrowing money needed to purchase necessities.³

This chapter will consider each of these three activities in turn. It will begin with a consideration of the role of women in the renting of property. For this it will draw extensively upon the 1635 Annuity Tax Roll for Edinburgh, which provides information regarding the number and marital statuses of women who owned property within the town. This tax roll further provides information concerning the roles of women as landlords, as it not only lists landlords, but also their tenants and descriptions of the properties these tenants rented. The role of women as renters of property will also be considered using debt litigation by identifying those debts in which women appeared as creditors for amounts of 'maill'. This approach will allow a consideration of the roles of women as those who rented out property in all three communities.

Following an examination of women's roles as property renters, this chapter will consider women's roles in moneylending and pawnbroking. As will be shown, after the Reformation and relaxation of laws against usury, moneylending became an increasingly important economic pursuit in the towns of Edinburgh, Haddington, and Linlithgow. Women of all marital and social statuses played a part in this growth, with a significant number of women appearing in debt litigation concerned with amounts of lent money and listing amounts of money out on loan in their testaments. Pawnbroking will be considered with moneylending, as it often seems to have taken place on an *ad*

³ McIntosh, *Working Women*, p. 85.

hoc basis by women who were also moneylenders and so was not its own occupation. Together, an examination of women's roles in these three pursuits will illustrate women's ability and enthusiasm to engage in these unregulated, yet often highly lucrative, endeavours.

Women and Property: Control and Use

The role of women in the renting out of property can be difficult to uncover in the medieval and early modern periods, but a number of studies have attempted to do so. Reyerson's study of women and business in Montpellier between 1293 and 1348 showed that women were active in the 'exploitation of real property', specifically through house and land rents, sharecropping, and tenurial arrangements. She observes that women were less likely to have been lessees than lessors in these arrangements. In particular, Reyerson notes that while women were actively engaged in renting out tables and shops in the Montpellier markets, they were never recorded as shop tenants.⁴ Derek Keene, in his study of tanners' widows who lived in London between 1280 and 1370, states that the properties left to widows by their husbands were intended to be rented out, providing an income for the widows and their children.⁵ Keene argues elsewhere that renting out property was 'a more appropriate investment for those unwilling or unable to participate in trade or who needed to create an endowment' and that it was therefore no surprise that the widow of a merchant was among the wealthiest private rentier landlords in London in 1412.⁶ Kowaleski, in her investigation into women's work in Exeter in the fourteenth century, does not consider the practice of renting out property as work, but does argue that Exeter tax records reveal that 'female heads of household who worked had lower average incomes than did female heads of household who

⁴ Reyerson, 'Women in Business in Medieval Montpellier', p. 135.

⁵ Derek Keene, 'Tanners' Widows' in *Medieval London Widows, 1300-1500*, eds. C. M. Barron and A. F. Sutton (London, 1994), p. 17.

⁶ Derek Keene, 'Landlords, the Property Market, and Urban Development in Medieval England' in *Power, Profit and Urban Land*, eds. F. E. Eliassen and G. A. Ersland (Aldershot, 1996), pp.104-5.

did not work but depended on property rents for income'.⁷ Women in Exeter, then, were clearly engaged in the practice of renting out property. Hanawalt also explores the roles of women in the real estate market of late medieval London, noting that married, widowed, and single women could all rent property in their own names (although to do so married women needed to have attained the status of a *femme sole*), and in turn rented out property that they owned or controlled to others.⁸

With regard to the practice of renting out property as a type of business, McIntosh has noted the growing frequency with which women let out property for rent as a form of income in the late sixteenth century in England, even going so far as to say that such practices might have been the harbingers of the practice noted by Earle in his *Making of the English Middle Class*, in which a substantial number of female *rentiers* in London lived off the income garnered by renting out their properties in the late seventeenth and early eighteenth centuries.⁹ Froide, meanwhile, argues that there was an extensive amount of property controlled by singlewomen in Southampton, Oxford, Bristol, and York between 1550 and 1750, noting that between twenty-two and forty-seven per cent of singlewomen in these communities bequeathed property to others in their wills.¹⁰ Most properties owned by these singlewomen were likely to be 'houses' (tenements or messuages), which were advantageous both because they could provide a home for the singlewoman, and because they were easy to rent out to others.¹¹ Froide argues elsewhere that renting rooms and otherwise opening their homes to lodgers or boarders allowed some poor widows to retain headship of their households after the deaths of their husbands.¹²

Once women rented properties from others, how they used that property varied. Erickson uses probate records to determine how widows and never-married women lived in England in the early modern period, noting that

⁷ Kowaleski, 'Women's Work', p. 156.

⁸ Hanawalt, *Wealth of Widows*, p. 163, pp. 166-7.

⁹ McIntosh, *Working Women*, p. 114.

¹⁰ Amy M. Froide, *Never married*, p. 121.

¹¹ *Ibid.*, p. 122.

¹² Froide, 'Marital Status', p. 239.

'widows may have often lived with other widows, their sisters- and mothers-in-law' or rented rooms, 'again, often with other lone women', and that 'slightly less than one-half of single women whose estates came before the probate court appear to have lived in someone else's household'.¹³ With this, Erickson makes reference to 'spinster clustering', a phenomenon identified by Olwen Hufton for urban England and France in the eighteenth century, but for which Erickson has also found rural evidence. Goldberg also makes reference to spinster clustering in his investigation of the 1377 poll returns for a number of English communities, including York, Hull, Colchester, and Carlisle, as well as more rural areas.¹⁴ Sarah Rees Jones uses rental evidence to argue that 'clusters' of female tenants lived in poor quality two-room cottages and single rooms, often located above shops, in fourteenth-century York.¹⁵ Beattie, meanwhile, explores this phenomenon through a series of case studies which carefully combine poll tax returns and cause paper evidence to uncover the living arrangements of widows and never-married women in York in the late fourteenth and early fifteenth centuries.¹⁶ Froide also makes mention of widows who lived together in the seventeenth-century Southampton, noting that these women 'shared household expenses and housework, and perhaps provided emotional as well as material support to one another'.¹⁷

For Scotland, Brown in his examination of the Edinburgh merchant elite between 1600 and 1638 notes that there is evidence of 'lively interest in urban renting by the elite', adding that this manifested itself in 'a revival in the building of tenements, rising rents and the tenuous beginnings of a class of people who could truly be described as *rentiers*'.¹⁸ In the seventeenth century,

¹³ Erickson, *Women and Property*, pp. 189, 191.

¹⁴ Goldberg, *Women, Work, and Lifecycle*, pp. 305, 313.

¹⁵ Sarah Rees Jones, 'Women's Influence on the Design of Urban Homes' in *Gendering the Master Narrative: Women and Power in the Middle Ages*, eds. M. C. Erler and M. Kowaleski (Ithaca, 2003), p.194.

¹⁶ Cordelia Beattie, 'A Room of One's Own? The Legal Evidence for the Residential Arrangements of Women Without Husbands in Late Fourteenth- and Early Fifteenth-Century York' in *Medieval Women and the Law*, ed. N. J. Menuge (Woodbridge, 2000), pp. 47-55.

¹⁷ Froide, 'Marital Status', p. 239.

¹⁸ Brown, 'The Social, Political and Economic Influences', p. 276.

rental agreements were contracts whereby one person assumed a property owned by another and promised to pay a specific yearly maill for the use of that property. Maill was typically collected at two times in the year: Whitsunday (22 May) and Martinmas (22 November), and there are obvious spikes in the number of debt cases for maill entered into the burgh court records in the weeks after those dates every year. In her work regarding Edinburgh in the eighteenth century, Sanderson found no indication that the charges associated with renting property were standardised, and the same appears to be the case for the late sixteenth and early seventeenth centuries.¹⁹ Rather, the cost of the maill charged by the landlord to the tenant likely relied on the quality of the lodging, the quality of the lodger, and whether or not any further services (including the provision of linens, the washing of clothes, or the lending of money) had been included with the rental agreement.

Helen Dingwall's extensive mining of the 1694 poll tax for Edinburgh uncovered that nearly twenty per cent of households in Edinburgh in the late seventeenth-century were headed by widowed or single women. This is a higher percentage than has been found for towns in England during a similar period, where widows headed 12.9 per cent of the households and single women just 1.1 per cent,²⁰ but is comparable to Burgundy, France, where widows headed an average of eleven per cent of households in the 1630s, sixteen per cent in the 1670s, and 19.1 per cent in 1680.²¹ Sanderson has also noted the prevalence of women who rented out property in her work on eighteenth-century Edinburgh, and addressed the benefits and challenges associated with the practice. She notes that letting property was both a relatively easy method of earning money, as it was not regulated by the burgh, did not require too much financial outlay, was relatively low-risk (especially when compared with the risks associated with investing in trade), and was respectable.²² She notes that letting out rooms

¹⁹ Sanderson, *Women and Work*, p. 44.

²⁰ Dingwall, *Late Seventeenth-Century Edinburgh*, pp. 38-9, Froide, *Never married*, p. 19, Laslett, 'Mean Household Size', p. 174.

²¹ James B. Collins, 'The Economic Role of Women in Seventeenth-Century France', *French Historical Studies* 16:2 (1989), pp. 454-5.

²² Sanderson, *Women and Work*, p. 41.

in a property might be the only means left to a widow of supporting her family, but that because letting out rooms was seen as a respectable business, women across the social spectrum – including the wives and widows of merchants, ministers, craftsmen, and goldsmiths – can all be found engaging in it.²³ The same was true for Edinburgh in the late sixteenth and early seventeenth centuries. Renting was not without its challenges, however. Lodgers could become sick or even die while renting. Tenants might damage or steal furnishings from the properties they rented, refuse to pay the rent, or vanish entirely without paying.²⁴

Only rarely do challenges to rental agreements appear in the burgh court records, as in a case entered into the *Court Book of the Burgh of Canongate and the Regality of Broughton* on 4 February 1570 in which David Yester was ordered to pay £6 to Agnes Boyle and Leonard Robeson, her spouse, for the maill of a dwelling house. David, however, argued that when he had agreed to live in the house Agnes had promised to repair a loft pertaining to the house before she would begin charging him rent, the repairs to which had not yet been performed. Agnes replied that she had made no such promise.²⁵ Other such cases ended in favour of the tenant, as in the case of James Lands, a merchant burghess, who, on 17 June 1623, was found to owe Katherine Moncure, the widow of Dougal Campbell, dean of brethren, 140 merks for the maill of a ‘great lodging.’ However, £61 2s 6d was deducted from that debt in recognition of the money James had paid out of his own pocket for repairs to the lodging.²⁶

There are several reasons why disagreements between landlords and tenants over the state of a property are rare in the burgh court records. In a burgh as congested and populous as Edinburgh, where multi-occupation of tenement properties was common and high- and low-status buildings were often in close proximity to one another (as illustrated by Figure 4.1), problems that arose may have been dealt with less formally. The rapid population growth

²³ Ibid, p. 42.

²⁴ Ibid, pp. 44-5.

²⁵ Wood (ed.), *Court Book of the Canongate*, p. 150.

²⁶ ECA, SL234/1/10.

in the town between 1580 and 1630²⁷ must have produced a high demand for both short- and long-term leases, and the relatively low level of rental disputes may indicate the presence of demand so in excess of supply that landlords could pick and choose their tenants with care, and that tenants, once chosen, were happy to simply have a place to live or work and chose not to quibble over property standards or rental agreements. It is also possible that such cases were settled out of court between the landlord and tenant, and so were not entered into the records. Still other problems were dealt with by owners of the individual tenement buildings, and so did not concern the landlord-tenant relationships of those tenants living within the buildings.²⁸

Regardless of possible legal complications, the return that could be achieved on property that had been rented out was sufficient incentive for many individuals, including women. The population surge of the late sixteenth and early seventeenth centuries meant that new, more densely packed tenements needed to be built, and the resulting building boom in the capital between the 1590s and 1630s increased the number of households by seventy-four per cent to 3,901.²⁹ Accommodation was needed by everyone and it was not always possible for a person to own his or her own property, even among members of the gentry and aristocracy. Properties were also needed by both men and women from which to conduct business, create products, and provide food and drink. Those seeking tenancies included both visitors to the towns and long-term inhabitants,

²⁷ Brown, 'The Economic, Political, and Social Influences', p. 285.

²⁸ Doctoral work being carried out by Leona Skelton at the University of Durham suggests that, in the seventeenth century, problems relating to the cleanliness and upkeep of tenements were dealt with by the owners of such tenements through the Dean of Guild court, which dealt with issues relating to building regulation (ECA, SL144/1). However, threats by tenants to leave affected lodgings might be used as evidence of the problem by tenement owners when they faced off in court. My thanks to Ms. Skelton for providing this reference. This challenge associated with owning a tenement, or a property in a tenement building, has also been discussed by Diane Shaw for medieval London. (Diane Shaw, 'The Construction of the Private in Medieval London', *Journal of Medieval and Early Modern Studies* 26:3 (1996), pp. 447-66.)

²⁹ Brown, 'The Economic, Political, and Social Influences', pp. 285-6; McNeill and MacQueen (eds.), *Atlas of Scottish History to 1707*, p. 456. At the forefront of this building boom were the merchant elite of Edinburgh, who had the money and land necessary to clear ruined tenements and erect and rent out new ones. (Brown, 'The Political, Social, and Economic Influences', pp. 285-6.)

and rental contracts could be arranged for terms lasting a few days, a few weeks, six months, or for years.

Figure 4.1. An illustration of Advocate's Close, located off Edinburgh's Royal Mile:



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Source: Edinburgh City Libraries. Although this pencil sketch dates from c. 1852, it illustrates both the height and the cramped nature of tenement buildings which would have been present in Edinburgh in the seventeenth century.

Rental agreements concerned a wide variety of places and things. In particular, tracts of land, houses, chambers, business premises (including high and low booths, shops, and taverns), stables, and even caichpools (tennis courts) were let out by their owners for various sums of money. In Edinburgh, the

majority of debts in which women participated as those who rented out properties pertained to homes, but debts for booth maill were also common. In the more rural communities of Haddington and Linlithgow, women were also involved in debts identified as 'fermes', which pertained to areas of land let at a fixed rate, although debts for house maill were still the most common type of rental debts contracted. Debts for booth maill were much less common in Haddington and Linlithgow than in Edinburgh, perhaps indicating that those communities had fewer rented spaces specifically designated for trade. It is possible that people in these communities sold items from their houses rather than from shops.

Women from all walks of life across all three towns participated in debts for maill as both landlords and tenants. The roles of wives as landlords was somewhat obscured in certain records, such as the 1635 Annuity Tax Roll, due to the law which dictated that women living in sixteenth- and seventeenth-century Scotland were to surrender control of their moveable property, including any rents produced as a result of any heritable property they controlled, to their husbands upon marriage,³⁰ but other records, including burgh court records and testaments, can bring to light the extensive involvement exhibited by many women in rental arrangements.

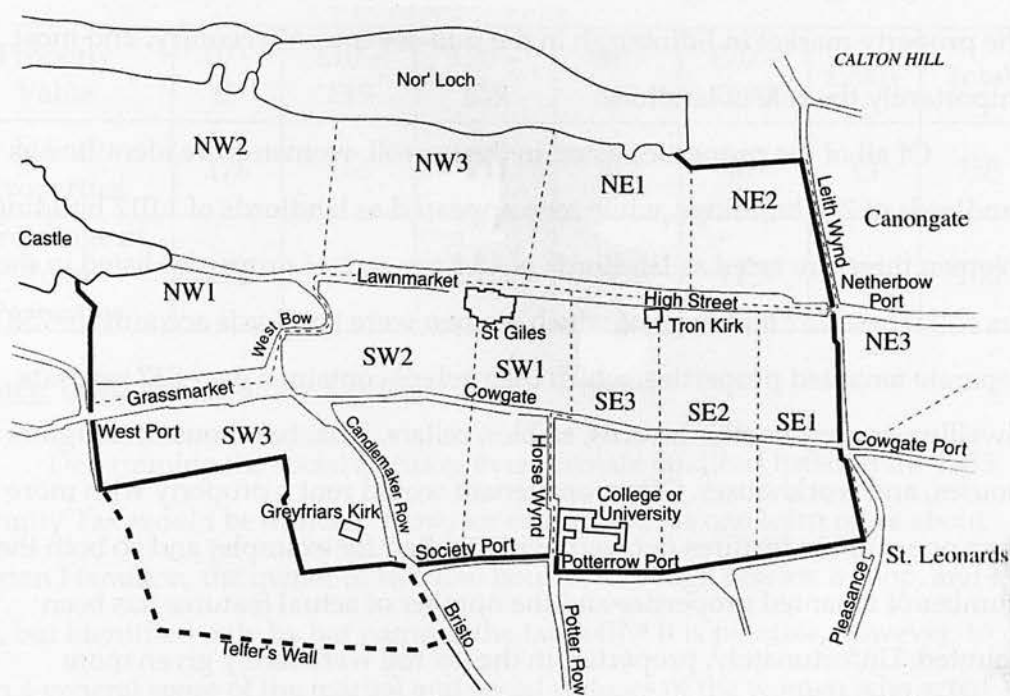
Women as Landlords in the 1635 Annuity Tax Roll

One of the best sources for determining women's roles as property owners and landlords in seventeenth-century Edinburgh is the 1635 Annuity Tax Roll. Recorded between 1634 and 1636, this tax roll lists the landlord, tenant, and value of every property in Edinburgh at that time. The tax roll also documents the layout of Edinburgh, with those who listed the landlords, tenants, value, and tax of each property literally walking up one close and down another as part of their assessment of each of Edinburgh's four quarters (see Figure 4.2). In all, the tax roll identifies approximately 4,100 separate households and approximately 900 business premises, with property values ranging from a low of £2, for a

³⁰ Coutts, *Business of the College of Justice*, p. 140.

number of houses located in parts of the southwest quarter, to a high of £533 6s 8d for the property owned by Alison Steinson, located in the southwest quarter.³¹

Figure 4.2. Map of Edinburgh in 1635: Showing Edinburgh's four quarters, which are further subdivided into thirds, this map illustrates the layout of Edinburgh during the assessment of the 1635 Annuity Tax.



Source: McNeill and MacQueen (eds.), *Atlas of Scottish History to 1707*, p. 456.

Women are well represented in the tax roll as both landlords and tenants, although a major drawback of the tax roll is that it only identifies heads of households and does not give any information as to who might have lived with the primary tenant. Men are typically identified by their occupation, while women are most often identified by nothing at all. Some women are identified as the widow or 'relict' of a husband, and a very few are identified as wives who were 'liferenters' of the property being assessed. The term 'liferenter' indicates that the wife was entitled to receive the 'liferent' of a property. The *Dictionary of the Scots Language* defines 'liferent' as the 'right to receive till death (or some

³¹ ECA, 1635 Annuity Tax Roll, p. 111.

other specified contingency) the revenue of a property without the right to dispose of the capital', and notes that the term corresponds to the civil law term 'usufruct'.³² It is therefore likely that the wife was the actual owner of the property (and perhaps acquired the property as a result of a previous marriage) but, as a husband assumed control of his wife's property upon their marriage, her husband is named with her. Nevertheless, the tax roll is a rich source that can bring to light a variety of information with regard to the roles of women in the property market in Edinburgh in the mid-seventeenth century, and most importantly the role of landlord.

Of all of the properties listed in the tax roll, women were identified as landlords of 232 buildings, while men appeared as landlords of 1,017 buildings. Women therefore acted as landlords of 18.5 per cent of properties listed in the tax roll. These 232 buildings of which women were landlords account for 758 separate tenanted properties, which themselves contained over 837 separate dwelling houses, booths, taverns, stables, cellars, lofts, bakehouses, slaughter houses, and workhouses. Often, one tenant would rent a property with more than one of these features (a tavern with a cellar, for example) and so both the number of tenanted properties and the number of actual features has been counted. Unfortunately, properties in the tax roll were rarely given more extensive descriptions than those listed above, although they often included their location in relation to the property that came previously ('above', 'below', 'joining', 'up 4 steps', *et cetera*). More highly-valued properties were usually given more extensive descriptions, but this also had to do with the fact that they usually contained more features, including cellars, lofts, and stables. However, the value of the individual components of a single property were not given in the tax roll. Rather, the value of the entire property (for example, the tavern and the cellar) was the only value given. As a result, the number of separate tenanted properties for which women acted as landlords, 758, has been used in Table 4.1, rather than 232 or 837. This allows the value of each individual property listed in the tax roll to be considered. As illustrated in Table 4.1, sixty-nine per cent of the

³² www.dsl.ac.uk

758 properties for which women acted as landlords were valued at between £0 and £39. However, Walter Makey in his analysis of the tax roll determined that two-thirds of all tenants in Edinburgh paid less than £40 per year for rent.³³ Therefore the majority of properties controlled by women were of no lesser value than those controlled by men.

Table 4.1. Female Landlords in Edinburgh, 1635:

Property Value	£0 - £9	£10 - £19	£20 - £39	£40 - £69	£70 - £199	£200+	Total
No. of Properties	176	166	184	132	87	13	758
Percentage of Total Properties	23.2	21.9	24.3	17.4	11.5	1.7	100

Source: ECA, 1635 Annuity Tax Roll

Determining the social status of every female landlord listed in the 1635 Annuity Tax would be difficult. How, for example, does one learn more about Marion Hamilton, the owner of two low houses, two high houses, a shop, and a loft, but identified only by her name in the tax roll?³⁴ It is possible, however, to gain a general sense of the marital and social statuses of the women who acted as landlords. Typically, these women were the wives or widows of merchants, ministers, craftsmen, or booksellers.³⁵ As a result, these women tended to come from the upper levels of the craft and merchant classes, as well as sometimes being female members of the gentry. Likely, this was because these were the types of women who acquired through inheritance, marriage, or outright purchase more property than they were able to use themselves.

Female landlords, like male landlords, could sometimes control extensive numbers of properties. Elizabeth Frame, for example, was the landlord of twenty-eight properties in two tenements, ranging in value from £3 to £33 6s 8d,

³³ Makey, 'Edinburgh in the Mid-Seventeenth Century', p. 206.

³⁴ ECA, 1635 Annuity Tax Roll, pp. 20-1

³⁵ For a discussion of how these women used the properties they owed, please see Chs. 2 and 3.

although most were valued between £3 and £8.³⁶ Elizabeth did not live in her own tenements, perhaps indicating just how undesirable they were. Rather, she rented a dwelling house and a booth from James Wright, a hatmaker, for £33 6s 8d and £26 13s 4d.³⁷ Other women, however, were landlords of much more valuable properties. Catherine Simpson, the widow of Thomas Patterson, rented out four properties in a tenement and lived in a fifth property herself. She rented to a widow, a colonel, and two other men, and the value of the properties of which she was landlord ranged from £32 to £160.³⁸ Similarly, Sarah Abercromby acted as landlord of nine properties which ranged in value from £13 6s 8d to £100. She counted a lord and a merchant among her tenants.³⁹ Other women took advantage of their status as widows of merchants or craftsmen by renting out properties that must have been owned and used by their husbands while they were alive. The widow of John Henryson, who had been a flesher (butcher), for example, rented a house and two slaughter booths, presumably used by her husband during his life, to Robert Skirling.⁴⁰ Women, therefore, acted as landlords for properties which covered a range of values, as well as classes of tenants. Women acted as landlords for members of the gentry, merchants, and craftsmen, as well as for members of the poorer classes. They were, in short, conspicuously active in the role of landlord in early modern Edinburgh.

While much can be learned from the 1635 Annuity Tax Roll, there are aspects of women's roles as rentiers and tenants on which it remains silent. One such area is the marital status of those women who acted as landlords and tenants. Women identified as wives are not listed under their own names as either landlords or tenants anywhere in the tax roll. However, thirteen entries in the tax roll – representing seven married couples – name a husband as a landlord of a property, but explicitly state that he is acting 'for his wife'. One such example features two properties entered into the tax roll for the southeast quarter of Edinburgh, for which John Bannatyne, a merchant, was identified as

³⁶ ECA, 1635 Annuity Tax Roll, pp. 460, 578-80.

³⁷ ECA, 1635 Annuity Tax Roll, pp. 197, 199.

³⁸ ECA, 1635 Annuity Tax Roll, p. 122.

³⁹ ECA, 1635 Annuity Tax Roll, p. 515.

⁴⁰ ECA, 1635 Annuity Tax Roll, p. 395.

acting 'for his wife'. One property appears to have been quite well-to-do, with maills ranging from £8 to £133 6s 8d and all but one maill valued at £30 or above.⁴¹ The maills for the other property controlled by John Bannatyne and his wife ranged between £4 and £26 13s 4d, with two maills valued to £20 and above, and the other three maills valued to between £4 and £5 6s 8d.⁴² The phrase 'for his wife' is interesting, and signals that it was Bannatyne's wife – and not Bannatyne himself – who held ownership of the property and that it was property she had perhaps brought to her marriage. However, because she was married, the control of the property fell to her husband. Further, three of these seven wives semi-identified in the tax roll through their husbands are identified as 'liferenter' or 'liferentrix' of the properties in question, suggesting that they enjoyed a more active role in the control of the properties in question than the doctrine of coverture usually allowed, and signalling their right to collect the revenue from the renting of the property, even if they were not able to dispose of the property without their husbands' consent. For example, the landlord for a building in the northeast quarter of Edinburgh is listed as being 'Robert Monteith, for his wife, liferenter'.⁴³ There then follows a list of the properties that fell under the ownership of Robert Monteith and his wife, including a tavern, a booth, three 'heigh' (high, upper level), and two 'laiche' (low, ground floor) houses. One of the 'high' houses acted as the home of Robert Monteith and his wife.

The majority of women listed as landlords in the tax roll who are identified by their marital status are identified as widows. Approximately 120 individual widows appear as landlords, although there are several instances in which a widow is the landlord of more than one property. In the majority of entries in the tax roll, widows are identified as the 'relits', or 'relicts', of their husbands (which sometimes makes discerning a woman's actual name difficult, if her name was not provided in the initial entry, or in subsequent entries), although widows are also sometimes identified by the simple designation of

⁴¹ ECA, 1635 Annuity Tax Roll, p. 423.

⁴² ECA, 1635 Annuity Tax Roll, p. 426.

⁴³ ECA, 1635 Annuity Tax Roll, pp. 161-2.

'widow', as in the case of Elizabeth Ker, who was identified as 'Elizabeth Ker, widowe'.⁴⁴ In some cases, these women identified only by their own names in certain entries of the tax roll are identified by their marital status in other entries in the tax roll. Janet McDull, for example, is identified as the widow of John Maxwell the first time she appears in the tax roll, when she is listed as a landlord, but in the listing of the further three properties for which she is landlord, and in the listing for her own dwelling house, she appears identified only by her own name.⁴⁵ Seventy-two other women are listed as landlords under their own names, with no indication as to whether they are wives, widows, or never-married women. In reality, they were probably a mix of all three, but most were likely either widows or never-married women, as the heads of any households occupied by wives would have been headed by their husbands.

Women who were active as creditors in debts for maill in the burgh court records, however, were more likely to have been wives rather than widows or women of another or no classification. Debts for maill were one of the types of debts for which women most actively pursued or were pursued in the burgh court records of the three communities of Edinburgh, Haddington, and Linlithgow, although women were most active in debts for maill in Edinburgh. Women acted as either creditors or debtors in almost 3,800 debt cases concerning maill in Edinburgh between 1560 and 1640. Of these 3,800 cases, a woman acted as a creditor in 2,438: wives acted as creditors in 1,081 cases, women identified as widows acted as creditors in 721 cases, and women not identified by marital status acted as creditors in 636 cases. Debt litigation, therefore, provides a different perspective on the role of women as rentiers compared to the Annuity Tax Roll. The role of wives is much more visible, acting as they did with their husbands in these types of debts, while the roles of widows and women not identified by a marital status are still active, but to a lesser degree.

⁴⁴ ECA, 1635 Annuity Tax Roll, p. 33.

⁴⁵ ECA, 1635 Annuity Tax Roll, pp. 277, 345, 468, 498.

Women in Haddington and Linlithgow were somewhat less involved in debts for maill than were women in Edinburgh, the reasons for which are open to speculation. Haddington and Linlithgow were not as populous as Edinburgh, nor were they the focal point for as great a degree of trade, which must have influenced the flow of people into these communities. For these reasons, it may have been less likely for homeowners in Haddington and Linlithgow to maintain ownership of property purely for the purpose of renting it out. Women took part in just under 200 debt cases concerning debts for maill (or fermes, which referred to debts for land) in Haddington between 1570 and 1640. Of these, women participated as creditors in 115 cases. Wives appeared as creditors in forty-four cases, widows appeared as creditors in twenty-four cases, and women not identified as either wives or widows appeared as creditors in forty-seven cases. Like in Edinburgh, then, women in Haddington were more likely to be creditors rather than debtors in litigation concerning debts for maill, and wives were the most active classification of women, but on a much smaller scale.

In Linlithgow, women were also more likely to appear as creditors than as debtors in debts for maill. This may be thanks, in part, to the volume of land in Linlithgow that was controlled by both male and female members of the gentry. There, the numbers and classifications of women identified as creditors and debtors in debts for maill is complicated by debts owed to aristocratic women, who were usually identified only under their own names and were only infrequently named with their husbands. Margaret Cairncross, for example, who is identified in the Linlithgow burgh records as the Countess of Orkney, appears numerous times in the burgh records of Linlithgow in the late 1590s and early 1600s as a creditor in debts for maill. Sometimes her husband appears with her, sometimes a chamberlain appears in her name and explicitly acts for her, and sometimes she appears only under her own title, as 'Countess of Orkney', 'My Lady Orkney', or 'My Lady, Countess of Orkney'.⁴⁶ Other aristocratic women, including Dame Elizabeth Ker, identified as Lady Brinton, and Dame Jean

⁴⁶ For more information see James Balfour Paul (ed.), 'Stewart, Earl of Orkney' in *Scots Peerage: Founded on Wood's Edition of Sir Robert Douglas's Peerage of Scotland*, Vol. 6 (Edinburgh, 1909), p. 576.

Hamilton, identified as Lady Ross, also appear as creditors in debts for maill in Linlithgow.⁴⁷ In total, women in Linlithgow appeared as creditors in debts for maill in 119 cases between 1590 and 1640, and as debtors in ninety-one cases over the same period. With regard to marital status, wives appeared as creditors in thirty-one cases, widows appeared as creditors in thirty-five cases, and women not identified by marital status appeared as creditors in fifty-three cases. Although women still appeared most commonly as creditors in cases concerning maill, women (likely aristocratic women) were more likely to appear acting alone in Linlithgow than they were in either Edinburgh or Haddington.

Another difference between debts contracted for maill in Edinburgh and debts contracted for maill in Haddington and Linlithgow was the way in which these debts were charged and collected. Debts for maill in Edinburgh were always charged and collected in cash. Debts for maill in Haddington and Linlithgow, meanwhile, were collected in both cash and in kind (although the monetary value of maills and fermes collected in kind was usually given as well). For example, on 20 July 1599, Helen Learmonth was ordered to pay two bolls of bere (barley) to the Countess of Orkney and her spouse, 'for his interest', for fermes related to lands presumably worked by Helen in 1597 and 1598. The monetary value to which these two bolls of bere should correspond, £7 10s and £5, was also given in the case.⁴⁸ Similarly, on 11 May 1604 Marion Balderstone was ordered to pay Lady Ross seven firlots of beir (a firLOT was equal to one-quarter of a boll) for 'the ferme of an acre of land occupied by her of the 1603 year's crop', or else to pay '£4 for each boll thereof'.⁴⁹

In cases where a payment was overdue, actual money might be demanded in place of the original raw material that had been agreed upon as payment. Isabel Crawford, the wife of David Crawford, was determined as still owing James Hamilton, the commissioner of Lanark, £7 20d on 22 April 1608.

⁴⁷ Paul (ed.), 'Ross, Lord Ross' in *Scots Peerage*, Vol. 7 (Edinburgh, 1910), p. 255. For more information about the Hamilton family and their extensive landholdings between Linlithgow and Paisley, see Elaine Finnie, 'The House of Hamilton: Patronage, Politics and the Church in the Reformation', *Innes Review* 36:1 (1985), pp. 3-28.

⁴⁸ NAS, B48/8/5, f. 40.

⁴⁹ NAS, B48/8/5, f. 313.

She owed this amount to him as the rest of the price of six and a half bolls of bere owed 'for the fermes owed by her to him of three acres of land occupied by her and pertaining to him.'⁵⁰ While bere was the most common type of grain to be used as payment for fermes, wheat, malt, and straw, as well as capons and hens, might also be used. In these communities, which were less cash-based than Edinburgh's, women's participation in the renting of property was altered and arguably diminished, as they were less likely to control alternative currencies than were men.

The role of the landlord in Edinburgh, Haddington and Linlithgow was not necessarily confined to providing simple rooms for tenants. Sensibly, furniture was often included in rental agreements, as were services. These services tend only to be visible, however, when compounding a primary debt for maill. In particular, it is quite common for debts for maill to include the cost of furnishings – usually in the form of beds, bed coverings, bed bolsters, and buffet stools (a stool with sides, which when the sides were folded down, looked like a square table)⁵¹ – provided to the tenant by the landlord. Often, these items appeared in the debt cases because they had been provided to the tenant by the landlord as part of the rental agreement for the property, and had not been returned. On 7 June 1627, for example, Andrew Benny was determined to owe Mathew Hodge and Helen Livingstone, his spouse, £4 for maill and a bed provided by the couple to him with the lodging.⁵² In 1628, Christian Young, a widow, was determined to owe Euphame McDull, also a widow, £7 10s for maill and a 'standing' (four poster) bed with curtains made of oak.⁵³ How much the provision of furniture or services increased the cost of maill is, however, impossible to determine, since each agreement was unique.

Just as a tenant's departure could result in the disappearance of a landlord's furniture, it could also result in the acquisition of new items. Although mention of items left by former tenants does not appear in the debt

⁵⁰ NAS, B48/8/6, f. 132

⁵¹ www.dsl.ac.uk

⁵² ECA, SL234/1/11.

⁵³ ECA, SL234/1/11 (19 July 1628).

cases examined for this study, these items doubtless existed. In late medieval London a landlord was allowed to confiscate items left on or in their property as a way of recouping lost rental income if the tenant defaulted on the rent for two years, or left the property.⁵⁴ This was also the case in eighteenth-century Edinburgh, where such items were being roused (sold or auctioned) by landlords to help recover the costs they incurred when a tenant defaulted on rent.⁵⁵ Instances of rousing did take place in Edinburgh, Haddington, and Linlithgow between 1560 and 1640, but no examples where the rousing was undertaken explicitly for a debt for maill have been found. Rather, the practice was carried out to simply recover money owed by a debtor to a creditor, without stating the reason for the debt. Items that were roused, however, were usually household items (including beds, bolsters, sheets, and clothing).⁵⁶

Debts for maill were sometimes combined with debts for other services, and so help to bring to light the variety of other tasks and services women performed. On 7 March 1640, for example, William Paterson, a baxter, was ordered by the Edinburgh burgh court to pay Bessie Speir and Claude Ure, her spouse, £16 6s 8d for a combination of bed maill, cloth dressing, and borrowed money which had been furnished by them two years previously.⁵⁷ Other combinations included maill and food (such as 'ale and bread' or 'meat and drink'), maill and the provision of various 'furnishings' and other necessities (including coal and candles), and maill and the making, dressing, or washing of clothes. Sir Thomas Stewart, who, on 1 July 1640 was determined to owe Bessie Lamb, a widow, £40 in complete payment of £77 16s, owed her not only for chamber maill, but also for coal, candles, and other furnishings provided by her to him over the course of the seventy-nine nights he had stayed in her lodgings.⁵⁸

Sanderson observed that similar services were provided with lodgings rented out by women in Edinburgh in the eighteenth century, noting that while

⁵⁴ Hanawalt, *Wealth of Wives*, p. 166.

⁵⁵ Sanderson, *Women and Work*, p. 45.

⁵⁶ NAS, B30/10/13, f. 85v, 106v, 202v-203r.

⁵⁷ ECA, SL234/1/16.

⁵⁸ ECA, SL234/1/16.

those who let rooms would have had many and varied tasks to perform associated with this type of business, 'washing and dressing linens was probably the most important'.⁵⁹ According to Sanderson, the washing of clothes may have been done by the landlord herself, or given out to a washerwoman, just as the making of clothes would have either been done by the landlord herself, or given out to another. The same seems to have been true for the sixteenth and seventeenth centuries as well. Katherine Henryson and Andrew Naper, her husband, owed £7 2s to Katherine Ker, a widow, for the 'making, dressing and washing of linen cloths pertaining to them, made and dressed by the said Katherine to them at their command within these two years last.'⁶⁰ The provision of these services were thus another manner in which women could participate in the economy of early modern Scottish towns by providing a necessary service that seldom left evidence in the debt records.

Women's roles as landlords, as evidenced through both the 1635 Annuity Tax Roll for Edinburgh and debt litigation for all three towns, help to illustrate the importance of this type of endeavour to women of all marital and social statuses. Requiring only a spare room to participate, women of lower social statuses could acquire a valuable source of income. At the same time, renting out property was sufficiently respectable that upper class wives and widows chose to engage in it. Husbands and wives could therefore capitalise on houses and booths they had to spare, while widows could maintain ownership of home and business spaces used by their family or husbands in the past but now standing empty. All were able to create a degree of income for themselves from these properties they already possessed. As well, and as illustrated by the debt litigation, savvy landlords could combine the need for accommodation with the need for other services, including food, drink, bedding, clothing, heat, and light; providing these items at the same time as the accommodation for a little added cost.

⁵⁹ Sanderson, *Women and Work*, p. 44.

⁶⁰ ECA, SL234/1/14.

With regard to the three communities under consideration, women's roles in the rental of property were most prominent in Edinburgh. This was partially due to the opportunities provided by differences in both Edinburgh's prominence and positioning. Edinburgh was a much larger centre than either Haddington or Linlithgow. It was located near the country's busiest port, which must have resulted in a greater number of temporary residents visiting the town and, as a result, requiring accommodation. Population figures for Edinburgh also show a significant rise in population over the late sixteenth and early seventeenth centuries, indicating the town's considerable need for new accommodations, many of which were tenement buildings. It is noteworthy, however, that the picture of property renting within Edinburgh is much clearer than that of Haddington or Linlithgow, due largely to the Annuity Tax Roll. It is tempting to imagine what might have been brought to light for either of these smaller communities had similar tax rolls been recorded.

Moneylending and Pawnbroking

Similar to renting out property was the practice of moneylending. In the same way that the ability to act as a landlord required only superfluous living or working space to rent out, the ability to act as a moneylender had no requirements other than excess capital that the lender was willing to loan out. Records for all three communities – the Register of Deeds for Edinburgh, burgh court records for all three communities, and testaments – abound with debts categorised as 'borrowed money,' 'lent money,' 'borrowed silver,' and 'lent silver'. Sometimes these amounts were borrowed 'on obligation' or 'by bond', while others presented no such designation but did include a provision for the payment of a penalty if the repayment of the debt was late, or simply in addition to the original sum. On 5 October 1630, for example, John Craig, a stabler, was identified as owing to Margaret Puill, the wife of Peter Watt, the sum of £30, with no further information entered with the case. John promised to repay the

sum to Margaret by 1 May 1631, with 10 merks of 'liquidated expenses', or penalty, indicating that this case did involve a loan of money.⁶¹

Numerous studies have identified women, and particularly widows and single women, as playing key roles as creditors in the practice of moneylending, and many argue this was because these women had few alternative sources of investment or employment.⁶² The role of widows as money lenders has been particularly well established. Holderness argues that 'the most prominent economic function of the widow in English rural society between 1500 and 1900 was moneylending', noting that, in seventeenth-century England, 43.5 per cent of widows' personal estates comprised debts owing to them.⁶³ Similarly, Froide's analysis of widows' wills and inventories in Southampton between 1550 and 1750 found that forty-seven per cent of these women had debts owing to them.⁶⁴ Barbara Todd found that thirty-eight per cent (thirteen of thirty-four) of the widows from two towns in Berkshire for whom inventories survive between 1600 and 1720 had loaned out money.⁶⁵

Consideration of the roles of singlewomen as money lenders, meanwhile, has increased greatly in recent years as the presence and roles of singlewomen in a variety of late medieval and early modern English communities have been

⁶¹ NAS, B22/8/26, f. 257r. Most bonds and contracts involving lent money named an amount of 'liquidate expenses' which functioned as a penalty for non-payment of the original debt. This penalty does not appear to have been assessed at a fixed rate, and could vary from 2.5 to sixty-five per cent of the original debt. The amount was agreed upon by the two parties involved in the debt, and in some cases was paid only if the repayment of the original debt was late. In other cases, it was a required part of the bond and due on the same date and together with the original sum borrowed. It was not an annual rent, or interest. (Brown, 'The Social, Political, and Economic Influences', p. 238.)

⁶² See Holderness, 'Credit in a Rural Community', pp. 101-2; Holderness, 'Credit in English Rural Society', p. 105; Holderness, 'Widows', pp. 439-40; Chester Jordan, *Women and Credit*, p. 59; Tittler, 'Money-Lending in the West Midlands', p. 254.; Whyte and Whyte, 'Debt and Credit, Poverty and Prosperity', p. 75; Michael Zell, 'Credit in the Pre-Industrial English Woollen Industry', *EHR* 49, no. 4 (1996), p. 675; Stretton, *Women Waging Law*, p. 100; Muldrew, "'A Mututal Assent of her Mind?'" pp. 56-7; McIntosh, *Working Women*, pp. 98-107; Spicksley, "Fly with a duck in thy mouth", p. 201.

⁶³ Holderness, 'Widows', pp. 435, 440.

⁶⁴ McIntosh, *Working Women*, p. 106, n. 62.

⁶⁵ Barbara Todd, 'Free bench and free enterprise: Widows and their property in two Berkshire villages' in *English Rural Society, 1500-1800: Essays in Honour of Joan Thirsk*, eds. J. Chartres and D. Hey (Cambridge, 1990), p. 196.

assessed. Originally limited to discussions of individual single women,⁶⁶ historians have recently begun to consider the contributions made by singlewomen to their communities more broadly. This includes work by Spicksley and Froide, who have used probate inventories and wills to argue convincingly concerning the important roles singlewomen played as moneylenders and investors in early modern England.⁶⁷ Froide argues that 'singlewomen frequently turned money into an investment' and notes that between forty-two and forty-five per cent of singlewomen in Southampton, Bristol, Oxford, and York between 1550 and 1750 listed credit instruments (comprising money they had lent out) in their wills. Froide also points out that, although singlewomen and widows tended to lend out money in similar proportions, singlewomen borrowed money much less often than did widows.⁶⁸ Spicksley, meanwhile, argues for an even higher level of participation, noting that sixty-three per cent of the never-married female testators in her study were engaged in either formal or informal lending (or both) between 1601 and 1700 (although formal lending using dedicated credit instruments became more popular over the course of the seventeenth century).⁶⁹

Although fewer studies regarding women and moneylending exist for Scotland than England, there is no doubt that women in Scotland seized upon the opportunities presented by lending out money for interest. Sanderson writes that 'many women, including widows, participated in the widespread lending of money, particularly in the burghs' in the sixteenth century.⁷⁰ Janet Fockart, for example, was a thrice-widowed Edinburgh woman who, in 1580 after the death of her third husband, became an increasingly well-known merchant and moneylender who counted lairds and nobles and their wives, and even King

⁶⁶ See Tittler 'Money-lending in the West Midlands'; Holderness, 'Elizabeth Parkin and Her Investments'; Pamela Sharpe, 'Dealing With Love: The Ambiguous Independence of the Single Woman in Early Modern England', *Gender & History*, 11: 2 (July 1999), 209-32.

⁶⁷ See Froide, *Never married*, pp. 128-141; Spicksley, 'To be or not to be married: Singlewomen and the question of choice in late Tudor and Stuart England', pp. 65-96; Spicksley, 'Fly with a duck in thy mouth', pp. 187-207; Spicksley, 'Usury legislation, cash and credit', pp. 277-301.

⁶⁸ Froide, *Never married*, pp. 129-30.

⁶⁹ Spicksley, 'Fly with a duck in thy mouth', p. 191.

⁷⁰ Sanderson, *A Kindly Place?*, p. 123.

James VI, among those who borrowed regularly from her. No one could deny that she made a good living from moneylending: her net estate at her death in 1596 was valued at nearly £22,500, making her one of Edinburgh's richest merchants who lived in the latter half of the sixteenth century.⁷¹ Desbrisay and Sander Thomson also observe women engaging in moneylending through the Baillie court of Aberdeen, but the instances of moneylending involving women they cite tend to be combined with debts for other goods and services.⁷²

The growth of moneylending as a practice in which women of all marital and social statuses could engage was likely helped along in Scotland by a relaxation of the prohibition on usury in 1587. Prior to the Reformation the practice of lending out money at interest had been illegal. John Gau, a Scottish reformer, equated the practice with straightforward theft in a treatise he wrote in 1553 discussing the eighth commandment, 'Thou shall not steal':

Thay sine aganis this comand that comittis thift or okker [usury] reffis fra oders throw power and strintht / Thay that wfis fals wechttis or mesours thay that sellis ald and ewil guides for new and thair throw dissauis oders falslie Thay that haldis wrangus guidis of thair nichtburs or takis up wrangus rentis Thay that haldis thair seruandis feis fra thayme thay that denisz thair dettis and wil noth pay thair creditors / thay that wil noth help thair nichtburs in thair necessite ad will notht len to thayme in thair mister without okker money or seruice or rawaed Thay that sellis ony thing to ane oder that thay ma thairfor haiff mair na it wesz worth for redy mony quhen thay sald it thay sin heuilie aganis this command in thair corruptit mind ⁷³

People with access to land evaded the laws against usury by couching debts for lent money in debts for land, as 'transactions of a lucrative nature upon the security of heritage did not suffer the taint of usury'. As result, 'it was always open to a lender to take his debtor's lands in wadset since being infeft he had no power to call up his money although the wadset lands were redeemable at the

⁷¹ Margaret H. B. Sanderson, 'Fockart, Janet (d. 1596)', *Oxford Dictionary of National Biography*, Oxford University Press, 2004; Sanderson, 'Janet Fockart, merchant and moneylender', pp. 91–102.

⁷² Desbrisay and Sander Thomson, 'Crediting Wives', pp. 88, 90.

⁷³ John Gau, *The Richt Vay to the Kingdom of Heuine*, ed. A. F. Mitchell (Edinburgh, 1888), pp. 16–7.

instance of the borrower'.⁷⁴ For example, on 2 February 1577 Janet Kyle and Andrew Naper, her spouse, received (borrowed) the sum of 300 merks from James Lillie and Christian Marshall, his spouse. As a result, Janet and Andrew promised to infeft (invest with legal possession of heritable property) James and Christian in an annual rent of £20 pertaining to a tenement.⁷⁵ These annual rents thus marked an advance on the contract of wadset in that the granter infeft the creditor not in the lands themselves but in a yearly payment of the lands. In other words, annual rents functioned essentially as interest on the original sum that had been lent out, and indeed the term 'annual rent' came to be synonymous with the term 'interest'.⁷⁶

Later, after the practice of charging interest had lost its taboo, the custom of lending money in this way continued, although less frequently. On 18 May 1588, for example, Marion Skirven of Haddington, the widow of Henry Cockburn, borrowed £14 from Andrew Temple. As payment of the sum, Marion 'set' her 'eastmost rig of her three rigs of land lying within this burgh' to Andrew.⁷⁷ Whether or not Marion remained in control of that land is unclear, as on 11 April 1590 she again appeared before the Haddington burgh court, this time ordered to pay £32 to Alexander Simpson, a burgess, in complete payment of 'all byrun annuals of an annual rent of six firloottes malt owed to the said Alex yearly between Yule and Candlemas furth of all and whole a half acre of land pertaining to the said umqle [deceased] Henry heritably and the said Marion in liferent'.⁷⁸ Keith Brown notes that the best form of security for a loan was land, and that 'while many loans were arranged on a strictly fiscal basis, landowners made widespread use of the reversionary wadset' (an interest in an estate that reverts to the grantor or his heirs at the end of a period, usually at the death of the grantee).⁷⁹ By the seventeenth century these types of agreements which used

⁷⁴ H. H. Monteath, 'Heritable Rights' in *An Introduction to Scottish Legal History* (Alva, 1958), 203. Raising capital against the security of property was also common in England from the Middle Ages. See Kermode, 'Money and Credit', p. 490.

⁷⁵ NAS, B22/8/2, f. 192v-193r.

⁷⁶ Coutts, *Business of the College of Justice*, pp. 165-6.

⁷⁷ NAS, B30/10/6/f. 79r.

⁷⁸ NAS, B30/10/10/6, f. 130r.

⁷⁹ Brown, 'Noble Indebtedness', p. 263.

land as security for a debt seem to have largely died out. In their place were straightforward debts for maill and debts for lent money which used formal credit instruments, including bonds and obligations, to help ensure repayment.

Also after the Reformation, the law became increasingly protective of the rights of creditors. In 1587, parliament specifically allowed interest to be charged up to a maximum of ten per cent.⁸⁰ This was part of a major attitude shift at all levels of society towards the practice of lending out money on interest and many people – women included – began to participate in and profit from moneylending, sometimes in significant amounts. In many cases, this was due to a shift in the type of lender and the amounts of money they were willing to lend. At lower levels of society, a wide range of people – both men and women – still loaned out cash, as had been true in the later Middle Ages, though now in most cases for larger amounts than before. As well, a new type of lender entered the scene, lending on a semi-professional basis. The loans by these middling and higher status individuals often extended to several hundred pounds each, and they frequently amassed considerable wealth as a result.⁸¹ In the early decades of the seventeenth century, for example, the merchant class of Edinburgh – particularly the elite of that class – came to rely on the practice of moneylending; so much so, in fact, that in 1621 the crown imposed a tax on money lent since 1619. The tax was repeated in 1625, 1630, and 1635, at which point Edinburgh's merchants instead agreed to make a voluntary contribution to the crown of £40,000 over the course of four years.⁸²

Research done by Brown on Edinburgh's merchant elite has shown that fifty-two per cent of the town's richest merchants were involved in moneylending between 1600 and 1638. Fifty-two testaments pertaining to the wives of these merchants, recorded between 1600 and 1650, make mention of sums either owed to or owed by these couples at the time of the wife's death in either borrowed money or bonds of obligation.⁸³ Brown also points to a growth

⁸⁰ Ibid.

⁸¹ McIntosh, *A Community Transformed?*, p. 158.

⁸² Brown, 'The Social, Political and Economic Influences', pp. 233-5.

⁸³ Ibid., pp. 236, 239.

in this practice, noting that entries in testaments that specifically referred to money owed 'by compt', 'by bond', or 'by obligation' in testaments were increasingly common in wills written by Edinburgh testators after 1620.⁸⁴ In fact, in the late 1630s, as great a proportion as eighty per cent of all debts listed as those owed to a merchant in his testament could be owed for bonds and lent money, with interest charged at as high a rate as seventy per cent per year.⁸⁵ Conversely, twenty to thirty per cent of all outstanding debts owed at the time of death were owed by the members of Edinburgh's merchant elites for lent money rather than merchandise. According to Brown, there is a correlation in the testaments of these merchants between large amounts of 'ready money' specified in their inventories and large amounts of debts 'by compt' and 'by bond' specified in the debts owed to them and by them, as well as between the large debts owed to and by their wives in their own testaments. Brown also points to cases concerning debts, liquidated expenses, and interest brought before the Privy Council by members of the burgh elite as further indication that moneylending 'was regarded by the burgh elite as both a profitable and growing part of their money-making endeavours'.⁸⁶ The involvement by their husbands' therefore seems to have caused the wives to become more involved in moneylending.

In cases where the testaments of a husband and his wife (or wives, if he had been married more than once) are extant, it is possible to chart the growing influence of a merchant and his wife by amounts of borrowed money listed as owed to him or her in a testament. For example, it is helpful to look at the testaments of Marion Cramond and Isabel Wilkie, who were successively married to an Edinburgh merchant, Andrew Purves. Marion's testament, proved after her death in 1609, reveals that £400 of £1600, or twenty-five per cent, of the money owed by her was owed directly for borrowed money.⁸⁷ Isabel's testament, meanwhile, proved after her death in 1632, revealed that seventy-

⁸⁴ *Ibid.*, p. 240.

⁸⁵ *Ibid.*, p. 251.

⁸⁶ *Ibid.*, p. 254.

⁸⁷ NAS, CC8/8/46/92.

eight per cent of the money owed by her was directly for borrowed money (specifically, 300 merks of borrowed money and a bond for 4,000 merks).⁸⁸ The testaments of these two women therefore indicate that money had been borrowed to finance their husband's business ventures, and that these business ventures grew in monetary value as the husband became more established in his merchant status precisely because he could afford to borrow or lend greater sums of money.

In this way, sums of money owed to a woman can help to indicate the economic status of her family. Ninety-seven per cent of the sums owed to David Alexander's widow, Isabel Allan, at the time of her death in 1642 were owed as bonds and as interest payments for borrowed money.⁸⁹ In keeping with the laws of the time, Isabel regularly charged between four and eight per cent interest on the money she lent, although she did charge the earls of Rothes, Lothian, Dalhousie, and Lords Lyndsay and Balmerino, twenty per cent annually on a joint debt of 10,000 merks.⁹⁰ This interest could provide a considerable income. Isabel Allan made 2,000 merks per year off of the loan described above. In 1624, Bethia Guthrie, the widow of William Mauld, charged between five and ten per cent in interest per year on the bonds owed to her, earning at least £733 in interest from a principle of £758 owed to her.⁹¹ In 1639, Isabel Denholme, the wife of Andrew Oswald, a merchant, was owed £26 13s 4d by one man for the annual rent on a loan of 1,000 merks, and £40 by another man for the annual rent on a loan of £1,000, indicating an interest rate on each loan of between eight and nine per cent and four per cent respectively.⁹² However, it is important to note that the status of Isabel Allan in Edinburgh's culture of debt and credit was not necessarily any greater than that of Marion Cramond or Isabel Wilkie. This status was built not upon the sum of credits over debts, but rather the combined ability to both lend and borrow. A person such as Isabel Wilkie might die with a

⁸⁸ NAS, CC8/8/56/28.

⁸⁹ NAS, CC8/8/60/280-2.

⁹⁰ NAS, CC8/8/60/281. See also Keith Brown, 'Aristocratic finances and the origins of the Scottish Revolution', *EHR* 104:410 (1989), pp. 46-87; and Brown, 'Noble Indebtedness'.

⁹¹ NAS, CC8/8/54/347.

⁹² NAS, CC8/8/59/266.

large number of debts owed by her, but this might still have served to indicate strength – rather than weakness – in the economy of debt and credit.

Information culled from testaments written by other women, not just the wives and widows of prominent merchants, also point to the prevalence of moneylending in these three communities. In Edinburgh, thirty-one per cent of female testators listed amounts of ready money in their inventories and seventy-six per cent were owed amounts of lent money at the time of their deaths. The proportions were broadly the same in Linlithgow, where thirty-five per cent of female testators listed amounts of ready money and seventy-three per cent were owed lent money. In Haddington, meanwhile, fourteen per cent of female testators listed an amount of ready money and ninety-two per cent were owed amounts of lent money. Such percentages illustrate that not only did many women have access to ready money in this period, but also that much of the estates of most women were bound up in money that was not held in their hands, but rather had been loaned out by them to others.

The importance of moneylending is also borne out by evidence contained in debt litigation. As Tables 4.2 and 4.3 illustrate, many women in Edinburgh, Haddington, and Linlithgow were involved debts for 'lent money', 'borrowed money', and 'lent silver'. As Table 4.2 sets out, women acted in 3,741 debt cases involving some type of lent money in Edinburgh between 1598 and 1640, 814 debt cases involving some type of lent money in Haddington between 1570 and 1640, and 521 debt cases involving some type of lent money in Linlithgow between 1590 and 1640. Clearly, moneylending was an important element of the economy of debt and credit across all three towns, and one in which women participated actively. In illustration of just how significant the role of women in moneylending was, it is useful to compare the total number of debt cases pursued in each of these three communities with the number of debts for lent money that involved women (as is done in Table 4.3). Even as a percentage of all debts contracted across all records for all three towns, the percentage of debts that included a woman who owed, or was owing, money to another, is significant. Even more significant is that women typically acted as creditors in

these transactions, rather than debtors. In Edinburgh, for example, women acted as creditors in 3,175, or eighty-five per cent, of the 3,741 debts that involved women and moneylending. As Figure 4.3 illustrates, wives were the most common classification of woman to engage in moneylending in Edinburgh.

Debts for moneylending made up approximately thirty per cent of all debts for which wives in Edinburgh pursued or were pursued, and approximately twenty-five per cent of all debts for which wives in Haddington and Linlithgow pursued or were pursued. Wives tended to act with their husbands when loaning out large amounts of money of £100 or more. These were usually loaned out 'on obligation' or 'by bond'. Wives also acted by themselves (although their husbands were named with them in the debt cases) when loaning out smaller amounts of money, as the explanations for many debts make clear. Women identified as widows in Edinburgh were rather less likely to act as moneylenders, a finding that does not correlate with findings for elsewhere, particularly England, where widows often used the capital they had acquired through marriage to act as moneylenders.⁹³ However, the low number of women classified as widows who acted as moneylenders in Edinburgh may be explained by the high number of women who appeared as moneylenders solely under their own names without any indication of their marital status. It is possible, and even probable, that at least some of these women were in fact widows.

Table 4.2. Debts Contracted by Women for Lent Money:

	Total Debts Involving Women (A)	Total Debts Involving Women and Lent Money (B)	B as a % of A
Edinburgh	19,214	3,741	19.4
Haddington	2,425	814	33.6
Linlithgow	1,366	521	38.1

Source: ECA, SI234/1/2, 4-12, 14, 16, Register of Diets 1606-122; NAS, B30/10/3-13; NAS, B48/8/1-11

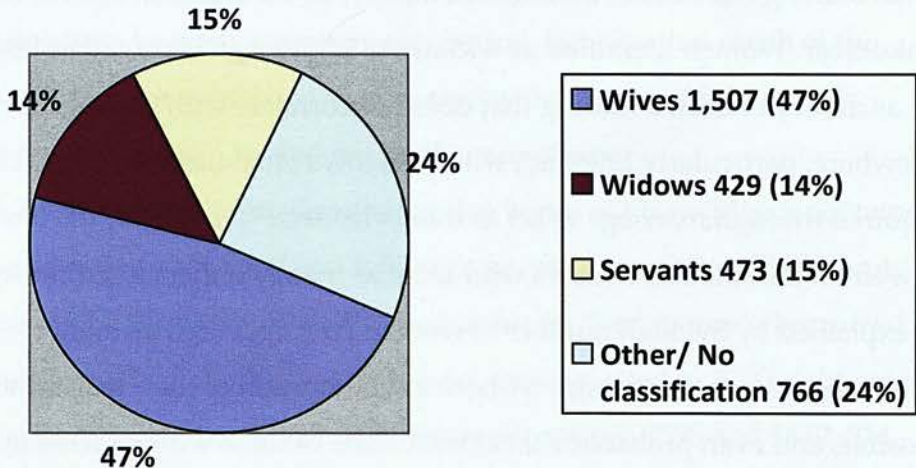
⁹³ Holderness, 'Credit in Rural English Society', p. 105; Holderness, 'Widows', p. 437; Briggs, 'Empowered or marginalized?', pp. 34-5; McIntosh, *Working Women*, p. 106; Froide, *Never married*, p. 133.

Table 4.3. Debts Contracted by Women for Lent Money as a Percentage of All Debts Entered into the Records:

	Total Debts (A)	Total Debts Involving Women and Lent Money (B)	B as a % of A
Edinburgh	37,535	3,741	10.0
Haddington	6,953	814	11.7
Linlithgow	5,042	521	10.3

Source: ECA, SL234/1/2, 4-12, 14, 16, Register of Diets, 1606-1622; NAS, B22/8/1-31; NAS, B30/10/2-13; NAS, B48/8/1-11.

Figure 4.3. Women Moneylenders in Edinburgh by Marital Status:



Source: ECA, SL234/1/2, 4-12, 14, 16, Register of Diets, 1606-1622; NAS, B22/8/1-31.

Perhaps most striking is the presence of servants as moneylenders.⁹⁴ Between 1600 and 1615 very few servants appeared as moneylenders in debt cases. Between 1615 and 1640, however, the prominence of servants as moneylenders grew at a rate disproportionate to their presence in the wider community. Although the amounts they lent were usually not as large as those

⁹⁴ The role of servants as money lenders will be discussed further in Ch. 6.

lent out by wives and widows, the increasing frequency with which they participated as moneylenders speaks to an opportunity for engaging in the economy of debt and credit which servants in Edinburgh recognised and were keen to act upon.

Although moneylending was a popular pursuit among women of all marital and social statuses, money was not always simply borrowed by one party from another. Sometimes, a debtor provided goods, known as 'pledges' to a creditor as collateral for money they wanted to borrow. If the debtor repaid the money they had borrowed in a timely manner, the creditor returned the goods to him or her. If the debtor did not repay the money, the creditor could use or sell the goods as he or she saw fit. McIntosh speculates that pawning might be the only way some debtors – including those with poor reputations, no relatives or friends willing or able to co-sign a bond with them, or no property to use as collateral – were able to borrow money, noting that pawning was 'especially common among poor people or those new to a community who had not yet established a credit record'.⁹⁵

Thanks to the demand for this service, pawnbroking in England had become increasingly specialised and professionalized by the late sixteenth century, particularly in London.⁹⁶ Lemire has examined the ledgers of a pawnbroker living in a London suburb from 1666 to 1671 and observed that eighty-four per cent of pawns and sixty-two per cent of loans entered into the ledgers involved women.⁹⁷ According to Lemire, women were important agents in arranging credit for their neighbours and acting as cautioners for both men and women. She speculates that the reason for this is that the pawnbroker did not have the legal impediments that a civil court had in allowing women to participate, and that such ledgers record all the transactions that went through the pawnbroker, not simply those which went awry.⁹⁸

⁹⁵ McIntosh, *Working Women*, pp. 107-8.

⁹⁶ McIntosh, *Working Women*, p. 109.

⁹⁷ Lemire, 'Petty Pawns', p. 118.

⁹⁸ *Ibid.*

Unfortunately, little evidence of organised pawnbroking, such as pawnbrokers' ledgers, survives from any other city in the early modern period, and especially not from Scotland, where organised pawnbroking does not seem to have been nearly as common as in London. As yet, no instances of professionalised pawnbroking have been found in sixteenth- or seventeenth-century Edinburgh (although merchant and moneylender Janet Fockart did hold items in pledge), where the practice seems to have remained informal or, at best, an *ad hoc* employment for those who acted as the creditors in such agreements.⁹⁹ As a result, cases that are indicative of pawnbroking, in practice if not in name, must be coaxed out of testaments and burgh court records. Typically, these types of relationships are indicated in both testaments and debt cases through the phrase 'laid in pledge', when certain household items or pieces of clothing have been provided to a creditor in exchange for an amount of money.

Many testaments give indications that their authors engaged in informal pawnbroking in the section of the testament that lists the debts owed to the testator. Janet Lawson, who was the wife of James Panton, a tailor, and died in September 1569, was owed 51s of 'borrowit money' by Patrick Bell, a tailor, 'upon thair pledge to a pair of shettis and ane pan twa plaittis' and other goods; £5 of 'borrowit money' by Katherine Scot, sister to the deceased Marion Scot, upon a pledge of 'foure silver spoons & ring of gould'; 20s by Isabel, the spouse of John Palmer, upon a black cloak collared with velvet; 18s by Kate Wilson upon an old kirtle; and 20s by Martin McEwen an his wife upon three elns, or lengths, of white cloth.¹⁰⁰ Similarly, Elspeth Maknair, who died in August 1596, seems to have done a brisk business in moneylending given that, at the time of her death, she was owed money by several women and men, including Margaret Davidas, who owed Elspeth £50, which was held in pledge by a piece of silver; George Abernethy, who owed £40 and had in pledge one little silver piece with one small silver belt and six gold rings; Gilbert Ogilvie, who owed 200 merks had in pledge an item of gold; Richard Gray, who owed £59 13s 4d

⁹⁹ Pawnbroking had grown more professionalised by the eighteenth century. See Sanderson, *Women and Work*, pp. 150-2.

¹⁰⁰ NAS, CC8/8/1/637-8.

and had in pledge one cloak of chamelot of silk, one coat of satin, one black gown belonging to his wife, one paitlet (or neck covering) of velvet and one silver belt; and the widow of the deceased Thomas Borthwick, a stabler, who owed £10 and had in pledge a black cloak. A fourth man, George Mader, is identified as owing Elspeth £40 of 'borrowit money', while a fifth man, Robert Harris of Mabie, is ordered to 'conforme to his obligatioun' and pay 460 merks, which may (given that the rest of the debts owing to Elspeth were amounts of money lent out by her) indicate that this amount was of 'borrowit money' as well.¹⁰¹

Cases of pawnbroking also surface in the burgh court records for Edinburgh, although such cases never appeared more frequently than a few times per year. In a case entered in 1623, Hector Kennedy and Anna Ronaldson, his spouse, borrowed 40 merks from John Eileis. The couple promised to repay the sum by Whitsunday 1623, but as reassurance that the sum would be repaid, they also left with John £26 worth of pewter plates and trenchers (platters), one quart stoup, one pint stoup, a chopin stoup of pewter, two brass chandeliers, one tin chandelier, one cloak with passments about the tail, and a black satin bombazine gown.¹⁰² Similarly, on 17 January 1624, John Thomson, who was imprisoned in the tolbooth because he had not paid the £29 plus interest that he owed to Janet Martin, promised to conform to an obligation he had made to her on 23 July 1623. In it he agreed to pay Janet the £29 he owed her by 1 December next. Perhaps anticipating that Janet would be less than trusting that he would actually repay the sum, John also laid in pledge to Janet a bombazine gown trimmed with a Paris passment, one red 'steming wyliecoat' (a women's undercoat made from woollen or worsted cloth), one pair of plaids (which might refer to either a length of cloth, or to a shawl), one fir kist (or chest), one smaller fir kist, and a new stand bed made of fir, all of which was to be kept by Janet 'for her farther security'. If, the case continued, John failed to repay the £29 he was content to give the goods he had laid in pledge to Janet for her to 'use and

¹⁰¹ NAS, CC8/8/29/520.

¹⁰² NAS, B22/8/22, f. 319v.

dispone (dispose) thereupon as her own proper goods and gear'. But, if John did pay the £29, Janet was obliged to return the goods to him 'not broken or worn, as good as they were at the time of his deliverance thereof to her'.¹⁰³

As these examples demonstrate, there is ample evidence in the records indicating at least frequent, if not occupational, pawnbroking. This is perhaps unsurprising in a community heavily entrenched in a culture of debt and credit. Before institutionalised banking, and with an increasing and somewhat migratory population, there was a great need in Edinburgh for the type of ready money that pawnbroking could provide. And, as few resources were required to act as a pawnbroker, women could readily take up this role. These women could provide themselves with an income with few requirements other than the necessary capital, the appropriate social connections, and a demand from clients.

Conclusion

Women's roles as rentiers and moneylenders shared several characteristics despite the two pursuits being, ostensibly, very different. In a growing burgh with a strong culture of debt and credit, there was ample need for both services and, as neither was regulated, both were accessible to women of all social statuses. Women of all marital and social statuses thus participated in the renting of property and the loaning of money. Pawnbroking seems to have often been performed by women who were also moneylenders; perhaps with clients whose reputations were suspect and might be disinclined to repay loans within an acceptable timeframe.

Although women in early modern Scotland suffered from legal impediments in many of their business dealings, they were both highly active and highly visible in non-mercantile activities. Regarding the renting of property, women contributed both as renters and rentees in the economy of debt and credit and frequently found themselves before the burgh courts to answer for their parts. With some women controlling dozens of properties, from the lowliest houses to the largest tenements, it is clear that women in early modern

¹⁰³ NAS B22/8/23, 64v-65r.

Scotland were not merely passive dwellers and renters. Rather, they made the choice to rent out property they had available, negotiated appropriate rents, and took their tenants to court when necessary to assert their rights and recover unpaid debts for mail and other services.

Regarding the role of landlord, widows were the most active grouping of women, particularly with regard to information contained in the 1635 Annuity Tax Roll for Edinburgh. Given that widows both reassumed control of the property they had brought to their marriage upon the death of their husbands and also often acquired other property, this is unsurprising. Renting out property after their husbands' deaths provided widows with what sometimes would have been their only source of income. They rented out not only lodgings, but also the former workplaces of their husbands. Wives were more visible in debt litigation, often acting with their husbands in pursuit of unpaid rents, as well as providing services to their tenants.

Moneylending was another activity that was carried out by women both as individuals and in partnership with their husbands. The fact that both husband and wife were often named in debt cases for lent money makes it difficult to assess the role of wives as compared to other marital statuses. Whether a debt was contracted by the husband, the wife, or both in concert cannot always be assessed. What is clear, however, is that women of all marital statuses were heavily involved in the lending and borrowing of money in Edinburgh, Haddington and Linlithgow, significantly contributing to the culture of debt and credit in these three communities.

Lastly, the practice of pawnbroking, while seemingly not a formalised employment during this period in Scotland as it was in England, was nevertheless practiced by women in these communities, as evidenced in debt cases and testaments. Like moneylending and the ownership of property, pawnbroking was pursued by women because it was easily accessible, yet its importance to those who could borrow money in no other way was clear. Indeed, all three activities required little in the way of training or resources (beyond the immediate ones of property and money) and could be practiced

regardless of economic or social status. Far from detracting from their significance, however, the basic nature of both property renting and moneylending speaks to their importance within these three communities.

Chapter 5:

Women and Trades

This chapter will explore the role of women in two distinct trades, drink work and lacemaking. While ostensibly having little in common, these two trades share one common characteristic: evidence from debt litigation shows women engaging in the production and sale of ale, and also in the production of lace. First, this chapter will explore women in the production and sale of ale. It has been argued for England that women were pushed out of the production of ale by both the increasing professionalisation and larger-scale production of the trade, and also by the importation and developing taste for beer from the Continent. The decline of the role of women in Scotland in the production of ale has been less well documented, and debt cases will be used in this chapter to assess what evidence exists for women purchasing the items needed for the production of ale, and what evidence exists for women selling both ale they had made themselves and the by-products of ale production. Key to the discussion of women's roles in ale production will be a consideration of marital status, and how wives, widows, and never-married women each experienced production of ale in Edinburgh, Haddington, and Linlithgow. It will also consider how women functioned as sellers of ale and beer, examining women who sold drink in alehouses and from other locations and who combined the sale of drink with the sale of food and the provision of lodgings. Important to this section will be a consideration of how the sale of drink differed across the three communities under study.

The second section of this chapter will explore women's roles in the textile trade. It will examine which roles are revealed in debt transactions, both directly (with regard to women who were owed money by others for activities they had performed) and indirectly (with regard to women identified as textile workers in the transactions, even if the actual reason for which they appeared did not concern textiles). It will also examine the experiences of orphaned girls who were trained in the art of lacemaking in order to repay debts transacted by

themselves or others. This chapter will then use evidence of women's involvement in both drink work and lacemaking to consider the circumstances which allowed women to establish and maintain a presence in drink and textile work. While highly regulated and controlled, both ale- and lacemaking fell outwith Scotland's complex, hierarchical, and patriarchal guild system and thus, it will be argued, provided opportunities for women to take part which were not present in other trades which were a part of the guild system.

5.1 Drink Work

Debts related to the production and sale of drink are by the far the most common reason why women of all marital and social statuses acted in debt litigation between 1560 and 1640. The burgh records for all three towns abound with debt litigation which shows women of all marital and social statuses engaging in the production and distribution of ale. Wives of merchants and craftsmen participated actively in both its production and its distribution. Widows too were involved, particularly with regard to distribution. Lastly, servants were hired with increasing frequency by both wives and widows over the course of the early decades of the seventeenth century to sell ale to others on behalf of their employers, usually in quite small measures. As will be shown, these servants either sold ale purchased by their employers for resale, or purchased ale in large amounts from their employers, sold it, and then paid their employers for the ale they had bought from them with the money they had earned. Indeed, as evidence contained in debt cases shows, the production and sale of ale and beer was the crafts-based activity for which women from Edinburgh, Haddington, and Linlithgow acted most frequently in debt litigation between 1580 and 1640. In Edinburgh, just under 6,800 of the 19,214 debt cases in which women participated between 1580 and 1640, or thirty-five per cent, were contracted either for ale itself or the raw materials associated with its production. Similarly, in Haddington, 971 of the 2,425 debts cases in which women participated, or forty per cent, were contracted either for ale or the raw materials associated with its production. Debts for drink were slightly less

common among women living in Linlithgow, where 342 of the 1,366 debt cases which involved a woman, or twenty-five per cent, were debts associated with the drink trade.

The degree to which debts for ale dominate the burgh court records of Edinburgh, Haddington, and Linlithgow underline the importance of this type of drink as a staple of the early modern Scottish diet. Further, the extent to which women appear in the records as purchasers of the raw materials associated with the production of ale and as distributors of the finished product attests to ale being a craft whose production fell primarily under the purview of women in Scotland in the early modern period. Although previous studies, particularly those concentrating on England between 1300 and 1640, have argued that women had mostly disappeared from the drinks trades by 1600, this does not seem to have been the case for Scotland.¹ Although the roles of women in the drinks trades did vary depending on whether they were wives, widows, or servants, and depending on whether they lived in Edinburgh, Haddington, or Linlithgow, it is undeniable that women maintained a substantial and dynamic role in the drinks trades in Scotland between 1570 and 1640.²

With regard to the Edinburgh evidence, women most commonly appeared in court cases which dealt with the sale of the finished product of either ale or beer, or both together. In Haddington and Linlithgow, women mostly appeared in cases which dealt with the sale of the raw materials associated with the production of ale and beer, including beir (barley, which would then be ground and malted), malt (malted barley, which could then be brewed), and draff (the refuse left by malt after brewing, which could be used as a rising agent in the production of bread). Women in all three communities also appeared as creditors with regard to the sale of ale and food (variously

¹ See particularly Peter Clark, *The English Alehouse: A Social History, 1200-1830* (London, 1983); Bennett, *Ale, Beer, and Brewsters*, pp. 43-59; Judith Bennett, *History Matters: Patriarchy and the Challenge of Feminism* (Manchester, 2006), pp. 72-9; Jane Laughton, 'The Ale Wives of Later Medieval Chester' in *Crown, Government and People in the Fifteenth Century*, ed. R. E. Archer (Stroud, 1995), pp. 191-208; McIntosh, *Working Women*, pp. 146-152; Peters, *Women in Early Modern Britain*.

² Peters, *Women in Early Modern Britain*, p. 56.

identified in the debt records as 'food and drink', 'meat and drink', and 'bread and ale'). Out of the 6,800 total Edinburgh court cases which involved both a drink debt and a woman, 5,192 (or seventy-six per cent) featured a woman acting as a creditor. In the 971 Haddington cases involving both women and drink, women acted as creditors in 466 (or forty-eight per cent), and in Linlithgow women acted as creditors in 163 cases (or forty-eight per cent of the 342 total cases). Thus, the production and sale of ale was of great importance to women in these communities, being the main reason they appeared before the burgh courts.

Women in the Drink Trades in England and Scotland

The important roles played by women in the drink trades of England and Scotland have been well documented. The reasons for which women produced and sold ale in Scotland and England, and how their roles changed over time during the late medieval and early modern periods has been a source of much discussion and debate among historians. Bennett has charted the decline and disappearance of women from the drink trades in England between 1300 and 1600, arguing that a number of factors contributed to this phenomenon. The first was the growth of large ale-producing operations against which women, with less access to capital, were unable to compete, causing them to disappear from the drinks trades as ale production became increasingly commercialised. In conjunction with this was the introduction of beer, which – thanks to hops, which had to be imported from the Continent – was more expensive to produce and lasted longer than ale. The longer shelf life of beer negated the need for many individual producers to produce small batches of ale every few days to keep up with local demand and forced producers to invest in expensive equipment in order to engage in its production. Finally, the introduction of brewers' guilds in England, which did not include women, or ranked them below their husbands, increased suspicion and regulation of those women who sold drink, whether in alehouses or on the streets, which in turn contributed to

mounting patriarchal concern about women working outside of the home at all.³ Marjorie K. McIntosh agrees with Bennett's assessment, but suggests that the disappearance of women from the drink trades was not a gradual process, but occurred more abruptly. She sees the transition to male dominance in ale brewing and selling beginning sometime between 1480 and 1530.⁴ Regardless of whether this transition occurred gradually or rapidly, by about 1600 women in England appear to have worked as independent brewers much less often than they had in the past. While women (and especially poor women) were still employed as servants and hucksters to sell drink to others in England, this work was generally considered to be of low status.

In Scotland, the experience of women in the drink trades seems to have followed a slightly different course than it did in England. As previously mentioned, in the burgh courts of all three communities of Edinburgh, Haddington, and Linlithgow between 1570 and 1640, the most common reason for which women participated in debt cases had to do with ale and, less commonly, beer. Given that ale was a day-to-day necessity, this is unsurprising. During the medieval period ale was the staple drink of a family, local water sources usually being of dubious quality. The demand for alcoholic beverages (and ale and beer in particular) would therefore have been immense in late medieval and early modern Scotland and the role of producing or procuring it likely would have fallen to the female head of the household.

The tendency for wives to be prevalent in the production of ale has been well documented, particularly for the medieval period when wives were most active in its production in England. Many wives brewed ale episodically and produced more than their families would need in order to sell the excess to other wives who were waiting for their own ale to be ready.⁵ By the end of the fifteenth century brewers in Oxford even followed a rota to ensure the steady production of drink.⁶ The growing popularity of beer imported from the

³ Bennett, *Ale, Beer, and Brewsters*, pp. 145-6.

⁴ McIntosh, *Working Women*, p. 170.

⁵ Bennett, *Ale, Beer, and Brewsters*, p. 47.

⁶ *Ibid*, p. 115.

European continent (which took place in England from the fourteenth century and in Scotland from the late fifteenth century), signalled the beginning of the decline of this practice.

While this switch from ale to beer, and the resulting decline of the role of women (particularly wives) in the drink trades did certainly occur in Scotland over the course of the late medieval and early modern periods, it seems to have done so at a much slower rate than in England.⁷ Mayhew notes that beer was still being imported into, rather than made in, Aberdeen in 1502 and suggests that the arrival of beer was prevented in Scotland by the regulation of the ale industry and the efforts of authorities in 'holding down' prices.⁸ As a result, women dominate the lists of brewers in Scotland in the late medieval period. In Aberdeen eighty-eight women were amerced (fined) for brewing ale in 1472, and 152 in 1509, while in Edinburgh 110 women were amerced for brewing ale in 1499 and 314 Edinburgh brewsters (female brewers) swore to keep the statutes on the price of ale in 1530.⁹ In Dundee, twenty-nine women were amerced for brewing ale in the 1520s.¹⁰ Typically, these amercements were for charging too much for their ale, but they were levied with such regularity that Bennett and Goldberg have suggested that, in medieval England, these assizes became a 'licensing system'¹¹ that functioned as 'a levy on trade rather than a serious attempt to enforce trading standards'.¹² Mayhew, however, believes the fines levied in Aberdeen were genuine because first offenders were treated more leniently and could avoid punishment altogether if they did not reoffend.¹³

With ale acting as the staple drink from the medieval until the early modern period, the demand for ale in a Scottish town would have been immense. Mayhew, in his examination of the ale trade in Aberdeen between

⁷ Peters notes that the role of women in the ale trades declined at a slower rate in Wales and Scotland than in England. (Peters, *Women in Early Modern Britain*, p. 56.)

⁸ Mayhew, 'Women in Aberdeen at the end of the Middle Ages', pp. 148-9.

⁹ Ewan, "For Whatever Ales Ye", pp. 129-30.

¹⁰ *Ibid*, p. 129.

¹¹ Judith M. Bennett, 'The Village Ale Wife: Women and brewing in fourteenth-century England' in *Women and Work in Pre-Industrial Europe*, ed. B. Hanawalt (Bloomington, 1986), p. 21.

¹² Goldberg, *Women, Work, and Life Cycle*, p. 111.

¹³ Mayhew, 'The Status of Women', p. 18.

1400 and 1540, has suggested that Aberdonians probably consumed 2.25 pints of ale per day in 1500.¹⁴ Assuming the population of Aberdeen was 4,000 people in 1500, the total amount of ale consumed in the town every week would have been 7,875 gallons, and he suggests the demand for ale in Edinburgh would have been three times as much.¹⁵ The future King James VI was allocated one quart and one pint of ale per day in March 1567, when he would have been 10 months old.¹⁶ Edinburgh, meanwhile, had a population of over 12,000 in 1560, and 20,000 in 1635.¹⁷ Assuming consumption in Edinburgh was similar to that in Aberdeen, the demand for ale in Edinburgh in 1560 would have been over 23,000 gallons per week, and in 1635 more than 46,000 gallons per week. This demand, combined with ale's short shelf life (which could be as little as a week), meant that ale needed to be produced on an almost continuous basis. However, while brewing ale was a fairly intensive process, there was also times when a great deal of waiting was involved. As a result, brewing ale fitted in well with the standard household duties expected of a wife, as it could be performed around other activities.

In Scotland the right to brew (as well as the right to bake bread) was one of the prerequisites of being a free burgess, who enjoyed all the rights and freedoms of the burgh community. As a result, it is perhaps to be expected that the majority of brewsters who appear on amercement lists were women married to town burgesses. Out of eighty-eight brewsters listed in Aberdeen in 1472, seventy-eight were wives, while in Dundee in the early 1520s eighteen out of twenty-nine women listed were wives.¹⁸ A list of 152 brewsters compiled in Aberdeen in 1509 was mostly made up of the wives of free burgesses, although

¹⁴ A Scottish pint in 1500 would have been much larger than the conventional pint size we know today. Rather, liquid measures were organised into mutchkins, chopins, pints, and gallons. A mutchkin was equivalent to one-quarter of a pint, or half of a chopin. A chopin was equivalent to half of a pint, and four made up a gallon. Further, the Scots pint and the Scots gallon were both approximately three times the volume of their English equivalents.

¹⁵ Mayhew, 'The Status of Women', p. 19.

¹⁶ George Chalmers, *The life of Mary, Queen of Scots: Drawn from the state papers* (London, 1818), Vol. 1, p. 179.

¹⁷ Lynch, *Edinburgh and the Reformation*, p. 279.

¹⁸ Ewan, 'For Whatever Ales Ye', p. 129.

twenty-nine of the listed brewsters were unfree.¹⁹ Mayhew also noted that, in addition to wives and widows, singlewomen of both free and unfree status appeared in the list, indicating that the position of brewster was open to any woman in Aberdeen at this time.²⁰ However, Ewan, like Bennett, has observed that a woman's position as a brewster was easier if she had the support of her household.²¹

Moreover, Edinburgh authorities repeatedly tried to discourage women who were not either a wife or a widow from brewing over the course of the early sixteenth century in a variety of ways. While women were still very active in the production of ale in Scotland in the early to mid-sixteenth century, especially when compared to their English sisters, their role was coming under attack. In the early sixteenth century, for example, the right to brew and sell ale was restricted to burgess families and, at another point, to freemen, their wives, and widows.²² Legislation in Edinburgh in 1530 attempted to limit women from the lower classes from brewing by ordaining that a brewster had to possess her own brewing equipment, rather than hiring or borrowing it from others. They also insisted that brewsters either be married women or widows, or purchase a special licence that allowed them to brew and sale ale.²³ As well, only freemen, freemen's wives, widows, and honest persons were allowed to brew or 'tap' (sell) ale.²⁴ In 1546, the Edinburgh town council again attempted to limit the number of women engaged in brewing, ordering that 'no regrators, hucksters, cake bakers, tapsters, or brewers were to be allowed in the burgh unless they were married or widowed'.²⁵ In 1560, tavern owners in Edinburgh could be fined £10 if an 'unchaste' woman was found to be serving ale in their establishments.²⁶ Later, in 1580, the Edinburgh town council decreed that 'from the next Whitsun [11 May] no women, with the exception of the wives of

¹⁹ Mayhew, 'The Status of Women', p. 16.

²⁰ *Ibid.*, pp. 16-7.

²¹ Ewan, 'For Whatever Ales Ye', p. 130.

²² *Ibid.*

²³ *Ibid.*

²⁴ Mayhew, 'Women in Aberdeen', p. 151.

²⁵ Peters, *Women in Early Modern Britain*, p. 61.

²⁶ *Ibid.*, p. 57.

freemen and the widows of free burgesses, were to sell wine, ale or beer, and make servants were to be employed in their place'. Those who flouted this legislation faced a series of increasingly harsh punishments. On first offence the master or mistress would be fined £5, while the female servant would be banished from the town. A second offence would see the master incur a double fine and the servant branded on the cheek, while a third offence would result in the master being banned from trade and the freedom of the town, and the servant whipped through the streets of the burgh.²⁷ In 1608, these regulations were relaxed, and policy reverted to that of 1560, and women who committed, or were suspected of committing, fornication were to be removed as servants to taverners and sellers of wine.²⁸ Thus, women in Scotland were not completely immune to the legislative restrictions which had affected brewsters in England.

Yet, even with such changes – the introduction of beer and increasing suspicion evidenced by increasing legislation against them – women did continue to maintain a presence in the production of ale and beer in the late sixteenth century. This was particularly true of wives. Although wives appear in the burgh court records acting with their husbands, many explanations for those debts explain that it was actually the wife who was responsible for the production or sale of the ale in question. Further, husbands are identified by their own occupations in this debt litigation, and most are occupations not associated with the brewing of ale. Some husbands identified as 'brewsters', 'brewers', or 'beer brewers' do appear as litigants, and these are the only instances in which the husband is explicitly identified as being responsible for the production of the drink in question. It was also wives, more so than any other classification of women, who most frequently purchased beer and malt, which were required for the production of ale, and sold draff, which was a by-product of ale production used in the making of bread. Widows and servants, meanwhile, were most often concerned with the distribution and sale of ale. Typically, widows did not produce the ale themselves, and servants never did.

²⁷ Ibid, p. 58.

²⁸ Ibid.

Rather, they purchased large amounts from suppliers and resold it in small measures.

The Role of Marital Status in the Production of Drink

Wives were the most prevalent type of woman involved in all types of debts for drinks. With regard to the evidence contained in the debts cases for Edinburgh, wives acted as creditors in 3,207 cases involving the sale of ale or beer. In the earliest burgh records which survive for Edinburgh, from 1581 to 1583 and 1589 to 1592, wives were more likely to be creditors rather than debtors in the sale of ale and beer (with ale being by far the more common drink for which debts were pursued), appearing as creditors in twenty-four cases and as debtors in ten, out of a total of 1,853 cases.²⁹ This indicates that, in these years, wives were actively producing ale and beer and selling it to others. By 1598, however, when the Register of Decrees for Edinburgh become continuous, and as Table 5.1 illustrates, wives were only slightly more likely to be creditors rather than debtors in cases concerning ale and beer. The role of wives as both debtors and creditors in the sale of ale and beer remained largely equal until the latter half of the 1630s, when wives were slightly more likely to appear as debtors rather than creditors in the sale of ale and beer in Edinburgh. This indicates that wives were, by the late 1630s, less likely to be engaging in the production and sale of ale and beer, and more likely to be procuring it from others. Wives in Haddington and Linlithgow, meanwhile, were more likely to appear as creditors rather than debtors in the sale of ale throughout the entire period under consideration. In Haddington, wives acted as creditors in 251 cases involving the sale of ale, and as debtors in 100 cases, between 1570 and 1640. The role of wives as creditors in the sale of ale in Haddington and Linlithgow also increased over time. In the 45 year period between 1570 and 1615, for example, wives acted as creditors in 110 debt cases which involved the sale of ale. Over the course of the next 25 years, between 1615 and 1640, wives acted as creditors in 141 debt cases which involved the sale of ale. This seems to indicate that wives were becoming more

²⁹ECA, SL234/1/2, 4.

active in the production of ale in Haddington in the seventeenth century, not less. In Linlithgow, wives acted as creditors in the sale of ale in sixty cases and as debtors in eighteen debt cases between 1590 and 1640, indicating a similar phenomenon was taking place in that town as well.

Table 5.1. Wives as Creditors and Debtors in Debts for Ale in Edinburgh:

Years	All Debts Involving Women (A)	Wives as Creditors in Debts for Ale (B)	B as a % of A	Wives as Debtors in Debts for Ale (C)	C as a % of A
1598 - 1606	1,508	128	8.5	126	8.4
1606 - 1609	1,202	134	11.1	97	8.1
1609 - 1612	1,899	322	17.0	254	13.4
1612 - 1615	1,936	421	21.7	284	14.7
1615 - 1619	1,585	297	18.7	266	16.8
1619 - 1622	1,810	308	17.0	294	16.2
1622 - 1625	2,103	264	12.5	260	12.4
1625 - 1630	2,120	347	16.4	350	16.5
1630 - 1635	2,323	364	15.7	360	15.5
1635 - 1640	2,728	392	14.4	432	15.8

Source: ECA, SL234/5-12, 14, 16; ECA, Register of Diets, 1606-22.

While it is difficult to determine the degree to which individual wives in Edinburgh were active in the production of ale, it cannot be doubted that wives as a whole were actively producing ale. Again and again, individual debt cases specifically identify the wife as the active creditor in cases concerning debts for ale and beer, even though her husband appears with her. Two cases entered into the Edinburgh Register of Decrees, one in 1599 and the other in 1606, help to illustrate this. In the first, Robert McClellan and Deborah Dalzell, his spouse, are discerned to owe Marion Porteous and John Hamilton, her spouse, forty-six merks for 'ale furnished by Porteous to them at diverse times within these three years last.'³⁰ In other words, Marion specifically furnished ale to Robert and Deborah not once but several times, and so it seems logical that she was also the

³⁰ ECA, SL234/1/6.

spouse who produced it. In the second case, Agnes Lawson, the widow of Gilbert Skene, was discerned to owe Robert Thomson, a goldsmith, £60 for ale furnished by 'Robert and Susanna Ferguson, his spouse, to the said [deceased] Gilbert and Agnes at diverse times since Martinmas last.'³¹ In this second case Robert, the husband, is identified as a goldsmith.³² It is unlikely that he was also producing ale, and so it logical to assume that Robert's wife, Susanna, was the ale producer. This case also illustrates that, far from being an activity restricted to women from the lower levels of society, the brewing of ale was something that was performed by women of higher classes as well. Robert was a goldsmith and therefore a member of one of the most prestigious craft guilds in Edinburgh; that his wife was engaged in the production of ale speaks to the acceptability of women from the upper classes of society engaging in its production.

The prevalence of wives like Susanna Ferguson engaging in the production of ale might also have been a result of their marital and social statuses. Bennett notes that ale production often went on within a house and surrounding yard, and that, because married women were often better housed than were other women, they had sufficient space both to brew and to serve customers. As well, married women were more likely to have access to assistance in their brewing, either from their husbands, children, or servants, and were more likely to be able to fit the tasks associated with brewing around their daily duties.³³ Perhaps most importantly, married women also typically had more access to capital, which helped these women to both purchase the materials and equipment needed to brew, and perhaps to hire servants to help brew or sell. As a result, Bennett notes that, in Exeter, wives of merchants and professionals tended to brew more often than other married women, and that, in particular, wives of braziers, goldsmiths, and other metal workers in Exeter tended to brew more often than the wives of men who worked in the clothing,

³¹ ECA, SL234/1/ 5.

³² Robert attained the 'freedom' of the goldsmith craft on 13 November 1589. Jean Munro (trans.) and Henry Fotheringham (ed.), *Edinburgh Goldsmiths' Minutes, 1525-1700* (Edinburgh, 2006), p. 35.

³³ Bennett, *Ale, Beer, and Brewsters*, p. 41.

textile, leather, and victualing trades.³⁴ Even so, she notes brewing was 'a humble employment, offering little prestige and little profit'.³⁵ McIntosh has uncovered the same phenomenon in her study, noting that 'commercial brewing was done largely by women of intermediate or upper social rank', sometimes for decades on end.³⁶ However, she delineates the divide between a husband's occupation and a wife's brewing practices more specifically, stating that 'where a husband was a craftsman, his wife and other female relatives brewed, whereas in wealthy families the job was assigned to female servants working under the supervision of their mistress'.³⁷ For Scotland, both Mayhew and Ewan note that women of all degrees of status brewed.³⁸ However, Ewan does caution that despite the importance of ale to a community, being a brewster did not confer high status on those involved.³⁹

In addition to debt cases concerning actual amounts of ale, debts for beir (barley) and malt (malted barley), whether contained in court records or in testaments, can also serve as an indication that the women who were pursued for these debts were involved in the production of ale, as such ingredients were necessary for its production. While women's roles as creditors has been most important thus far in determining if they were active in the production of ale, when looking at debts for malt and beir it is their roles as debtors that are most important because these indicate that they were purchasing the items needed to make ale. Janet Trimble, who appeared in court with her husband on 10 December 1607 and was ordered to pay £9 10s for a mask of malt bought by her from a Robert Brown, was likely the same Janet Trimble who later appeared acting alone (perhaps she was then a widow) and as a creditor in debts owed by others to her for ale.⁴⁰ The testament of Janet Donaldson, who died in 1596, identified her as owing Patrick Robertson, a maltman, £125 13s 4d for malt she

³⁴ *Ibid.*, p. 42.

³⁵ *Ibid.*, p.147.

³⁶ McIntosh, *Working Women*, p. 147.

³⁷ *Ibid.*

³⁸ Mayhew, 'The Status of Women', pp. 16-7; Ewan, 'For Whatever Ales Ye', p. 130.

³⁹ Ewan, 'For Whatever Ales Ye', p. 132.

⁴⁰ ECA, Register of Diets, 1606-09, 10 Dec 1607, then 11 Feb 1608 and 13 Feb 1608.

had purchased from him. Such a great quantity of malt indicates that Janet was involved in brewing on a large scale, a supposition that is given credence later in her testament when Janet is identified as being owed money for ale by others. Specifically, Janet was owed £5 by Jane Ross for a gang (quantity) of ale, £13 10s by William Lindsay for five barrels of ale, £26 by William Boyd for ale, £35 by Andrew Menteith for fourteen barrels of ale, and 92 merks 6s 8d by John Fenton and his spouse for 'ale and small drink' at the time of her death.⁴¹

The first step in making ale was to malt the grain (the beir) that would be brewed with the water. In late medieval and early modern England the production and sale of malt was usually performed by men who would then use most of the malt in commercial brewing establishments and sell some to women who were brewing on a smaller scale.⁴² The same seems to have been true for Scotland in the medieval period, as the demands of time and space required by malting demanded that it be pursued on a professional, rather than a piecemeal, basis.⁴³ Edinburgh, for example, leased out common lands for large-scale malting operations from 1508.⁴⁴ The practice of professional maltmen selling malt to large- and small-scale ale producers was likely still in place in Edinburgh, Haddington, and Linlithgow in the late sixteenth and early seventeenth centuries, as the majority of debts for malt which were entered into the records feature a married couple owing money to a man identified in the debt records as a 'maltman'. However, sales of beir and malt never made up a large proportion of the drink debts for which women pursued and were pursued in the Edinburgh debt cases after the 1590s, indicating that the role of women in Edinburgh in the production of ale had begun to decline around that time. Debts for malt did feature prominently in debt cases which involved women from Haddington and Linlithgow, however, indicating that women were still very much involved in the production of ale in these two communities.

⁴¹ NAS, CC8/8/29/584. Small beer was synonymous with weak beer. Most brewsters and brewers drew several worts from the malt they had used in the brewing processes, and each wort would be weaker than the one before it. (McIntosh, *Working Women*, p. 166.)

⁴² McIntosh, *Working Women*, p. 145.

⁴³ Ewan, 'For Whatever Ales Ye', p. 128.

⁴⁴ *Ibid*, p. 132.

Typically, debts for beer and malt in which Edinburgh women acted as either debtors or creditors were most prevalent in the earlier decades of the period under study, and particularly prior to 1620, as Table 5.2 illustrates.

Table 5.2. Women as Purchasers of Malt in Edinburgh, 1581-1640:

	1581-1600	1601-1620	1621-1640
Wife	55	108	26
Widow	3	10	13
Servant	1	1	0
Other/No Classification	23	55	3

Source: ECA, SL234/1/2, 4-12, 14, 16; ECA, Register of Diets, 1606-1622.

Women identified as wives were most active in debts involving malt, acting as debtors in 189 cases for malt, 163 of which appeared in the records before 1621.⁴⁵ The reason for the lower numbers of women overall between 1581 and 1600 likely lies in record survival, and the gaps that exist in the burgh court records between 1583 and 1591, and 1591 and 1598. Had these volumes survived, it is likely that the number of women purchasing malt between 1581 and 1600 would be much higher. Servants acted as debtors in only two debts for malt. Given the disapproval that greeted female servants' attempts to brew 'upon their own adventure', and the costs associated with brewing, this is unsurprising.⁴⁶ Women who were not classified as a wife, widow, or servant acted as debtors in cases concerning malt in seventy-eight cases between 1581 and 1620, and in only three cases between 1621 and 1640, perhaps indicating that women who appeared solely under their own names in the records between 1581 and 1620 were often widows and not identified as such for some reason. These declines in debts for malt – a key element in the production of ale – suggest that women in Edinburgh were participating much less frequently in the production of ale after 1620.

⁴⁵ ECA, SL234/1/2, 4-6, Register of Diets, 1606-22.

⁴⁶ Ewan, "For Whatever Ales Ye", p. 130.

The evidence contained in the debt cases for Haddington is markedly different from that of Edinburgh with regard to the sale of malt and beir. In Haddington, the roles of all women did decline over the course of the period under study, but this decline seems to have begun from a much higher degree of involvement and taken place much more slowly. Wives, for example, were named as debtors in 292 debt cases in the Haddington records which involved malt; 209 between 1570 and 1615, and eighty-three between 1615 and 1640. In these cases the wives are usually named with their husbands, but the reason for the debt usually identifies the malt as being purchased explicitly by the wife, indicating that its intended use was for the production of ale by her rather than her husband. Such was the case with regard to the malt purchased by Helen Douglas and Thomas Bartilmo. This married couple appeared before the Haddington burgh court three times between November 1610 and February 1614 pursued by creditors seeking payment for malt bought specifically by Helen. In each case, Thomas is identified as appearing 'for his interest' (denoting his responsibility for the debt under the doctrine of *coverture* which was followed in Scotland in the early modern period) and the malt is identified as being bought 'by her [Helen] from him [the maltman]'. Nor are the amounts of malt purchased by Helen insignificant. Rather, the debts are for £24 (in complete payment of £31), £26 15s, and £7 5s 4d.⁴⁷ Other debts, owed by others to Helen and Thomas (again appearing 'for his interest') for ale 'furnished by her [Helen] to him [the customer]', add weight to the supposition that Helen was actively engaged in the production of ale.

With regard to cases in which wives acted as creditors in the sale of malt, forty-three such cases were recorded in Haddington between 1570 and 1615, and twenty-six such cases between 1615 and 1640. Marion Harchas, the widow of John Ayton, for example, appeared before the Haddington burgh court five times between November 1585 and May 1588 in pursuit of payment for malt sold by her to others, and one time in pursuit of malt silver provided by her to

⁴⁷ NAS, B30/10/9, f. 7v, 34v, 61r.

another.⁴⁸ As Haddington was a smaller and more rural community than Edinburgh, perhaps ale producers there produced their own malt more often and in smaller quantities, and then sold the excess. Or perhaps Marion was particularly engaged in the production of ale and so purchased large amounts of malt for her own ale production, selling any excess she did not use when producing her own ale. Given that Marion only appears in the records concerned with debts for malt, rather than also appearing in pursuit of debts for ale, it seems more likely that she was specifically engaged in the production of malt for sale. In terms of the debt cases involving beir, wives acted as debtors in sixteen such cases in Haddington between 1570 and 1640 (split fairly evenly, with nine such cases recorded prior to 1615 and seven cases recorded after 1615), and as creditors in twelve cases between 1570 and 1640 (again split fairly evenly). This indicates that wives were still very much involved in the production of ale in Haddington in this period – and proportionally much more active than were wives in Edinburgh – although their role does seem to have been in decline toward the end of the period under study.

The role of widows in the sale of malt and beir in Haddington also appears to have declined between 1570 and 1640, although widows in Haddington were proportionally more involved in these areas than were Edinburgh widows. Widows in Haddington acted as debtors in forty-two cases involving malt (twenty-nine before 1615 and thirteen after), and as creditors in twenty-two (thirteen before 1615 and nine after); and as debtors in thirteen cases involving beir (nine cases before 1615 and four after), and as creditors in two (one before 1615 and one after).

Wives in Linlithgow also played a prominent role in debts for beir and malt. In that community, malt was the most common drink trade-related debt for which women appeared in the records. In all, wives appeared as debtors in eighty-six cases concerning malt that had been sold to them and their husbands, and it was usually explicitly stated that the malt had been purchased by the wife, rather than the husband. Widows in Linlithgow seem to have not been

⁴⁸ NAS, B30/10/6, f. 3v, 11r, 25r, 78r, 78r, 94v.

very involved in the purchase of malt or beir, appearing as debtors in only two cases concerning malt and five cases concerning beir between 1590 and 1640. As creditors they were even less active, appearing in only one case regarding beir and no cases at all concerning malt in the period under study. Therefore, both wives and widows in Haddington were more involved in the purchase and sale of malt and beir than were their counterparts in Linlithgow. Nevertheless, in both these communities the practice of procuring the items necessary for brewing ale remained the preserve of women much longer than was the case in Edinburgh.

A final product associated with the practice of brewing ale was draff.⁴⁹ Although never appearing in significant amounts – only twenty-two debts for draff appear in the over 19,000 debt cases in which women participated in Edinburgh between 1580 and 1640 – these debts nevertheless provide yet another indication that women were involved in the production of drink. Most debts for draff featured the woman involved (who was usually a wife) acting as the creditor in the case, rather than the debtor. Were women not engaged in the process of brewing, they would not have had draff, a by-product of it, to sell to others. As with evidence regarding the debts accrued by women for malt and beir, the most active women to engage in debt cases concerning draff – as both debtors and creditors – were women from Haddington, indicating that women from this town were still actively involved in brewing ale in the early seventeenth century, as they had amounts of its by-product to sell. In Haddington between 1570 and 1615 wives appeared as creditors in thirteen cases concerning the sale of draff, and as debtors in six. Widows acted as debtors in two cases for draff. Like debts for malt, debts for draff declined significantly in Haddington after 1615, when only one wife appeared as a creditor in a debt case concerning draff. Considered alongside the decline in debts for malt in Haddington after 1615, this may indicate a downturn in the production of ale by women in that town.

⁴⁹ 'Draff' was the refuse left over after the brewing process was complete, and could be used as a rising agent for making bread.

Taken all together, this evidence regarding women's roles in the sale of malt, beir, and draff indicates that wives in all three communities were the most likely classification of woman to be engaged in the production of ale in the period under consideration. A number of factors contributed to this trend. Wives – and the wives of burgesses in particular – were considered by town authorities to be the most desirable type of women to engage in brewing. Married to members of the community in good standing, married women were perceived as less likely engage in 'unchaste' behaviours, or to tolerate in their employ women who engaged in such behaviours. This went hand-in-hand with similar desires and attempts to limit the employment options open to widows, female servants, and other, 'masterless' women who, if they were able to brew and sell ale might be more likely to live independently, rather than in acceptable, male-headed households. Furthermore, wives – particularly those of elevated social standing – were in a better position to produce ale because they were able to hire servants to help them produce and disseminate it. A significant difference in the production of ale between Edinburgh and Haddington and Linlithgow, however, seems to have had little to do with marital status, and more to do with location. Wives were still the most active classification of women engaged in the production of ale in Edinburgh, but it seems clear that women in Haddington and Linlithgow were more engaged with the production of ale for a longer period in time, thanks to evidence concerning not only the proportion of debts involving the sale of ale in these communities, but also the purchase of malt and beir, which were integral to the production, and the sale in these communities of draff, one of the by-products of the production of ale. Indeed, it seems clear that in Haddington and Linlithgow were more likely than women in Edinburgh to be involved in the production of ale in the late sixteenth and early seventeenth centuries, but that women in Edinburgh were more involved in the sale of ale, and it is to a consideration of the effects of geographic location on the sale of drink that we now turn.

The Role of Location in the Sale of Drink

A number of factors may account for the perceived decline in women's roles as producers of ale in Edinburgh and their subsequent rise as sellers of drink. Edinburgh's role as Scotland's key port likely meant that hops, which were imported from the Continent and necessary for the production of beer, were more readily available in Edinburgh than in either Haddington or Linlithgow. At any rate, beer, which could be produced in greater volume than ale because of its longer shelf life, seems to have been more readily available in Edinburgh. Edinburgh was also the town in which large scale production of ale and beers seems to have been first embraced, beginning in the final decade of the sixteenth century. Women in Edinburgh were thus more involved with the purchase and resale of large amounts of ale than were women in either Haddington or Linlithgow and, rather than producing this ale on their own, many women were buying ale from other, larger producers, and then reselling it. On 6 August 1635, for example, Marion Meik and David Thomson, her husband and a stabler, were discerned to owe Henry Calderwood, a burghess of Musselburgh, £105 12s. This sum would completely pay off the cost of the seventeen 'laid's (loads) of 20d ale Henry had furnished them before 8 April 1635, and the nineteen laid's of 20d ale furnished by him to them at several times since 8 April.⁵⁰ Similarly, William Cockburn of Newhall and Elspeth Nisbet, his spouse, owed William Dick and John Monro, his factor, £99 13s 8d for '28 five-gallon barrels of 20d ale and five nine-gallon barrels of small drinking beer at £3 12s the barrel furnished by them to them at several times since 4 November 1634'.⁵¹ A third couple, David Park, indweller (a person who lived in the burgh, but was not of the burgh), and Margaret Porteous, his wife, were identified as owing to John Monro, 'collector and receiver of the ale and beer silver vented within the society of Edinburgh, pertaining to and in name and behalf of William Dick of Braid,' the sum of £200 on 21 July 1638.⁵² They owed that sum for the price of certain beer and ale sold

⁵⁰ ECA, SL234/1/14.

⁵¹ ECA, SL234/1/14.

⁵² ECA, SL234/1/14. An 'indweller' denoted a person who lived in, but was not 'of', the burgh.

by John Monro and William Dick to them, and promised to repay the amount by the next Whitsunday (11 May), together with the sum of £40 of liquidated expenses.⁵³ Such large amounts of drink, and debts, indicate that these couples were not purchasing ale, beer, and small (weak) drinking beer solely for their own consumption. Rather, drink purchased in such large amounts was likely intended for resale, perhaps out of the purchasers' homes or through a small tavern.

These last two debts also serve to highlight an important element of the drink trade in early modern Edinburgh, and perhaps also the reason for the decline and disappearance of women from the purchase and sale of malt and beer, the resultant decline of women as producers of ale, and their growing role as purchasers and re-sellers of ale. The 'society' referred to in the two cases described above is that of the Fellowship and Society of Ale and Beer Brewers of the Burgh of Edinburgh, a public company established in 1596 for the purpose of making ale and beer on a large scale for the entirety of the burgh.⁵⁴ Upon the establishment of this society, no other fellowship or society which brewed ale or beer was allowed to be established within the burgh, and no one except the members of the society were allowed to sell or buy the ale and beer produced by the society. Also, freemen and their wives were forbidden to sell ale or beer in quantities larger than a pint or a quart, under pain of a fine of £5.⁵⁵ Given how completely women had dominated the brewing trades in the early part of the sixteenth century, the establishment of this society certainly had an impact on brewing carried out by women in Edinburgh. Indeed, as Lynch notes, 'it probably did more than any single other act to undermine the economic status of women.'⁵⁶

However, for a variety of reasons, the most pressing of which seems to have been the lack of profits for the sellers, the society was officially dissolved in

⁵³ NAS, B22/8/30, f. 215v-216r.

⁵⁴ William Moir Bryce, 'The Fellowship and Society of Brewers of Ale and Beer in Edinburgh', in *The Book of the Old Edinburgh Club*, 10 (Edinburgh, 1918), p. 228.

⁵⁵ *Ibid.*, p. 233.

⁵⁶ Michael Lynch, 'Continuity and change in urban society, 1500-1700' in *Scottish Society, 1500-1800*, eds. R. A. Houston and I. D. Whyte (Cambridge, 1989), p. 109.

1619 and its lands returned to the common good.⁵⁷ The society's buildings were leased to William Binny and Robert Livingston, maltmen, for seven years. In 1622, the lease was assigned to William Dick, who renewed the lease in 1632.⁵⁸ As a result, through the 1630s William Dick and his factors are those who most commonly appear as creditors in the Edinburgh Register of Decreets with regard to the ale and beer trade. Clearly, William Dick produced ale and beer in large quantities that were then sold to individuals for personal consumption and to smaller retailers for resale and public consumption. This second group, those who bought ale to resell it to others, represents an important category in which women could reclaim some of the economic status they had lost as a result of the introduction of the Society of Brewers by establishing themselves as tavern keepers and ale sellers.

Similar to the above mentioned cases which feature debts for large amounts of ale, John Black, a stabler, and Margaret Allan, his spouse, were also identified as owing a significant sum of money, £183 12s, to John Monro, and by extension William Dick, for beer and ale advanced and furnished to them. John and Margaret promised to repay the sum in two instalments, £90 by 24 September 1638, and £93 12s by 11 November 1638, together with £20 for each term's failure if they missed a payment.⁵⁹ That John Black is identified in this case as a stabler, however, raises questions about why he and his wife were purchasing so much ale. It is doubtful that John and Margaret purchased such a volume of ale and beer for their own personal use, and thus it seems likely that they purchased this ale with the intention of reselling it, likely through an alehouse or tavern. Further, because John is identified as a stabler, it seems likely that Margaret or a servant would have run their tavern. If this was the case, it is also possible that the beer and ale mentioned in the case was actually purchased by Margaret, and that John appeared in court with her to show his support of the purchase. Whatever the reasons Margaret and John had for purchasing such

⁵⁷ Bryce, 'The Fellowship and Society of Brewers', p. 236.

⁵⁸ Ibid, p. 238. For more information concerning William Dick of Braid, see L. A. M. Stewart, 'Dick, Sir William, of Braid (d. 1655)', *Oxford Dictionary of National Biography* (Oxford, 2004).

⁵⁹ NAS, B22/8/30, f. 223r-v.

a large volume of ale, the distribution of ale, whether in formal taverns, alehouses, in their homes, or on the streets, provided significant economic opportunities for women in Edinburgh in particular in this period.

Should a woman desire to sell out of her house, burgh laws required her to put her ale stake or ale wand outside her widow or above her door so that it could be 'seeable' by all men. This also signalled to the ale tasters, who assessed the quality and set the price of the ale, that here was a place where ale was sold.⁶⁰ Some women sold ale out of their own homes, either to take away or consume on the premises, while others ran actual alehouses and taverns. There can be no doubt that Helen Brown was running an alehouse out of her home. On 16 July 1630 Helen alone, who was the wife of Robert Wilson, a wright, was determined to owe £257 15s 8d to John Monro (and, through him, William Dick) for the cost of certain barrels of ale and beer

bought and received by *me and my servants* in *my* name at *my* command furth of the said society [of Edinburgh] and laid in by their workmen within *my* cellar and publicly vented there *by me and my servants* in name of *my* said spouse and *my* at diverse sundry times preceding the date hereof.⁶¹

Helen and her servants were explicitly identified as both the purchasers, and the resellers, of the ale and beer bought from the Society of Ale and Beer Brewers. Helen promised to pay the cost of the ale and beer by 11 November, together with 10 merks of annual rent for every 100 merks of the principal sum, along with the sum of 40 merks for expenses in case she failed to pay the said sum by the said day. Further, she presented herself as principal and David Brown, a saddler burgher, as her cautioner. It is clear that Helen's husband had no role in this deal beyond establishing that Helen was a married woman.

Other women are listed in the 1635 Annuity Tax Roll as owning or renting formal taverns in Edinburgh. Widows in particular are also often listed in the annuity tax roll as owning or renting taverns, a finding in line with that

⁶⁰ Ewan, 'For Whatever Ales Ye', p. 131.

⁶¹ NAS, B22/8/26, f. 231v-232r. (Emphasis added.)

found for England. There, almost all women licensed to keep alehouses after 1552 were widows, and these women made up between seven and ten per cent of those who ran alehouses.⁶² Bennett argues that the 'preponderance of widows who kept alehouses reflects anxiety about other not-married women. Worried about prostitution and other activities in alehouses, magistrates judged an older widow a better risk than other women'.⁶³ These attitudes were explicitly manifested in Chester in the 1560s when 'the mayor and council forbade all women between the ages of 14 and 40 to work as tapsters in taverns or alehouses' in order to avoid 'occasions and provocations of wantonness, brawls, affrays and other inconveniences'.⁶⁴

The role of Scottish widows in this aspect of the drink trade can be further assessed by seeking out the debt cases in which they appeared as a debtor or creditor. Alison Reid, the widow of Alexander Balmanoch, is listed in the 1635 Annuity Tax Roll as the landlord and tenant of 'wester low fore tavern or cellar, with the easter high fore tavern or booth east of and under the former stair foot with chamber formerly mentioned' (the chamber alluded to in this entry was also owned and occupied by Alison).⁶⁵ Alison and Alexander were married in 1613.⁶⁶ There is no indication as to when Alexander might have died, while Alison died in 1636. In Alison's testament Alexander is identified as having been a writer (lawyer).⁶⁷ This raises the possibility that Alison ran the tavern. Her testament tenuously supports this. There is no mention of ale, beer, or wine being in her possession at the time of her death, nor is she owed money for the wares normally associated with tavern owners (such as amounts of ale, beer, wine, claret, and so on), but the inventory of Alison's goods does list one quart stoup, five pint stoups, and five other stoups, all made of tin and all together worth 14s. It is possible she used these items to measure out amounts of

⁶² Bennett, *Ale, Beer, and Brewsters*, p. 56; McIntosh, *Working Women*, p. 160.

⁶³ Bennett, *Ale, Beer, and Brewsters*, p. 56.

⁶⁴ Peters, *Women in Early Modern Britain*, p. 57.

⁶⁵ ECA, 1635 Annuity Tax Roll, p. 278.

⁶⁶ Henry Paton (ed.), *The Register of Marriages for the Parish of Edinburgh, 1595-1700* (Edinburgh, 1908), p. 112.

⁶⁷ NAS, CC8/8/57/610.

drink she sold from her tavern. The rest of Alison's inventory contains a list of household goods that seems too extensive for what would have been commonly found in an Edinburgh home in the 1630s, indicating that she was the owner and operator of a shop which sold a variety of household merchandise.⁶⁸ The evidence from both the 1635 Annuity Tax Roll and Alison's testaments raises questions. Had Alison or Alexander run a high and a low tavern in the past, and then converted the two taverns to a booth and cellar? This last option may be the most likely possibility, given that in the late 1620s and early 1630s Alexander and Alison appear in the Edinburgh Register of Decreets multiple times in debts involving the sale of ale and wine by them and their servants.

Alison later appears in the burgh court records as a widow in 1635, when she owes £4 to Andrew Borthwick, a pewterer, for 'pewter vessels bought by her from him at several times before and since the death of her spouse in September last.'⁶⁹ This indicates that Alison was still involved in the tavern trade in the spring of 1635. The final time Alison appears in the burgh court records is presumably shortly before her death, as she is named as the employer of Elspeth Reid in a case pursued by Elspeth against William Robertson, a merchant, on 19 April 1636. (While the date of Alison's death is not given in her testament, her testament is proved on 31 October 1636.⁷⁰) William owed Elspeth £24 19s 4d for wine, beer and lent money furnished and lent by her to him during the preceding two years.⁷¹ Elspeth's position as a servant to Alison who sold wine and beer, indicates that Alison was still involved in the drink trade in the period leading up to her death.

Other women, while not specifically 'taverners', sold ale out of their homes and cellars in what were essentially small, informal alehouses. Catherine Archibald, an indweller in Edinburgh, and Isabel Ritchie, an Edinburgh widow, both owed quite substantial amounts of money to John Hay in November 1638 for loads of ale. Catherine owed John £5 13s 4d for each load of thirteen loads of

⁶⁸ NAS, CC8/8/57/610.

⁶⁹ ECA, SL234/1/14.

⁷⁰ NAS, CC8/8/57/610.

⁷¹ ECA, SL234/1/16.

ale furnished by him to her at 'diverse' times within the previous year and vented by her in her dwelling house, while Isabel owed John £4 12s for each laid of twenty-seven loads of ale furnished by him to her, again within the previous year, and again vented in her house.⁷² Similarly, the Linlithgow burgh court on 26 February 1608 ordered Andrew Brown to pay 18s 6d to Margaret Hamilton and Robert Hall, her spouse 'for his interest', for 'ale drunk by him in their house one year ago.'⁷³ In these informal alehouses, patrons could usually choose to either consume their drinks in these establishments using vessels held there, or to bring their own vessels and take their ale away with them. In 1631, for example, William Denman was discerned by the Haddington burgh court to owe Alison Seton and Alex Thomson, her spouse 'for his interest', £4 6s 6d 'partly for ale and beer drunk by him within [their] house and partly fetched by him to his own house, Alex Forrest's house and James Liddell's house.'⁷⁴

Lastly, some women sold ale and beer in the streets or door to door. In England in the fifteenth and sixteenth centuries the people who sold ale in this way were usually women.⁷⁵ Although almost a century separates the evidence presented by McIntosh and the evidence uncovered for this study, this also seems to have been the case for those who were active as alesellers in early modern Scotland. Specifically, by the seventeenth century in Edinburgh women identified in debt cases explicitly as servants were being contracted by employers to sell ale to customers.⁷⁶ These servants appear to have purchased large amounts of ale, beer, and wine from their employers and then portioned out the drink to customers. As a result, the court records abound with large debts owed by servants to their employers for the ale, beer, and wine they had purchased from their employers to re-sell to others, and small debts owed by these customers to these servants as payment for drink purchased. Given that

⁷² ECA, SL234/1/14.

⁷³ NAS, B48/8/6, f. 113. These debts might have been accrued over a number of visits, as 18s 6d implies a great deal of ale was consumed. The price of ale in Edinburgh was approximately 12d per pint in 1600, and fluctuated between 12d and 20d between 1600 and 1640. (Gibson and Smout, *Prices*, p. 176.)

⁷⁴ NAS, B30/10/12, f. 96 r.

⁷⁵ McIntosh, *Working Women*, p. 161.

⁷⁶ This will be discussed further in Ch. 6.

the employers do not seem to have been directly involved with the drink sales made to these customers, it is logical to assume that these transactions were not conducted within the bounds of a conventional alehouse, or even within the employer's house, but rather between the servant and customer on an individual and piecemeal basis, perhaps in the street or at market.

Likely because they so often acted as the owners or operators of formal or informal alehouses and taverns, widows were more likely to appear as debtors rather than creditors in cases concerning the sale of ale and beer, appearing in 614 cases as debtors and 454 cases as creditors.⁷⁷ This indicates that while widows were involved in the production of ale, they were more likely to buy it for their own consumption, or for resale through a tavern, alehouse, or servant, or to resell it themselves, than to produce it themselves. Marion Young, a widow, was determined in 1621 to owe a maltman and his wife £42 13s 4d in complete payment of nineteen laids (loads) of ale. It is unlikely that Marion intended to consume such a large amount of ale herself, and indeed she appears twice more in the records, owed the relatively small sums of 56s and 19s 6d by two men for ale.⁷⁸ These men also owed her money for house rent, so it is possible Marion was running some sort of lodging house. Indeed, debts for meat and drink sometimes feature a third element, including the provision of bedding, washing of clothes, or unspecified 'burding and entertainment', which indicate that the sum of the services provided added up to a temporary lodging. Margaret Little and Duncan Cunningham, her spouse, for example, owed Agnes Fram and John Fiddes, her spouse, £8 as payment for meat and drink and bedding furnished by Agnes and John to Margaret and Duncan four years earlier over the course of forty days, during which time Margaret and Duncan remained in Agnes and John's dwelling house and for which they promised to pay 10s daily. The services provided by Marion and by Agnes and John are thus in line with the type of service that would be expected from a boarding or lodging house. As was discussed with regard to the roles of women as rentiers

⁷⁷ ECA, SL234/1/5-12, 14, 16.

⁷⁸ ECA, Register of Diets, 1619-22.

and moneylenders are considered, the Edinburgh housing market was a lively one.⁷⁹ Visitors to the town needed accommodation, and while lodging houses had not reached the prominence they achieved in the 1690s, they were certainly in existence in the early seventeenth century.⁸⁰

Other women ran establishments which seem to not have offered overnight lodging, but did offer food and drink. Elspeth Fairlie, who is identified at several different points throughout the Edinburgh burgh court records as owing various amounts of money to others for ale, and in turn is owed money by five separate debtors for meat and drink provided by her to them. Previous debt cases, recorded when Elspeth's husband, James Inglis, a tailor, was still alive, feature debts owed to the couple by others for large amounts of ale. This might suggest that Elspeth (perhaps working with her husband, perhaps working independently) owned and operated a tavern or another type of eating or drinking establishment, and that she might have continued that business after her husband's death on a smaller scale, perhaps offering meals to others from within her home.⁸¹ If so, Elspeth engaged in a pursuit common to women in the late medieval and early modern periods, when women were extensively involved in the retailing of food and drink, particularly in England. Goldberg has noted the 'retail of ale, bread, fish, poultry, and dairy goods appear to be areas especially dominated by women' in fourteenth-century Yorkshire towns, and most of the ninety-nine women whom Kowaleski identified as active in Exeter's 'commercial life' in the late fourteenth century were 'petty retailers' who sold food and drink.⁸² Similarly, McIntosh found that in England in the fifteenth and sixteenth centuries 'most women involved in food work were sellers, and generally at lower levels'.⁸³ While the debt cases under consideration in this study do not indicate that women were as

⁷⁹ See Ch. 4.

⁸⁰ Dingwall, *Seventeenth-Century Edinburgh*, p. 120.

⁸¹ An Elizabeth Fairlie does appear in the Annuity Tax for 1635, but only as the tenant of the house, indicating that – if this is indeed the same Elspeth Fairlie – she did not occupy premises which were explicitly for the purpose of a business in the mid-1630s. However, she might well have run a business from these rented premises.

⁸² Goldberg, *Women, Work, and Life Cycle*, p. 104; Kowaleski, 'Women's Work', pp. 147-8.

⁸³ McIntosh, *Working Women*, p. 191.

involved in this area of trade as they were in other areas, women were certainly involved, and usually identified in the explanations for the debt cases as the person who had sold the drink or food. These types of debts are variously entered into the burgh court records as contracts for 'food and drink', 'meat and drink', or 'bread and ale.'

As with most other types of debts regarding drink, wives were the most active of all types of women under consideration in debts for food and drink. In Edinburgh, wives appeared as creditors in 303 debts concerning food and drink between 1580 and 1640. In comparison, widows appeared as creditors in thirty-seven debt cases concerning food and drink and servants appeared as creditors in twenty-three such cases. In Haddington and Linlithgow, wives were also the most active women with regard to this type of debt, appearing as creditors in twenty-six cases and thirteen cases respectively. Widows were much less active, appearing as creditors in six cases in Haddington and none in Linlithgow. The reasons behind wives appearing most often in this type of debt may have much to do with the nature of the debt itself; specifically, that it combined the sale of two types of products. As a result, it is possible that the husband would be responsible for one aspect of the service, and the wife responsible for the other. This may have been the case surrounding the debt pursued by Marion Cockburn and Archibald Leirmonth, her spouse, against Patrick Meldrum. Patrick was ordered by the Edinburgh burgh court to pay Marion and Archibald £3 3s in complete payment of ale and bread furnished by them to him within the past two years.⁸⁴ Given that Archibald is identified in the case as a baxter (baker), and that men dominated the food trades and their production in Edinburgh in this period, it is possible that Marion was responsible for either the production or the procurement of the ale that they supplied to Patrick. Similarly, Gilbert Smith, a cook, and Rebecca Pursell, his wife, were owed money by a married couple and a widow in February 1640: James Junkieson and Isabel Robertson, his spouse, owed Gilbert and Rebecca £23 3s for meat and drink provided to them by Gilbert and Rebecca two years previously, while Margaret Inglis, a widow,

⁸⁴ ECA, SL234/1/11.

owed Gilbert and Rebecca £21 5s for dishes of meat furnished by them to her since the previous Michaelmas (11 November).⁸⁵ These are both substantial sums, implying a considerable amount of food and drink was provided. Given that Gilbert is identified as a cook, it is reasonable to assume that he prepared the food that he and his wife provided to their customers.

Other women delivered food and drink to their customers, rather than waiting for their customers to come to them. Catherine Wood was owed 5 merks 11s 4d by Gabriel Semple in January 1582 for 'meat and drink' she had provided to him during the time he had been warded in Edinburgh's tolbooth.⁸⁶ Similarly, in 1611 Sir William Auchterlony of Kellie, a knight, owed to Christian Studiman, the wife of Alex Stewart, a merchant burges, the sum of £75 for 'furnishings in meat and drink' provided by her when he had been warded in the tolbooth in the preceding year.⁸⁷ This type of service also provided income for widows and servants, as in the case of Margaret Yule, a widow, who was owed a total of £40 8s 8d by David Morris for borrowed silver and meat and drink furnished by her to him during his incarceration in the tolbooth in Leith.⁸⁸

Women thus played important roles, both formal and informal, and on both piecemeal and more established bases, in debts for drink and, less commonly, food. With regard to drink, women, and particularly wives, were active in the production of ale in all three communities, but it was in Edinburgh that women were most clearly forced to adapt to the changes wrought by the civil ordinances dictating who could brew and sell ale and later beer, the importation of hops, the public's growing taste for beer, and the establishment of professional endeavours which produced ale and beer on a large scale. There, women increasingly acted as purchasers of large amounts of ale over the course of the early decades of the seventeenth century. They then sold this ale and beer on to others through formal taverns and alehouses, their own homes, or through servants they had hired to sell these drinks in the streets. Other women

⁸⁵ ECA, SL234/1/16.

⁸⁶ ECA, SL234/1/2.

⁸⁷ NAS, B22/8/12, 34v.

⁸⁸ NAS, B22/8/23, f. 338v-339r.

combined the sale of drink with the provision of food, a bed or other form of lodging, or both. It is clear that these women provided necessary services for visitors, newcomers, and established persons in the burgh who, for whatever reason, were not able to provide these items for themselves. In turn, providing such services contributed greatly to the family income and, in the case of a widow or servant, acted as a necessary source of income that could be readily performed, assuming that drink was in demand, an extra dish of meat could be prepared, or that a spare room or bed was available to be rented out.

5.2 Textiles

Like the production of ale, for much of the medieval period the production of cloth and clothing was performed by women. Wiesner, writing of late medieval Germany, comments that 'until the late middle ages, all stages of production, from carding raw wool or cooking flax to making the final finishing touches on garments, were carried out in the home, usually by female members of the family or servants'.⁸⁹ Also like the production of ale, the production of cloth and clothing was taken over by men in the latter period of the middle ages, particularly with regard to certain tasks, such as weaving and cloth cutting. These men formed themselves into guilds, leaving only the initial stages of cloth production, such as the carding and spinning of cheaper varieties of cloth, to women.⁹⁰ In illustration, Wiesner notes that in fourteenth-century Germany tax records list women in no less than twenty-four separate occupations related to the production of cloth and clothing.⁹¹ By the fifteenth and sixteenth centuries, much of the work performed by women was as carders and spinners who supplied weavers. At least twenty carders and spinners were needed to supply each weaver, each of whom was paid by the weaver on a piecework basis and performed their duties either in the home of the weaver or in their own home. However, these women tended not to be identified by these occupations in tax

⁸⁹ Merry E. Wiesner, 'Spinsters and Seamstresses: Women in Cloth and Clothing Production' in *Rewriting the Renaissance: The Discourses of Sexual Difference in Early Modern Europe*, eds. M. W. Ferguson, M. Quillingan and N. J. Vickers (Chicago, 1986), p. 191.

⁹⁰ *Ibid.*

⁹¹ *Ibid.*, p. 193.

lists because they paid no independent taxes on the work they performed, being considered as members of male-headed households.⁹² By the mid-seventeenth century Wiesner finds very few references to female weavers or tailors in Germany.⁹³

Women in England were also excluded from weaving in the late medieval period: Goldberg notes that in the early years of the fifteenth century a number of weavers in York employed female assistants, which he speculates may have been the result of a scarcity of labour and a way of keeping labour costs down. However, 'as markets contracted from mid-century, so employment opportunities contracted and female workers appear to have been penalized'.⁹⁴ This also appears to have happened elsewhere. In 1461 female weavers in Bristol were vilified as taking employment away from men who might be eligible for military service. Attempts to discourage women from working as weavers also occurred in Coventry in 1453, in Kingston-upon-Hull in 1490, and in Norwich in 1511.⁹⁵ Similar attitudes in Scotland may account for the few women identified as weavers in debt litigation.

Another factor that may account for the low number of women identified as weavers in debt litigation in Scottish towns is the purportedly low number of weavers present in urban centres throughout the sixteenth century. Lynch points out that in 1558 Edinburgh had only thirteen weavers, and that 'the numbers in the capital's textile trade were actually falling in the later sixteenth century, despite its continuing grip over the export of customed cloth'. Lynch therefore argues that 'it is likely that most of the stages of carding, spinning, and weaving were put out to the suburbs or rural hinterlands of the larger towns, which usually acted only as reception centres'.⁹⁶ It is thus possible that so few women are identified as weavers not because they did not perform this activity, but

⁹² Ibid, p. 194.

⁹³ Ibid, p. 201.

⁹⁴ Goldberg, *Women, Work, and Life Cycle*, p. 200.

⁹⁵ Michael Roberts, 'Women and Work in Sixteenth-Century English Towns' in *Work in Towns, 850-1850*, eds. P. J. Corfield and D. Keene (Leicester, 1990), p. 90; Peters, *Women in Early Modern Britain*, pp. 51-2.

⁹⁶ Michael Lynch, 'Towns and Townspeople in Fifteenth-Century Scotland' in *Towns and Townspeople in the Fifteenth Century*, ed. J. A. F. Thomson (Gloucester, 1988), p. 182.

because this craft (and others related to the cloth industry) was largely performed outside the town, while weaving in Edinburgh was performed on a piecework basis. In 1620, for example, Alexander Black, an Edinburgh merchant, owed £5 to Isabel Anderson and her husband for 162 ells of silk freise (decorative linings for a hood) woven by Isabel for him.⁹⁷ Isabel was not identified as a weaver, but was clearly active in this pursuit.

Several other women were specifically identified as weavers, but only in the period after 1635, and their debts did not concern weaving. Rather, Christian Young and Geillis Mitchell, both identified as weavers, appeared in front of the burgh court in 1635 and 1637 owing money for house rent, and Marion Thomson, also a weaver, was owed 'various goods and gear' by Alexander Crawford and Lilius Somervell.⁹⁸ Agnes Wauchope was also identified as a weaver, but she appeared in the records only because her female servant was owed money by a smith for ale.⁹⁹ It therefore seems likely that either very few women in Edinburgh were weavers during this period, or that court clerks preferred to identify women by their marital status rather than by any occupational status.

No women in the records were identified as tailors. However, male tailors did sometimes contract women to do work for them, as evidenced by debts entered into the burgh court records between tailors and wives and their husbands. On 17 May, 1621, Isabel Peiblis and John Henryson, her husband, were ordered to pay John Ure, a tailor, 40s in complete payment of an ell of Cambridge cloth delivered by John to Isabel for her to make into overlays (cravats).¹⁰⁰ It therefore seems very likely that Isabel was contracted by John to make overlays for him. The work performed by other women for tailors is sometimes alluded to, although not so specifically stated. On 14 August 1613 John Oustian, a tailor, was determined to owe William Scott and Isabel Dishington, his wife, £8 12s for the making of eleven overlays, as well as 'the

⁹⁷ ECA, Register of Diets, 1619-22, 16 March 1620.

⁹⁸ ECA, SL123/1/14.

⁹⁹ ECA, SL234/1/16.

¹⁰⁰ ECA, Register of Diets, 1619-22.

washing of his overlays'.¹⁰¹ It is thus possible that this second Isabel also made overlays for a tailor, but the court clerk who recorded the debt chose not to explicitly state this in the reason for the litigation. It is also possible that the production of these types of items fell outwith the remit of a tailor's usual duties and so women were allowed to fill this void.

Some women are identified as 'sewsters' in the burgh court records. Men are never identified in these records as sewsters indicating that, as in England, sewster was an occupational designation reserved for women. Derived from the Middle English 'semster', 'sempsters' and 'seamstresses' were described by Goldberg as 'apparently ubiquitous' in medieval York, adding that the terms 'may regularly be identified with single, unmarried females' who were 'regularly employed on a piecework basis'.¹⁰² In Bristol in the 1530s and 1540s, girls were often apprenticed to seamstresses, with two-thirds of female apprentices being apprenticed to seamstresses or housewives, who were themselves the wives of masters.¹⁰³ In Edinburgh, sewing schools were present by the early seventeenth century, as evidenced by a statute against them entered into the *Book of the Universal Kirk* on 15 August 1616 that stipulates that because 'certain women takes upon them[selves] to bring up the youth in reading, sewing, and other exercises in schools it is not lawful for any person or persons to hold schools for the teaching of youth unless they have the permission of the bishop of the diocese'.¹⁰⁴

The sewsters who appeared in the burgh court records had bought cloth, and were owed money for making overlays, ruffs (neck ruffs), and 'hands' (cuffs), and for 'furnishing the sewster craft'. Perhaps sewsters produced smaller, finer pieces of work that acted as detail for the larger pieces of clothing

¹⁰¹ ECA, Register of Diets, 1612-15.

¹⁰² Goldberg, *Women, Work, and Life Cycle*, pp. 122-3. Christine Peters makes the point in her article that 'in the sixteenth century commentators were clear that a livelihood could not be gained from spinning alone'. Christine Peters, 'Single women in early modern England: Attitudes and expectations', *C&C* 12:3 (1997), p. 331.

¹⁰³ Ilana Krausman Ben-Amos, 'Women Apprentices in the trades and crafts of early modern Bristol', *C&C* 6 (1991), pp. 229-30.

¹⁰⁴ Thomas Thomson (ed.), *The Booke of the Universall Kirk of Scotland* (Edinburgh, 1839), iii, p. 1120.

produced by tailors. This work might have been largely piecemeal, or tailors might have had particular sewsters to whom they readily contracted work. Because it was so undefined, however, sewster work was also sometimes performed by women not identified as sewsters. On 22 July 1630, James Workman, a painter, and Christian Palmer, his wife, were determined to owe Isabel Crawford and her husband Thomas Speir, a lorimer (a bridle/harness maker), £3 15s in complete payment of ruffs, bands, napkins, and cuffs 'wrought by them to them'.¹⁰⁵ Given that the husband is identified as a lorimer in the case, it is logical to assume that the cloth items were made by Isabel, even though this is not explicitly stated. However, the fact that it is not explicitly stated gives credence to the supposition that such work was piecemeal and unregulated: a woman could, or could not, engage in the 'sewster craft' as she desired or needed because there was no guild associated with this type of work. In this way, women's work in the cloth industry of early modern Edinburgh seems to have mirrored the experience of women in the cloth industry in fourteenth-century England and fifteenth- and sixteenth-century Germany: they were involved only on a piecework basis, only marginally, and only as the employees of men.¹⁰⁶

Spinning, meanwhile, was a common (although generally low-paid) pursuit of women across England and Europe in the late medieval and early modern period, and by the seventeenth century 'so many women [had] turned to spinning that unmarried women in England all came to be called "spinsters"'.¹⁰⁷ Women engaged in spinning to provide thread for weavers, and it has been estimated that the work of four spinners was required to keep the loom of one weaver busy.¹⁰⁸ Like much of women's work, spinning was usually performed within the home, and could be combined with childcare and other

¹⁰⁵ ECA, SL234/1/14.

¹⁰⁶ Kowaleski, 'Women's Work', pp. 153, 155; Goldberg, *Women, Work, and Life Cycle*, pp. 122-3; Wiesner, 'Spinners and Seamstresses', p. 194.

¹⁰⁷ Wiesner-Hanks, *Women and Gender*, p. 118.

¹⁰⁸ Mendelson and Crawford, *Women in Early Modern England*, p. 271.

household tasks.¹⁰⁹ However, the debt records provide no evidence that women in Scotland were engaged in spinning to the same level as their English sisters. That women did not spin in Scotland seems unlikely. Rather, it is probable that the lack of evidence of women engaged in spinning occurs as a result of the nature of the records and, specifically, by the way in which women were identified in debt litigation. No men are identified as spinners in the burgh court records, and only one woman was owed money for this type of pursuit. Jean Somervell, was owed for 'spinning work and making of stuffs'.¹¹⁰ She was presumably a young woman, as she was identified as the 'bairn and executor' of her father, and appeared in court with her tutor. She was owed the substantial sum of 50 merks by two men, a merchant and a goldsmith.

One branch of textile-making that does seem to have been dominated by women in Scotland during this period was perling (a lace made of thread or silk and used to trim garments). Christian Calquhoun sold two ells of perling to Mark Seyton for £4 in 1614.¹¹¹ John Scobie owed £4 to Katherine Sibbald, a wife, for perled overlays and hands.¹¹² While early debts for perling are few and far between (only five references to perling exist in the records between 1605, when it is first mentioned, and 1620), thirty-three debt cases which mention perling were entered into the burgh court records for Edinburgh between 1621 and 1640, and a further fifteen involved a woman identified as 'perling weaver' or 'perling worker' as either the debtor or creditor in the case, even if these cases were not concerned with perling work and were instead debts for lent money, drink, food, merchandise, or services. The first woman to be identified in the records specifically as a perling worker was Jean Anderson in 1629. She owed Marion Boyd and James Christie, her husband, for beer and ale furnished by her to

¹⁰⁹ Emma Robertson, Michael Pickering and Marek Korczynski, "'And spinning so with voices meet, like nightingales they sung full sweet": Unravelling Representations of Singing in Pre-industrial Textile Production', *Cultural and Social History* 5:1 (2008), p. 16. Spinning could also sometimes be performed outside the home. The distaff was portable, and there are records of women gathering together in their doorways to spin and talk together. (Clark and Clark, 'Social Economy', p. 80.)

¹¹⁰ ECA, Register of Diets, 1619-22.

¹¹¹ ECA, Register of Diets, 1612-15, 29 January 1614.

¹¹² ECA, Register of Diets, 1615-19, 26 April 1617.

them.¹¹³ The emergence of the term 'perling worker' or 'perling weaver' to describe a woman engaged in perling suggests that the practice was gaining in popularity and visibility.

Many women who acted as perling workers in Edinburgh seem to have been unmarried women, and were daughters, orphans, or widows. In this, they were similar to lacemakers elsewhere. In England, orphaned daughters were sometimes taken on as apprentices in lacemaking.¹¹⁴ Barron and Stephanie Hovland have uncovered a number of such contracts for medieval London, and the apprenticeship arrangements of girls has also been discussed for England more broadly by Beattie and Kim Phillips.¹¹⁵ Ilana Krausman Ben-Amos and Pamela Sharpe, meanwhile, have discussed the experiences of girls as apprentices in England in the early modern period.¹¹⁶ Ben-Amos notes that, of all women who entered apprenticeships in Bristol between 1617 and 1628, nearly seventy per cent were fatherless, and virtually all were apprenticed into the clothing and textile trades (including lacemaking).¹¹⁷ Similarly, in Colyton before 1650 the death of a father was more likely to lead to a child being apprenticed than was the death of a mother.¹¹⁸ Sharpe, writing about apprenticeships in Colyton between 1598 and 1740, notes that 'the job descriptions of apprentices were not usually specific except in a gender sense, being "servant in husbandry" if they were boys and "housewifery" if they were girls'.¹¹⁹ Sharpe speculates, referring to the local economy in Colyton, that it was likely that apprenticeships

¹¹³ ECA, SL234/1/12.

¹¹⁴ Sheilagh C. Ogilvie, *A Bitter Living: Women, markets, and social capital in early modern Germany* (Oxford, 2003), p. 200.

¹¹⁵ Hanawalt, *Wealth of Wives*, p. 39; Caroline M. Barron, 'The Education and Training of Girls in Fifteenth-century London' in *Courts, Counties and the Capital in the Later Middle Ages*, ed. D. E. S. Dunn (Stroud, 1996), pp. 139-53; Stephanie R. Hovland, 'Girls as Apprentices in Late Medieval London' in *London and the Kingdom: Essays in Honour of Caroline M. Barron*, eds. M. Davies and A. Prescott (Donington, 2008), pp. 179-94; Cordelia Beattie, 'Single Women, Work, and Family: The Chancery Dispute of Jane Wynde and Margaret Clerk' in *Voices from the Bench: The narratives of lesser folk in medieval trials*, ed. M. Goodrich (Basingstroke, 2006), pp. 187-9; Kim M. Phillips, *Medieval Maidens: Young Women and Gender in England, 1270-1540* (Manchester, 2003).

¹¹⁶ Ben-Amos, 'Women apprentices'; Pamela Sharpe, 'Poor children as apprentices in Colyton, 1598-1830', *C&C* 6:2 (1991), pp. 253-70.

¹¹⁷ Ben-Amos, 'Women apprentices', pp. 233, 234, 236.

¹¹⁸ Sharpe, 'Poor children as apprentices', p. 262.

¹¹⁹ *Ibid.*, p. 256.

for girls would include some training in spinning and lacemaking.¹²⁰ The similarities between these English apprenticeship contracts and the Scottish evidence are striking. While agreements in Scotland were not identified specifically as apprenticeships, they did involve young women (some fatherless), lacemaking, and strict terms of employment.¹²¹ These terms included legally binding contracts, which stipulated that the training was to be supervised by an apparently experienced practitioner in an artisan or merchant household and workshop that was not that of the girl in question.¹²² The only feature these Scottish agreements lacked when compared to similar English agreements was a fixed term of apprenticeship. As a result, these Scottish agreements appear to have been *de facto* apprenticeships with one important difference: many such contracts were devised as a way of repaying a debt.

These agreements, which combine the repayment of lent money through service in the perling industry, appear most frequently in the Register of Deeds for Edinburgh in the 1630s and 1640s. The contracts typically follow a pattern, whereby the debtor, usually identified as a daughter, borrows a certain amount of money from another woman. The debtor then promises to remain with the creditor and 'work in the vocation and weaving of perling until the debt is completely paid'.¹²³ Often, provisions were made in anticipation of any days of

¹²⁰ Later in her article, Sharpe notes that in the sixteenth century lacemaking became a significant industry in Colyton, with an estimated twenty-one per cent of the population involved in lacemaking by the end of the seventeenth century and the sex ratio of the industry heavily biased toward women. Sharpe, 'Poor children as apprentices', pp. 257-8.

¹²¹ Ben-Amos notes that 'the proportions of women whose fathers were described as "deceased" rose dramatically from less than a fifth in the 1530s to nearly two-thirds in the 1600s'. (Ben-Amos, 'Women apprentices in Bristol', p. 233.)

¹²² Hovland, 'Girls as Apprentices', p. 180; Phillips, *Medieval Maidens*, pp. 76, 82-3, 134.

¹²³ Examples of this type of debt and credit agreement can be found between Jean Anderson, daughter to Thomas Anderson, and Gilbert Oustian, a tailor, and Susannah Watson, his wife (NAS, B22/8/26, f. 225r-v); Marion Elliot, daughter to Archibald Elliot (deceased), and Margaret McCartney, daughter to William McCartney (also deceased) (NAS, B22/8/28, f. 253v-254r); between Helen Lawson, daughter to John Lawson (deceased), and Marion Boyd, wife of James Christie (NAS, B22/8/29, f. 332v-333r); between Agnes and Katherine Jameson, daughters to William Jameson (deceased), and Helen Manuel, wife of William Glendinning (although only Katherine was to engage in perling; Agnes was to do so only if Katherine absented herself) (NAS, B22/8/30, f. 101 r); between Janet Buchanan, daughter to William Buchanan, and Marion Boyd (NAS, B22/8/31, f. 35r); and between Mausie Dobie, daughter to John Dobie (deceased), and Isabel Cunningham, a widow (NAS, B22/8/31, f. 185v).

missed work (typically, every day of missed work resulted in two days of make-up work) and in anticipation of defaulting on the debt. Typically, if the woman absented herself from service or died before the debt was completely paid, the entire debt became due and had to be paid either by the woman's cautioner or her heirs. Unlike other apprenticeship contracts, there is no mention of an apprentice fee. Perhaps this was included in the original debt, or waived because the girl was already in debt to the person with whom she was to work.

A few Scottish perling agreements were more detailed. In these, both the language used and the terms of service and accommodation mimic those found in apprenticeship agreements for girls in medieval and early modern England.¹²⁴ Margaret Houston, the daughter of the deceased John Houston, entered into such a detailed agreement with Marion Boyd and James Christie, Marion's husband, who was a merchant, on 18 March 1640.¹²⁵ Margaret owed £44 to the couple and, in payment, promised to

repay the whole time induring my health of my body so long as any part or portion of the sum shall happen to remain unpaid and wrought for in their service and art and craft of working and weaving in their booth of perling craft and calling as long as I am able in my health. And farther I faithfully bind and oblige that I shall diligently work to them in their booth in weaving of perling yearly, termily, quarterly, monthly, weekly and daily every day so long as I am owing them any part of the sum, and will not remove nor transport myself from their service and lying in bed and remaining at night in their dwelling house so long as I am in their debt, but shall continue and remain with them until they be completely paid of all compts that they can lay to my charge.¹²⁶

Marion Boyd and her spouse acted as creditors in at least six cases which concerned a perling worker in some way. It seems likely that it was Marion who taught these girls to perl, as her husband was a merchant. In this way these

¹²⁴ For an English comparison to the Scottish perling contracts presented in this section see the indenture of apprenticeship of Katherine Nougale, 1392. (Hovland, 'Girls as Apprentices', pp. 193-4.)

¹²⁵ Marion Boyd and James Christie are listed in *The Register of Marriages for the Parish of Edinburgh, 1595-1700* as marrying on 25 June 1607. (Paton (ed.), *The Register of Marriages for the Parish of Edinburgh, 1595-1700*, p. 199.)

¹²⁶ NAS, B22/8/31, f. 129r-v.

agreements correlate with similar agreements in England. Ben-Amos notes that most women apprenticed in Bristol from 1600 were trained in sewing, knitting, button making and lacemaking, and that 'the girls who were apprenticed in these occupations were taught by women, and in households in which the master, and perhaps other apprentices or journeymen, were often engaged in a separate craft or employment'.¹²⁷ The majority of young women to whom Marion and James lent money stayed within their house and booth while engaging in perling to work off the debt (although presumably not all women they lent money to were there at the same time). This may indicate two important points. The first is the word 'booth' in this case should perhaps be understood as 'workshop', and that Marion and James may as a result have been running a workshop specifically for the purpose of producing perling. In this, it sounds similar to the schools and small workshops where girls were taught to sew, spin, and make lace in sixteenth-century Lyon, and which mimicked the apprenticeships offered to boys through other craft workshops.¹²⁸ Moreover, this workshop may have been able to accommodate a number of people, which was unusual in Edinburgh at this time. The size of workshops was theoretically restricted. Bakers, for example, were restricted to three servants, although this rule seems to have been rarely adhered to by the sixteenth century.¹²⁹ The employment of so many young women may indicate that Marion and James were running an early manufactory (if one ignores the debt element of the relationship). Hamilton, in South Lanarkshire in the west-central Lowlands of Scotland, for example, had a lace manufactory to provide work and care for twelve poor girls by 1705.¹³⁰ Perhaps the workshop run by Marion and James was an early version of this.

¹²⁷ Ben-Amos, 'Women apprentices', p. 237.

¹²⁸ Natalie Zemon Davis, 'Women in the Crafts in Sixteenth-Century Lyon' in *Women and Work in Pre-Industrial Europe*, ed. B. Hanawalt (Bloomington, 1986), p. 170-1.

¹²⁹ Innes (ed.), *Leges Burgorum*, c. lxi, pp. 29-30; McNeill (ed.), *The Practicks of Sir James Balfour*, pp. 69-70.

¹³⁰ E. Patricia Dennison, 'Urban Society and Economy' in *Scotland: The Making and Unmaking of the Nation c. 1100-1707*, Vol. 2, *Early Modern Scotland, c. 1500-1707*, eds. B. Harris and A. MacDonald (Dundee, 2006), p. 150.

The second notable point in this debt case has to do with the stipulation that Margaret was to stay either in their booth or in their house during her term of service. With regard to her status as a debtor, this may have allowed Marion and James to keep Margaret under their control until the debt she owed them had been completely paid. Keeping Margaret in their house and booth may also have been a way for James and Marion to control Margaret's sexuality while she was in their service. Perhaps her status as a fatherless daughter, presumably also making her a young woman, was cause for concern. Phillips has noted that the contracts of female apprentices ordered the girls in question to refrain from fornication both within and without the houses of their masters.¹³¹ Perhaps the requirement that a perling worker had to promise to stay within the confines of the house of her master or mistress was a way of controlling her behaviour in general, and her sexual behaviour in particular.

One perling contract, the contract between Elspeth Dalglish, daughter to Robert Dalglish, a bellman, and Isabel Cunningham, a widow, even took clothing as surety. Robert and Elspeth, with Elspeth's father named in the debt in the same way that a husband often is, had borrowed £24 from Isabel. In payment, Elspeth was to work in perling with Isabel until the sum was completely paid. Additionally, Isabel was to have control of a black satin gown with a red stemming wyliecoat (underskirt) owned by Elspeth. Under the terms of the contract, Elspeth would be allowed to borrow the gown and underskirt from Isabel every Sunday (perhaps to wear to church), and the outfit would be returned to Elspeth once the debt had been paid in full. In the meantime, however, Elspeth was to deliver the gown and underskirt back to Isabel every Monday. Should she fail to return the outfit on the Monday, as specified, Elspeth would owe another two days of perling work to Isabel. Further, every week that Elspeth absented herself from working for Isabel, the cloth would not be lent to her on the Sunday.¹³²

¹³¹ Phillips, *Medieval Maidens*, p. 83.

¹³² NAS, B22/8/31, f. 185v.

Periodically, a perling worker would be unable to complete her term of service or pay off her debt due to sickness or death. The debts of those who died sometimes fell to their surviving parents. Janet Crawford and John Black, her spouse, were ordered by the court in 1636 to pay £3 6s 8d to Marion Vernor and James Lyon, her spouse, in complete payment of a greater sum delivered by Marion and James to Janet in the name of Janet's daughter, Annas Mitchell.¹³³ Annas was supposed to have engaged in the making, and then selling, of perling in Marion and James's service, but had died at the previous Easter. However, Annas had left 'much unwrought' perling work behind at the time of her death, and her mother was expected to cover the cost of the making and selling of that perling, which was perhaps left over from the debt she herself had incurred from Marion and James.¹³⁴

The reverse could also happen, and some employers had to be compelled by the court to pay those women whom they had hired to make lace. Marion Dreghorn's parents, James Dreghorn and Marion Haining, were owed £8 16s by Andrew Leslie and Christian Gilbert, for perling Marion had done over the course of 13 weeks.¹³⁵ Katherine Scott appeared before the Edinburgh burgh court on 31 May 1631, owing a couple for lint. Two months later, at the beginning of July, she appeared again, this time owing to Margaret Thomson, a daughter, £11 for Margaret's 'service in working of perling' from Martinmas 1630 to Whitsunday 1631.¹³⁶ That presumably established perling workers hired other, younger, women to work for them indicates that the craft was pursued by older women as well, and that part of the work of these older women was to teach younger women perling.

Edinburgh, then, seems to have been home to a growing opportunity for young women to learn the skilled craft of perling weaving over the course of the

¹³³ Anna's surname, Baillie, which does not match the surname of her mother or her mother's husband, indicates that John Black was not Anna's father. It is possible that Janet, Anna's mother, entered into a debt with Marion and James after the death of Anna's father, when Janet was a widow and before her marriage to John Black, which would correlate with the trend for perling workers to be fatherless daughters.

¹³⁴ ECA, SL234/1/16.

¹³⁵ ECA, Register of Diets, 1619-22, 27 January 1621.

¹³⁶ ECA, SL234/1/14.

1630s. While many of these girls were fatherless and did not have the means to repay debts apart from lacework created by their own hands, they were nevertheless effectively apprenticed in organised workshops to a skilled trade that could offer them decent remuneration. As such, lacemaking in Edinburgh in the seventeenth century seems to have had many of the attributes Kowaleski and Bennett associate with high-status work: valued skills, organised workshops, and apprentices. Raw materials were also purchased to produce the lace.¹³⁷ What these Edinburgh perling workers might have lacked (and also shared in common with French laceworkers discussed by Davis) was a 'precise work identity'.¹³⁸ Boys and men followed a ritual, and achieved at the end of their apprenticeships membership in a brotherhood they would likely remain a part of for the rest of their working lives. Girls did not. This lack of a cohesive craft identity, combined with the fact that perling was an occupation that might only be engaged in by many women until they married (although some women must certainly have performed it over the long term, if they taught it to others), might account for the fact that those who engaged in perling never formed themselves into a guild. In this, their experience was analogous to that of women engaged in similar types of work; perhaps the most comparable of which was the experience of the London silkwomen in the fifteenth century, who also left little sense of a cohesive craft consciousness, including ordinances or standards to which they needed to adhere.¹³⁹

Conclusion

Common to both women who brewed, and then sold, ale and drink, and women who made lace in Edinburgh, Haddington, and Linlithgow in the seventeenth century was a lack of craft identity. Neither drink producers and sellers nor lace makers appear to have seen themselves as part of a larger group of producers

¹³⁷ Maryanne Kowaleski and Judith M. Bennett, 'Crafts, Gilds, and Women in the Middle Ages: Fifty years after Marion K. Dale', *Signs: Journal of Women and Culture in Society* 14 (1989), p. 480.

¹³⁸ Zemon Davis, 'Women in the Crafts', p. 171.

¹³⁹ Marion K. Dale, 'London Silkwomen of the Fifteenth Century', *EHR* 1st ser., 4 (1933), p. 335.

and, as such, made no effort to present or protect their identities in terms of what they produced. They did not form into guilds and, as such, many women who engaged in these endeavours did so on piecemeal or temporary bases. This, combined with the highly organised guilds controlled by men, served to limit the number of productive trades in which women could and did engage. In communities like those of early modern Scotland, in which guilds and guild identity permeated society so completely, to not be part of a guild affected how people thought of the placement of themselves and their work in their community. To be without guild status was detrimental to women's roles in the productive trades.

By the mid-sixteenth century, guilds were a driving economic force in Britain. In England guilds were known as early as 688, while in Scotland guilds were present by the time of the 'Statuta Gilde' of Berwick, which dates from 1249 to 1295.¹⁴⁰ By the fifteenth century, many Scottish burghs had a merchant guild, and the establishment of craft guilds soon followed. Members of Scottish guilds were awarded monopolies within particular towns which allowed them to purchase raw materials and regulate trade. In this way, guilds minimised competition both between members of a community's guild, and from external threats. It also protected guild members against receiving too little for goods and services, and protected consumers from sub-standard products and fraudulent producers.¹⁴¹ In Edinburgh, the skimmers were the first to become an incorporated craft guild, in 1474, and by 1523 the town had fourteen craft guilds, some of which were conglomerate organisations.¹⁴² The Edinburgh Incorporation of Hammermen, for example, included trades that all dealt with an aspect of metalware production or hammered work, and included the blacksmiths, goldsmiths, lorimers, saddlers, cutlers, buckler makers, and armourers, and were listed as such in the original seal of cause in 1483.¹⁴³ These incorporated craft guilds were able to regulate the quality and prices of products

¹⁴⁰ Allen, *The Locksmith Craft*, p. 2.

¹⁴¹ *Ibid*, p. 5.

¹⁴² Dennison, 'Urban Society and Economy', p. 148.

¹⁴³ J. D. Marwick (ed.), *Extracts from the Records of the Burgh of Edinburgh*, Vol.I (Edinburgh, 1869), p. 47.

produced by members of the guild, as well as who became a member of the guild. Masters determined who was admitted to the guild and, as a result, who was able to practice the craft.¹⁴⁴ Through this patriarchal control, women were effectively excluded from most production intended for sale.

The guilds also elected a deacon each year to act as the head of their craft and by 1551 had two seats on the Edinburgh town council. This rose to six seats in 1583, giving the crafts as many seats as the merchants in terms of ordinary councillors' seats.¹⁴⁵ The number of guilds in a burgh varied by the size and importance of the town with which they were associated, but the most common guilds were the hammerman, baxters (bakers), skinners, tailors, cordiners (shoemakers), fleshers (butchers), wrights, weavers, and waulkers (fullers). Edinburgh, with fourteen, was home to the greatest number of incorporated craft guilds, while Perth and Dundee had nine. Smaller towns usually had between five and seven.¹⁴⁶ The smallest towns might have only one catch-all 'merchant guild'. The importance of the various incorporated craft guilds also varied by town. Goldsmiths, for example, had originally been part of the Incorporation of Hammerman in Edinburgh, but in 1525/6 separated from the Hammerman and became their own incorporated craft guild, but the same group remained part of the hammermen in Perth.¹⁴⁷ Similarly, the tailors were one of the wealthiest and most important incorporated crafts in Edinburgh. There, the number of master tailors must have been far in excess of merely supplying the local market, resulting in the need for sub-contracting. Another sign of the wealth of the tailors was the building of Tailors' Hall in the Cowgate in 1621, described as 'the grandest of the guild halls'.¹⁴⁸ In Perth, meanwhile, (where the hammermen were most important) the tailors ranked sixth.¹⁴⁹

¹⁴⁴ Dennison, 'Urban Society and Economy', p. 148.

¹⁴⁵ Lynch, *Edinburgh and the Reformation*, p. 16.

¹⁴⁶ Dennison, 'Urban Society and Economy', p. 148.

¹⁴⁷ Fortheringham (ed.), *Edinburgh Goldsmith Minutes*; Mary Verschurr, 'Politics or Religion? The Reformation in Perth, 1540-1570' (Edinburgh, 2006), p. 8.

¹⁴⁸ J. Gifford, C. McWilliam and D. Walker (eds.), *The Buildings of Scotland: Edinburgh* (London, 1984), pp. 66, 224

¹⁴⁹ Verschurr, *Politics or Religion?*, p. 39.

The growing political importance of the incorporated craft guilds was increasingly detrimental to the potential involvement of women in these guilds. While Kowaleski and Bennett note that some guilds in England and Europe offered some women (particularly the wives, daughters, and servants of skilled tradesmen) the opportunity to 'participate in a vital form of community life that offered its members economic security, spiritual comfort, and social privilege'¹⁵⁰, they were, nevertheless, secondary members. In Edinburgh, Haddington, and Linlithgow during this period women did not play significant roles in any of the incorporated crafts. Women were also barred from political processes and could not be elected to public office. As a result, they could not advance up the guild hierarchy, or hold offices of any importance within the guilds.¹⁵¹

Wives of guild masters in Scotland do not seem to have attained the rank of 'guild sister' like some wives did elsewhere.¹⁵² However, widows could benefit from their husbands having been a member of a guild, as the widows and orphans of guildsmen were sometimes eligible for pensions and charity provided by the guild.¹⁵³ Widows of guild masters in Scotland also sometimes took over their husbands' crafts for a short period of time after their deaths (suggesting they had worked alongside their husbands during their lifetimes), as in the case of the widow of Thomas Short, deacon of the Incorporation of Hammerman. Short's widow ran his booth for an unknown period of time after his death in 1544 during the 'Rough Wooing', when he died defending Edinburgh from an English raid on the Netherbow Port. His widow is listed on a role of masters of the hammerman craft in 1546, indicating that Short's servants continued to work for his widow after his death, but it is not known for how long this occurred.¹⁵⁴ Similarly, Robert McCauley, an armourer, was

¹⁵⁰ Kowaleski and Bennett, 'Crafts, Gilds, and Women', p. 475.

¹⁵¹ Verschurr, *Politics or Religion?*, p. 11.

¹⁵² Kowaleski and Bennett, 'Crafts, Gilds, and Women', p. 478.

¹⁵³ Allen, *The Locksmith Craft*, p. 6.

¹⁵⁴ John Smith, *The Hammermen of Edinburgh and Their Altar in St. Giles Church* (Edinburgh, 1906), 130. Similarly, in an entry from 2 March 1678 in the *Minute Book of the Dunfermline Hammermen*, Robert Brown was booked as journeyman to Margaret Duke, the widow of John Stevenson from Martinmas 1677 to Whitsunday 1678. John Stevenson, Margaret's husband, had been a very prominent member of the Hammerman, and was deacon of the

ordered in 1619 to pay to Agnes Annand, the widow of Hew Gilmour, also an armourer, 20 merks. The reason for the debt is identified as a

sum the said Robert by an ordinance of the deacon and brethren of the hammermen was ordered to pay to the said Agnes in contention of his service between Pasche [Easter] and Lambes [1 August] in 1617, at which time he should have served the said Agnes, together with £10 for the price of a sword bought by Robert from him.¹⁵⁵

The debt seems to imply that Agnes had continued the armoury business of her husband after his death, perhaps to the extent of overseeing apprentices. The case also implies that Robert was not happy with this agreement, perhaps reflecting the attitudes of the time to women in these positions.

Generally, widows were only allowed to continue to pursue or oversee the work produced in the booths that had pertained to their deceased husbands until they remarried, a convention that mirrored practices elsewhere in Europe. Fourteenth-century European ordinances regarding guilds rarely mentioned widows, leading Wiesner to speculate that widows had unrestricted rights to run their husbands' shops after their deaths (at least as long they remained unmarried).¹⁵⁶ Ordinances from the late fourteenth century relating to the dyers' guild of York ordered that 'no woman of the said craft shall occupy the said craft after the death of her husband longer than a whole year unless her servant who shall occupy the craft is put by her to the franchise of the city'.¹⁵⁷ A selection of bequests made through wills in fifteenth-century York, however, indicate that widows took part in a host of crafts, including weaving, saddler work, mail work, and bow work.¹⁵⁸ In some instances, widows of guild masters were

craft and deacon convener of all the trades on numerous occasions. He died some time in 1677. *Transcript of the Minute Book of the Dunfermline Hammermen* (Dunfermline Local History Library, DI/HAM). Thanks to Ms. Sue Mowat for providing this reference.

¹⁵⁵ ECA, Register of Diets, 1615-19, 6 February 1619.

¹⁵⁶ Merry Wiesner, 'In Defence of Their Public Role' in *Women in the Middle Ages and the Renaissance: Literary and Historical Perspectives*, ed. M. B. Rose (Syracuse, 1986), p. 7; Bennett, *History Matters*, p. 100.

¹⁵⁷ P. J. P. Goldberg, *Women in England: c. 1275-1525* (Manchester, 1995), p. 204.

¹⁵⁸ *Ibid*, 199.

allowed to supervise workshops, hire apprentices and journeymen, and participate in guild celebrations, however this was not the norm.¹⁵⁹

However, in the mid-fifteenth century many European crafts began to impose limits on how long widows could run the shops of their deceased husbands, stipulating that widows could only continue to operate the shop for a few months or finish work that was already started, and could not take on apprentices, hire new journeymen, or buy raw materials.¹⁶⁰ In mid-fifteenth-century Shrewsbury, for example, it was decreed that 'no women shall occupy the craft of weaving after the death of her husband except for one quarter of the year, within which time it shall be lawful for her to work out her stuff that remains unworked'.¹⁶¹ In circumvention of stipulations like this, Goldberg has found early sixteenth-century evidence of widows who chose to marry their apprentices 'rather than be forced by guild and community pressures to give up control of the inherited workshop'.¹⁶² Bennett, meanwhile, has found ordinances restricting the involvement that women could play in guilds in every century between 1300 and 1700, and so suggests that attempts to circumscribe women's work in organised guilds and crafts were ongoing, rather than attributable to one specific century.¹⁶³

The role of women in the incorporated craft guilds in Edinburgh in the sixteenth and seventeenth centuries was minimal and relegated to times of economic necessity, as in the case of Thomas Short's widow. In the 1540s, with the burgh and country under threat and the production of weapons essential, there must have been a distinct advantage to maintaining as many hammerman booths as possible, even those run by widows. At other times, the presence of women in the crafts was less necessary, and those women who do appear (such as Agnes Annand) are exceptions to a very stringent rule. However, and as this chapter has argued, women did produce a variety of items which they then sold

¹⁵⁹ Kowaleski and Bennett, 'Crafts, Gilds, and Women', p. 478. For examples of widows who did continue to enrol apprentices see Prior, pp. 107-8.

¹⁶⁰ Wiesner, 'In Defence', p. 7

¹⁶¹ Goldberg, *Women in England*, p. 205.

¹⁶² *Ibid*, pp. 20, 133.

¹⁶³ Bennett, *History Matters*, p. 97.

to others. Primary in importance among these items produced was ale, but women identified as weavers, sewsters, and perling weavers can also be found in debt litigation for all three towns, working outside of guilds in less strictly regulated sectors. In these ways, although generally barred from membership in guilds, women still contributed to local production. With regard to textiles, although women did not appear as tailors, there is ample evidence that they worked as perling weavers throughout the period in question in a variety of ways. Contracts for perling weaving saw young, usually fatherless, daughters, enter the workshops and booths of married or widowed women to work in perling. Other women worked as weavers and sewsters on a piecemeal basis or as a steady form of income.

As regards the drink trades, the number of court cases involving women as creditors in debts for drink testify to the fact that they played a dynamic role in the production of this necessary item of consumption, and that they were able to hang on to this position much longer than their English counterparts. While women's roles in the production of ale in Edinburgh does seem to have declined in the late sixteenth century, perhaps as a result of the establishment of the Society of Brewers in 1596, they certainly were not relegated to the lowest status drink trades, as they had been by 1600 in England. Rather, women in Scotland continued to brew ale, at least on a small scale and often on a large scale, for the entirety of the period under consideration in this study. Moreover, and perhaps more importantly, they adapted to the changes facing them and, rather than allowing themselves to be pushed out of the drink trades in the 1620s and 1630s, began to purchase large amounts of ale for resale to others through taverns or alehouses. In the same decades, female servants became increasingly prominent in the sale of ale and beer. In Haddington and Linlithgow, meanwhile, where women did not have to contend with the influence of the Society of Brewers, women continued to have a strong presence in the production and sale of the raw materials associated with ale (particularly beir and malt), the production and sale of ale itself, and even, though on a much smaller scale, with the sale of draff, the by-product associated with the production of ale. It is thus clear that

neither marital status, social status, nor locality prevented women from participating in networks of debt and credit relating to drink.

Additionally, women in all three communities were involved in networks of debt and credit through supplying food both in piecemeal circumstances and on more permanent bases. This was sometimes done in partnership with their husband, who could provide certain foods on a professional basis while his wife either handled the business arrangements or provided the accompanying drink. While much production was controlled by men, a careful examination of the records shows clear contributions by the women of these three communities in those realms that were less regulated than the formal incorporated crafts.

Chapter 6:

Servants

Servants represent a unique grouping of women as regards economic life. This classification explicitly denotes neither age nor marital status, yet when considered as part of the life cycle servants were, by definition, young and unmarried and, indeed, it is overwhelmingly life-cycle service that was uncovered by this study. Although these life-cycle servants are often assumed to have been economically disadvantaged and constrained by their youth and reliance upon their employers, their activities were actually varied and wide ranging, and they frequently engaged with networks of debt and credit. In these networks, however, the activities of servants were dictated by their place within the life cycle, significantly more so than were the activities of wives or widows. Their purchasing, selling, and other economic endeavours were heavily influenced by their often transitory position, which typically saw them leave their natal homes to live with and under the control of employers before also leaving those living arrangements to set their own homes as wives. As such, their involvement in debt and credit networks warrants a specific examination separate from that of wives and widows.

This chapter will explore the dealings of servants within the networks of debt and credit of Edinburgh, Haddington, and Linlithgow. It will discuss both how servants lived and how that lifestyle, in turn, facilitated and encouraged their presence in debt and credit networks. In doing so, it will explore the boundaries of servants' economic and social freedoms during this period, as well as their importance within these three communities. Specifically, this chapter will explore both how servants acquired the means to engage in networks of debt and credit and the structure of their employments and by-employments. It will first consider what is meant by the term 'servant'. The majority of the servants considered in this chapter are identified specifically by the term 'servant' in the records. Other women were not identified explicitly as servants, but the explanations for the debts state that they were acting 'in the

service' of others, and so they have been counted as servants. This chapter will then consider when and by what means servants were contracted to their employers. This will include a consideration of what servants typically earned, both in terms of money and goods. How frequently servants received these payments will also be considered, as this played a key role in allowing servants to act as creditors in lending out money. The chapter will then consider the age a servant might be assumed to be (based largely on evidence concerning their marital status), what items they might have owned, and where they might have lived while in service. The presence of servants in debt litigation will then be considered and quantified, and the roles of servants who acted as sellers of drink, moneylenders, and creditors in other debt transactions will be discussed. As will be illustrated, the number of female servants present in debt litigation grew exponentially over the course of the late sixteenth and early seventeenth centuries, giving credence to the supposition that Edinburgh in particular was home to a growing number of servants during this period, many of whom were not afraid to litigate.

The Lives of Servants

The term 'servant', particularly when discussing female servants, is often assumed to refer to domestic service. In actuality, 'service' in the medieval period was a capacious term and, as Rosemary Horrox points out, was defined 'not by the nature of the tasks being performed, but by the relationship involved: that of master and man'.¹ Those who occupied the position of servant could therefore comprise a wide range of society, from stewards and administrators to those who acted as domestic servants, all of whom would be required to perform a number of *ad hoc* tasks. Goldberg, when discussing the various ways in which the concepts of service and servants can be understood, notes 'rarely do we know in any detail what servants were required to do, though this undoubtedly varied according to age, gender, social status, the

¹ Rosemary Horrox, 'Service' in *Fifteenth-Century Attitudes: Perceptions of society in late medieval England*, ed. R. Horrox (Cambridge, 1994), p. 63.

nature and size of the household, and hence the degree of specialization possible, and over time'.² In particular, Goldberg notes a change in the way female servants were employed beginning in the fifteenth century. Using evidence from York wills, Goldberg argues that both male and female servants were employed in a variety of craft workshops in that town in the early years of the fifteenth century. By the end of the fifteenth century, however, he notes that only male servants tended to be employed in craft workshops, while female servants were employed 'in number' in the houses of the mercantile elite.³ What they did in these houses is not made explicit, but Froide argues that 'servants were not yet confined to domestic tasks in the early modern era, which meant that an urban maidservant would, in addition to jobs such as cleaning, sewing, and cooking, assist in child-rearing and in the family craft, or in running the family shop or tavern'.⁴

Ben-Amos, in her investigation of female apprentices in the trades and crafts of early modern Bristol, notes that in the seventeenth century almost all women who entered apprenticeships (which admittedly differed from service contracts in that apprentices paid a fee to assume those positions) took on positions in domestic service, or else positions that combined a craft and household service.⁵ As a result of these positions, she argues, 'women who married after several years in domestic service could offer invaluable household skills such as sewing, knitting, brewing, cooking, washing, and rearing children; they could contribute small dowries they had saved; and they could also provide practical understanding in managing small trade, in supervising apprentices, offering advice, and managing shops when occasion required'.⁶ Sometimes, such positions and the duties associated with them were spelled out

² P. J. P. Goldberg, 'What was a servant?' in *Concepts and Patterns of Service in the Later Middle Ages*, eds. A. Curry and E. Matthew (Woodbridge, 2000), p. 11.

³ *Ibid*, pp. 19-20.

⁴ Froide, *Never married*, p. 89.

⁵ Ilana Krausman Ben-Amos, 'Women Apprentices in the trades and crafts of early modern Bristol', *C&C* 6 (1991), pp. 233-4.

⁶ Ilana Krausman Ben-Amos, *Adolescence and Youth in Early Modern England* (New Haven, 1994), p. 154. The experiences of apprentices, and apprenticeship culture, has also been explored by Paul Griffiths, *Youth and Authority: Formative Experiences in England, 1560-1640* (Oxford, 1996).

in contracts or indentures. In Scotland in the sixteenth century, Ewan argues, 'service tended to be domestic service' and 'girls learned the domestic skills they would need as mistresses of their own households, including brewing and laundering, and often additional craft and retail skills which enabled them to assist their husbands in their work.'⁷ However, in the late sixteenth and early seventeenth centuries service contracts entered into the burgh court records do not usually stipulate what a servant was expected to do, and servants likely performed a variety of tasks.

Perhaps because their duties have so long been presumed to be largely domestic and hidden from the historical records, the role of the female servant in the economy and society of early modern Scotland has, until recently, been largely ignored by historians, while the role of the female servant in debt and credit relationships has been even less well investigated. Ewan notes that 'a study of the master and servant relationship in an introduction to Scots law for historians in 1958 focussed almost exclusively on male servants, and mainly on apprentices and journeymen'.⁸ Rosalind K. Marshall's *Virgins and Viragos* makes only passing references to women as servants, noting that 'many women [...] had maidservants. These were usually young female relatives willing to learn the domestic skills of the home by sharing in the work'.⁹ Marshall speculates that the careers of these servants were short-lived, and usually lasted only one or two years, before the servants married and left service.¹⁰ Houston, in his consideration the economic and social of women between 1500 and 1800, barely mentions service and Sanderson, writing of women and work in eighteenth-century Edinburgh ignores it entirely.¹¹ In recent years, however, more historians are ignoring the conventional wisdom that states that adequate sources for uncovering the lives and experiences of female servants do not exist,

⁷ Ewan, 'Mistresses of Themselves?', p. 415.

⁸ Ewan, 'Mistresses of Themselves?', p. 412.

⁹ Rosalind K. Marshall, *Virgins and Virago: A History of Women in Scotland from 1080-1980* (London, 1980), p. 42.

¹⁰ *Ibid*, 53.

¹¹ Houston, 'Women in the economy and society of Scotland 1500-1800'; Sanderson, *Women and Work*.

and as a result the situation of female servants in Scotland c. 1400-1800 has begun to be discussed, particularly through studies examining such varied topics as female migration patterns, household relations, wetnursing, and illegitimacy, and through discussions of the information contained in testaments.¹²

With regard to extant sources, the documents which have been used so effectively in studies discussing the role of servants in late medieval and early modern England, including household and farm accounts, wage assessments and rates, tax listings, matrimonial litigation, and apprenticeship contracts, do not exist for Scotland for the sixteenth or seventeenth centuries.¹³ A muster roll compiled for Edinburgh in 1558 lists only male servants.¹⁴ Testaments and inventories, which have been used to great effect by Goldberg in his discussion of servants in late medieval York and by Jane Whittle in her examination of servants in rural England between 1440 and 1650, do exist for Scotland, and will be discussed in due course.¹⁵ Comprehensive poll tax lists and town censuses began to appear in Scotland in the seventeenth century, and these have been

¹² I.D. Whyte and K.A. Whyte, 'The Geographical Mobility of Women in Early Modern Scotland' in *Perspectives in Scottish Social History*, ed. L. Leneman (Aberdeen, 1988), pp. 83-106; Winifred Coutts, 'Women, Children and Domestic Servants in Dumfries in the 17th Century', *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society*, 61 (1986), pp. 73-83; Gordon Desbrisay, 'Wet Nurses and Unwed Mothers in Seventeenth-Century Aberdeen' in *Women in Scotland, c.1100-c.1750*, eds. E. Ewan and M. Meikle (East Linton, 1999), pp. 210-20; Gordon Desbrisay, 'Twisted by Definition: Women under Godly Discipline in Seventeenth-century Scottish Towns' in *Twisted Sisters. Women, Crime and Deviance in Scotland since 1400*, eds. Y.G. Brown and R. Ferguson (East Linton, 2002), pp. 137-55; R. Mitchison and L. Leneman, *Sexuality and Social Control: Scotland 1660-1780*, (Oxford, 1989).

¹³ Ann Kussmaul, *Servants in Husbandry in Early Modern England* (Cambridge, 1981), pp. 143-7; P.J.P. Goldberg, *Women, Work, and Life cycle*, esp. Ch. 4; McIntosh, 'Servants and the Household', pp. 3-23; Wiesner, 'Having her own smoke', p. 200; Vivian Brodsky Elliott, 'Single Women in the London Marriage Market: Age, Status and Mobility, 1598-1616' in *Marriage and Society*, ed. R.B. Outhwaite (London, 1981); Ben-Amos, 'Women apprentices', pp. 227-52; Ben-Amos, *Adolescence and Youth*, pp. 135-45.

¹⁴ Lynch, *Edinburgh and the Reformation*, pp. 9-10.

¹⁵ Goldberg, *Women, Work, and Life Cycle*, pp. 182, 236; Goldberg, 'What was a servant?', p. 18; Jane Whittle, 'Housewives and Servants in Rural England, 1440-1650: Evidence of Women's Work from Probate Documents', *TRHS* 15 (2005), pp. 51-74; Jane Whittle, 'Servants in rural England c. 1450-1650: Hired work as a means of accumulating wealth and skills before marriage' in *The Marital Economy in Scandinavia and Britain, 1400-1900*, eds. M. Agren and A. L. Erickson (Aldershot, 2005), pp. 89-107.

used by Tyson, Whyte and Dingwall to discuss the presence of servants in seventeenth-century burghs.¹⁶

To date, Scottish historians have tended to use qualitative rather than quantitative approaches to evidence in assessing the role of servants in society in the sixteenth century. Sanderson relies mainly on testamentary evidence for her discussions of both urban and rural servants as part of her larger study investigating the experience of living in sixteenth-century Scotland.¹⁷ Ewan, in her examination of female domestic servants in sixteenth-century Scottish towns, focuses on evidence gleaned from local legislation, the makers of which, she argues, 'seems to have assumed that most households would have included servants'.¹⁸ Such legislation mirrors similar legislation passed in England against 'masterless men' and vagrants.¹⁹ Ewan notes that in 1425 sheriffs 'had been given the power to arrest idle men and force them to find masters or to work in crafts within forty days', that 'in Edinburgh in 1512 the town council decreed that any young poor person who could work had to either take up service or leave the town', that 'in 1536 all beggars who did not enter service were to be imprisoned and then banished', and that 'in 1567 the Scottish Parliament ordered that any vagrant's child aged 5-14 could be put to work until age 24 if male, 18 if female'.²⁰ With such a variety of legislation in place to guard against idleness, and by specifically pressing such offenders into service, it is clear that there existed in Edinburgh in the sixteenth century sufficient positions of service (or the belief that there were sufficient positions of service) in which the majority of these offenders could find employment.

Other studies, carried out by Tyson, Whyte, and Dingwall, have used more quantitative evidence, including one census and two poll taxes. Tyson in his analysis of household size and structure in Old Aberdeen in 1636 using a

¹⁶ Robert Tyson, 'Household size and structure in a Scottish burgh: Old Aberdeen in 1636', *Local Population Studies* (1988), p. 48; Whyte, 'The Occupational Structure', pp. 219-44; Dingwall, *Seventeenth-Century Edinburgh*, pp. 144-5, 292.

¹⁷ Sanderson, *A Kindly Place?*, pp. 33-4, 38-9, 62-3, 104, 106, 126-8, 205.

¹⁸ Ewan, 'Mistresses of Themselves?', p. 414.

¹⁹ Kussmaul, pp. 33-4.

²⁰ Ewan, 'Mistresses of Themselves?', pp. 414-5.

'little known' census, notes that servants make up nineteen per cent of the people who appear on the list. Female servants outnumber male servants by a ratio of approximately three to two.²¹ The next survey of this type does not appear until the poll tax records of the 1690s. In his analysis of these taxes, Whyte argues that 'male servants were particularly numerous in Edinburgh [where they made up nearly a quarter of the workforce] and other large royal burghs, where they made up a substantial proportion of the male pollable population', but goes on to point out that female servants outnumbered male servants in all the major burghs studied.²² In Edinburgh, there were 2.4 female servants for every one male servant.²³ Helen Dingwall's analysis of the Edinburgh Poll Tax of 1694 takes this type of analysis one step further, and shows that in Edinburgh female domestic servants were the largest occupational group identified in the poll tax, and that female servants outnumbered male servants by a ratio of approximately three to one.²⁴ In total, there were 3,276 female domestic servants entered into the Poll Tax of 1694.²⁵ The population of Edinburgh and its surroundings, meanwhile, is estimated to have been between 40,000 and 47,000 at the time of the tax, while the population of inner Edinburgh and Canongate was between 27,000 and 30,000.²⁶ Female domestic servants therefore accounted for between eleven per cent and twelve per cent of the town's population at the end of the seventeenth century.

Studies carried out with regard to English communities in the late medieval and early modern periods certainly suggest that it was common for towns of a size similar to Edinburgh to have a large servant population, both in the seventeenth century and earlier. Goldberg found that fourteenth-century poll tax evidence suggested that servants were 'numerous' in both urban and rural areas in 1377, but that demand for servants was greatest in the larger

²¹ Tyson, 'Household size and structure in a Scottish burgh', pp. 46, 48.

²² Whyte, 'The Occupational Structure', p. 227.

²³ *Ibid.*, p. 223.

²⁴ Dingwall, *Late Seventeenth-Century Edinburgh*, pp. 22, 28-9, 132-4.

²⁵ *Ibid.*, p. 202.

²⁶ *Ibid.*, p. 20.

towns, where a third or more of households contained servants.²⁷ 38.2 per cent of the households in York contained servants in 1377, and 31.9 per cent of 'adult' taxpayers (those over the age of fourteen) in York were servants.²⁸ Elsewhere, servants made up 24.8 per cent of the population in Coventry in the 1520s, twenty per cent in Romford in 1562, ten per cent in Cambridge and fourteen per cent in Canterbury in 1563, twenty-four per cent in Ealing in 1599 (where female servants outnumbered male servants 141 to 100), seventeen to twenty-one per cent of the wealthier parishes of Cambridge between 1619 and 1632, and eighteen per cent in the twenty-nine English parishes studied by Wall between 1650 and 1749.²⁹

How closely these statistics mirror the situation in Edinburgh, Haddington, and Linlithgow during the last half of the sixteenth and the first half of the seventeenth centuries is difficult to determine. Ewan argues that Edinburgh's 'large number of wealthy aristocratic and merchant households' in the sixteenth and seventeenth centuries were likely responsible for employing a great number of female servants (perhaps to the detriment of satellite towns such as Haddington and Linlithgow, whose potential servants may have been drawn away to Edinburgh),³⁰ and evidence contained in debt litigation for Edinburgh gives the sense that the servant population in the town grew over the course of the last decades of the sixteenth century, and was significant by the middle decades of the seventeenth century. Certainly, an increasing number of servants appeared as litigants in debt cases in Edinburgh, in proportions greater than what might be expected as a result of the increasing number of debt cases over the course of these years.

²⁷ Goldberg, *Women, Work, and Life Cycle*, p. 290.

²⁸ *Ibid.*, p. 327.

²⁹ Charles Pythian-Adams, *Desolation of City: Coventry and the urban crisis of the Middle Ages* (Cambridge, 1979), p. 204; McIntosh, 'Servants and the household unit', p. 13; McIntosh, *A Community Transformed?*, p. 156; Nigel Goose, 'Household size and structure in early Stuart Cambridge', *Social History* 5:3 (1980), p. 374; Clark and Clark, 'Social Economy', pp. 72-3; Whittle, 'Housewives and Servants', p. 57; Wall, 'Regional and Temporal Variations', pp. 93-4.

³⁰ Ewan, 'Mistresses of Themselves?', p. 414.

Once a servant had decided to enter service in early modern Scotland, Ewan argues that his or her experience of service would have been similar to that of servants elsewhere in north-western Europe.³¹ First outlined by Peter Laslett in the 1980s, it has been suggested that service in north-western European countries shared several common traits. Most young people from rural and urban families seem to have undertaken a period of service between their early to mid-teens and their early to mid-twenties. This service was undertaken in a household that was not the servant's natal household during the transition from childhood to adulthood, and was designed to provide training for adult life, whether that involved entering a trade or caring for a family.³² This type of service has thus been termed 'life-cycle' service because it was entered into at a specific point in the lifecycle, adolescence, and abandoned before the servant entered the next stage of the life cycle, adulthood. Goldberg estimates that in early fifteenth-century towns in northern England most adolescents were probably in service with others rather than living with their natal families, while Ann Kussmaul has calculated that in early modern England, and particularly in the period after 1650, approximately sixty per cent of young people (aged fifteen to twenty-four) were life-cycle servants.³³ Elsewhere, however, including Lyon in the sixteenth century, England beginning in the latter half of the fifteenth century and into the seventeenth and eighteenth centuries, and Germany across the early modern period, young, urban, middle-class women did not generally enter service unless their parents, or at least their father, had died.³⁴ As a result, Wiesner argues that in early

³¹ Ewan, 'Mistresses of Themselves?', p. 415.

³² Peter Laslett, 'The Institution of Service', in *Local Population Studies* 40 (1988), pp. 55-60; P. J. P. Goldberg, 'Marriage, Migration, and Servanthood The York cause paper evidence' in *Women in Medieval English Society, c. 1200-1500*, ed. P. J. P. Goldberg (Stroud, 1997), pp. 1-13; Richard M. Smith, 'Geographical Diversity in the Resort to Marriage in Late Medieval Europe' in *Women in Medieval English Society, c. 1200-1500*, ed. P. J. P. Goldberg (Stroud, 1997), pp. 29-43, Froide, *Never married*, p. 87.

³³ Goldberg, 'What was a servant?', p. 7; Kussmaul, p. 3. Kussmaul estimates that as many as eighty per cent of boys and almost sixty per cent of girls were in service between fifteen and twenty-four in Ealing, Middlesex in 1599 (p. 71).

³⁴ Davis, 'Women in the Crafts', p. 172; Goldberg, *Women, Work, and Life Cycle*, p.202; Cordelia Beattie, 'Economy' in *A Cultural History of Childhood and Family in the Early Modern Age* Vol. 3, eds. S. Cavallo and S. Evangelisti (Oxford, 2010, forthcoming), p. 57; Ben-Amos,

modern Germany most urban female servants were lower class, from rural areas, or orphans.³⁵

Another characteristic of life-cycle service concerned living space. Life-cycle servants, because they were usually young and unmarried and had not yet established households of their own, tended to live with their employers, although this may have become less common in England after the latter half of the fifteenth century.³⁶ As a corollary, food and lodging were generally provided in addition to monetary wages. In fact, this seems to have helped servants to save their wages, which they could then spend on other things, or lend out. For Scotland, evidence that servants lived with their employers is, for the most part, indirect. Only one servant, Catherine Skowlar, listed a debt for maill in her testament. She owed £28 to Robert Murray for the year's maill of a house occupied by her.³⁷ People identified as servants do not appear as tenants in the 1635 Annuity Tax Roll for Edinburgh. Only two servants appeared in cases concerning debts for maill in the burgh court records of the town between 1560 and 1640, one as a creditor and the other as a debtor. In the first case Agnes Kinnimonth was identified as being owed £6 by Robert Masterton, a merchant. The reason for the debt was identified thus:

in complete payment of her [Agnes's] bed maill during the time of her service with him [Robert] as his [Robert's] taverner, at which time she lay in the dwelling house of James Levingstone, which bed maill the said Robert faithfully promised to pay her at her entrance to his service, which was at Fasterniseven [Shrove Tuesday] 1624.³⁸

The other case that involved a servant and a debt for maill identified the servant as the debtor, but again a close reading of the reason for the debt is necessary. In that case, Janet Shaw, a servant to James Weir, a tailor, owed £3 4s to John

Adolescence and Youth, p. 134; Brodsky Elliott, pp. 90-100; Wiesner, 'Having her own smoke', p. 200.

³⁵ Ibid.

³⁶ Kussmaul, p. 40; Froide, *Never married*, p. 90. Goldberg also speculates that many servants lived with their employers, although he does not think that this appears to have changed over time, and by the later fifteenth century servants were increasingly housed in accommodation separate from their employers. Goldberg, 'What was a servant?', pp. 16-20.

³⁷ NAS CC8/8/41/178 and NAS CC8/8/55/190.

³⁸ ECA, SL234/1/11.

Forrest, a cordiner (shoemaker) for bed maill.³⁹ However, although Janet is identified as the primary debtor in the explanation for the debt, the actual debt is listed as being owed by James Weir to John Forrest. This indicates that while Janet occupied what was presumably a chamber, or a bed in a chamber, let to her by John Forrest, her employer was primarily responsible for the debt because – like the debt concerning Agnes Kinnimonth described above – Janet's lodging was considered a part of the service contract.

One final debt for maill which further helps to reveal what might have been the role of employers in arranging where servants lived is found in a debt owed by John Lawson and Helen Cockburn, his spouse, to Alexander Dalzell, a schoolmaster, and Jean Easton, his spouse. In addition to a debt for ale and lent money, John and Helen also owed Alexander and Jean £18 for bed maill, furnishings of coal and tauche (unrended tallow), and a servant's bed for a period of time half a year long.⁴⁰ This indicates that John and Helen, while perhaps not needing a lodging for a specific servant at the time of the debt (although it is possible that the bed and furnishings were used by a specific servant who was simply not named in the case) were yet another set of employers who made provision for lodgings for their servants in their service contracts. This further indicates that employers were responsible for providing their servants with a roof over their heads. Usually, this roof seems to have been the employer's roof and the servant lived with him or her, but in cases where that was not possible or desirable, the employer was at least at times still responsible with providing his or her servant with a place to live.

That servants often lived with their employers has also been used to indicate that they were unmarried. Those who entered service as adolescents seem to have married later than those who did not, as service and marriage seem to have been largely mutually exclusive.⁴¹ Kussmaul goes so far as to say that service 'was not so much a check to early marriage as an opportunity for not

³⁹ ECA, SL234/1/14.

⁴⁰ ECA, SL234/1/11.

⁴¹ Kussmaul, p. 79.

marrying'.⁴² Goldberg has determined that the most common age for girls to enter service in York and Yorkshire in the fourteenth and fifteenth centuries was twelve, and that most women left service by the age of twenty-four.⁴³ Men and women in rural Yorkshire usually married in their early twenties, while those who lived in towns married in their mid-twenties.⁴⁴ McIntosh estimates that servants in Havering and Romford in the sixteenth and seventeenth centuries entered service around the age of fifteen, remained in service for five to ten years, and married between the ages of twenty-three and twenty five.⁴⁵ By analysing marriage allegations for early seventeenth-century London, Vivien Brodsky Elliot has determined that women migrated to London, some to take up service, between the ages of seventeen and eighteen, at approximately the same age that many London-born girls were entering into marriage.⁴⁶ Migrant women in London, many of whom would have been servants, tended to marry between the ages of twenty-six and twenty-eight, and tended to marry men of roughly the same age.⁴⁷ Brodsky Elliot argues that marrying later and marrying a man roughly the same age (usually referred to as a 'companionate' marriage) implied 'a greater freedom of choice of spouse and a more active role for women in the courtship and marriage process'.⁴⁸ These couples also tended to live separately from parents or other kin, in what has become known as the north-western European marriage pattern.⁴⁹

Brodsky Elliot notes that servants terminated their terms of service just before getting married, indicating that servants may have had to obtain the permission of their employers before they were allowed to marry, or that marriage meant moving out and establishing a new household, as was discussed above. In cases where the permission of an employer was required, ending a

⁴² Ibid, p. 84.

⁴³ Golberg, *Women, Work, and Life Cycle*, pp. 169, 172.

⁴⁴ Ibid, p. 328.

⁴⁵ McIntosh, 'Servants and the household unit', p. 11.

⁴⁶ Brodsky Elliot, pp. 86, 90. Kussmaul (p. 70) also noted that girls who stayed at home tended to marry earlier.

⁴⁷ Brodsky Elliot, p. 89, 95; Ben-Amos, *Adolescence and Youth*, p. 134.

⁴⁸ Brodsky Elliot, p. 89.

⁴⁹ Smith, 'Marriage in Late Medieval Europe', pp. 39-43.

service contract negated this need.⁵⁰ Kussmaul notes that more than half of servants married either just before or just after leaving services, and two-thirds married within a year of leaving service.⁵¹ Both Kussmaul and Goldberg suggest that servants timed marriage proposals to coincide with the end of service contracts, noting that in regions where servants left service at either Michaelmas or Martinmas marriages involving servants were often contracted at that time.⁵² Philippa Maddern agrees that some servants and employers equated marriage with exit from service, usually because of the potential for divided loyalties between employer and spouse or the fear that the married servant would bring dependants under the employer's roof. She argues, however, that sometimes servants looked upon service not as a stepping-stone to marriage, but as an impediment to marriage which had to be endured before one could be married.⁵³ Others, she claims, managed to be both servants and spouses, although she does admit that few examples of people who were married and also servants have been found and that in some cases this meant that husband and wife did not live together.⁵⁴

Evidence regarding the typical age of servants in Scotland is largely absent for the early modern period, but there are indicators which point to the vast majority of female servants being young and unmarried at the time they were in service, although this evidence is admittedly indirect and tends to rely more on evidence of a servant's marital status rather than her actual age. Women identified as servants in either the burgh court records or testaments are usually identified only as a servant. Other women sometimes appear solely under their own names, but are identified as having been 'in service' with the other litigant in the case. A woman is never identified as both a servant and a wife, although one wife and several widows are identified as having been 'in

⁵⁰ Brodsky Elliot, p. 96.

⁵¹ Kussmaul, p. 83.

⁵² Kussmaul, p. 97; Goldberg, *Women, Work, and Life Cycle*, p. 213.

⁵³ Philippa Maddern, "In my own house": The troubled connections between servant marriages, late-medieval English household communities and early modern historiography in *Women, Identities and Communities in early modern Europe*, eds. S. Broomhall and S. Tarbin (Aldershot, 2008), p. 51.

⁵⁴ *Ibid.*

service'. The only wife to act 'in the service' of an employer was Bessie Patterson, who did so in Edinburgh in the 1580s, and whose case will be discussed in the 'Servants as Debtors' section of this chapter. With regards to widows as servants, Agnes White, a widow, was ordered on 3 January 1632 to pay John Craig, a cook, £23 8s for ale 'vented and run by her in his service' at the previous Martinmas.⁵⁵ Three and a half years later, in 1635, Janet Cruikshanks, a widow, was ordered to pay Agnes Muir, also a widow, £35 12s for the same reason.⁵⁶ Many debt cases where the pursuer is seeking complete payment of her fee involve a woman who is a wife at the time of her appearance in court and is seeking payment for wages promised to her during her time as a servant. However, because so few marriage records survive for the seventeenth century, it is difficult to determine if these wives were married at the time they had been in service, or had left service, married, and were now seeking the final payments associated with their time in service. The second scenario is more likely, and it is possible that the former female servants chose to appear in court with their husbands in order to capitalise on the greater legal power these men may have wielded.

The wording used to describe servants in testaments can also give indications as to the potential ages of servants. A 'servitrix' to a merchant was allowed to make a will, although few did.⁵⁷ Between 1560 and 1640 there were recorded twenty-eight testaments (twenty-six of which pertain to servants from Edinburgh, one to a servant from Haddington, and one to a servant from Linlithgow) specifically written by a female 'servant' or a 'servitrix'. When making their testaments, most married persons tended to name their spouses as their executors, and charged them with making inventories of their goods and overseeing the collection and payment of their final debts. In contrast, servants tended to name members of their natal families, including parents and siblings, or their employers, to these positions, indicating that they were never-married. One testament, that of Margaret Fowlis, identifies Margaret as being both a

⁵⁵ ECA, SL234/1/14.

⁵⁶ ECA, SL234/1/16.

⁵⁷ Coutts, 'Women, Children', p. 78.

daughter to baxter George Fowlis, and as having been for a time a servant to the deceased James McGill.⁵⁸ The use of the terms 'daughter' and 'servant' indicate that Margaret was never-married, and perhaps a young woman. Margaret also names her sister as her executor, which is another indication that she was unmarried when she died. Of the twenty-eight servants' wills which are extant from this period, fifteen identify a member of the servant's natal family as her executor, implying that these ties remained strong during their service.

The most common family member chosen as an executor – or, rather, as an executrix – were siblings, with six of the twenty-eight servants naming a sister as executrix (one servant named two of her sisters jointly) and five naming brothers and brothers-in-law. Otherwise, one servant each chose a mother, a child, an uncle, and a niece as her executor, but the second most common relation to be named as executor to a servant's testament was the servant's employer. Four of the twenty-eight servants chose her employer, or a relative of her employer, as her executor. Janet Broadfoot, who died in March 1628, did so, making her employer, James Broadfoot (who may well have been a relation given their shared surnames), her executor. As executor, James was charged with recovering two large sums of money owed to Janet: 300 merks owed to her by John Shaw, which she bequeathed to her three siblings, and 800 merks owed to her by James Broadfoot, which she bequeathed back to James.⁵⁹ Servants in England also sometimes named their employer as their executor, or bequeathed items to their employers and their children.⁶⁰ Whittle, in her examination of wills written by servants in rural England between 1506 and 1635, for example, noted that the most common beneficiary in wills written by servants were the servant's

⁵⁸ NAS CC8/8/14/410. As Margaret died in the late summer of 1585, it is possible that her death was due to an outbreak of the plague that was occurring in Edinburgh at the time. Although James McGill's testament is not extant, it is possible that he died of the plague as well, and that Margaret contracted it while in his service.

⁵⁹ NAS CC8/8/54/681-2.

⁶⁰ McIntosh, 'Servants and the household unit', p. 19.

employer or his or her children, indicating that some servants looked upon their employers almost as parents.⁶¹

The inventories of these servants tend to be smaller and their testaments shorter than the inventories and testaments made by other testators, indicating either that many servants who made testaments had not lived long enough to accumulate many goods or that they lived with their employers and did not have need of (or could not afford) many items beyond a few personal possessions. In this way, the experience of servants in Scotland seems to have been very like that of servants in England in roughly the same period, and, as Whittle states, 'many servants owned little other than clothing and money, some of which was out on loan'.⁶² Inventories made by Scottish servants of their possessions and given up in their testaments typically included at least the 'abulyments' (clothing) of the servant's body, although both Grissell Deans, who died in February 1622, and Isabel Laing, who died in December 1627, had no items in their inventory.⁶³ The inventory of Margaret Fowlis's personal possessions, grouped together in her inventory under the phrase 'chamber geir & abulzementis of hir body' were valued at only ten merks.⁶⁴ Other servants died owning more. In addition to the 'abulyments' of her body, Catherine Skowlar's inventory included 'utensils and domiciles', denoting a variety of household goods. Her inventory was valued to £233 6s 8d.⁶⁵ Janet Watt, who in her own latter will and legacy described her inventory as being 'very mean and small', owned the 'abulyments' of her body, an old feather bed, three pairs of hardin sheets, two pairs of blankets and a kist, to a total value of £90.⁶⁶ Christian Paterson owned the 'abulyments' of her body and two gold rings, both of which were valued to £5. Her total inventory was valued to £18 13s 4d.⁶⁷ A final indication of how much or little property servants owned can be found in the

⁶¹ Whittle, 'Servants in rural England', p. 99. See also Naomi Tadmor, *Family and Friends in Eighteenth-Century England* (Cambridge, 2001), esp. pp. 30-1.

⁶² *Ibid.*, pp. 99, 100.

⁶³ NAS CC8/8/57/529 and CC8/8/55/10.

⁶⁴ NAS CC8/8/14/410.

⁶⁵ NAS CC8/8/55/190.

⁶⁶ NAS CC8/8/52/246.

⁶⁷ NAS CC8/8/48/540.

bequests they made to others. In general, the bequests made by servants in their latter wills and legacies were for amounts of money rather than items of clothing or jewellery, as was typically the case with wives and widows. The reason for this may be just how few personal belongings – including clothing and jewellery – most servants owned. An exception to this rule, however, was Christian Paterson (named above) who, in addition a variety of monetary bequests, also left pairs of plaids, tails, cloaks, and gowns to a number of her beneficiaries.⁶⁸ Janet Watt left a wyliecoat to her half sister and the rest of her clothes to her mistress ‘to be used by her’.⁶⁹

Regardless of age, before a servant could be termed a ‘life-cycle servant’, he or she had to enter a service contract. Servants seem to have brokered contracts with their employers in one of two ways: through hiring fairs or through kinship, friendship and trade networks.⁷⁰ Ewan has found examples of hiring fairs in sixteenth-century Scotland, and notes that it ‘appears to have been common for people from Selkirk to go to Edinburgh to hire maids at Martinmas’.⁷¹ The contracts brokered at these fairs between servants and employers were sometimes assisted by the efforts of agents who worked specifically to find positions for servants.⁷² Other servants relied on kinship links to help procure employment, as has been noted in studies of seventeenth-century Dumfries, fourteenth- and fifteenth-century London, and fourteenth-century York.⁷³ Servants who appeared in the debt cases examined for this study sometimes shared a surname with their employer, indicating that the two may have been related. An Edinburgh servant, Janet Broadfoot, was employed by a man named James Broadfoot, but neither the debt cases in which she appears,

⁶⁸ NAS CC8/8/48/541.

⁶⁹ NAS CC8/8/52/246.

⁷⁰ Kussmaul, p. 59; Goldberg, *Women, Work, and Life Cycle*, pp. 177-9; Brodsky Elliot, p. 93; Wiesner, ‘Having her own smoke’, p. 200.

⁷¹ Ewan, ‘Mistresses of Themselves?’, p. 416.

⁷² Goldberg, *Women, Work, and Life Cycle*, p. 180; Wiesner, *Working Women*, p. 83; Wiesner, ‘Having her own smoke’, p. 200.

⁷³ Coutts, ‘Women, Children’, p. 78; Barbara Hanawalt, *Growing Up in Medieval London: The Experience of Childhood in History* (Oxford, 1993), p. 175; Goldberg, *Women, Work, and Life Cycle*, p. 179.

nor the testament made by her in which she makes James her executor, give any explanation for their shared surname.⁷⁴

Ewan has found that in early sixteenth-century Scotland 'service contracts were sealed by the payment of 'arles' or 'earnest money' to the servant' (comparable to similar tokens in England which were called 'hiring penny', 'fastening penny' or 'God's penny')⁷⁵, but this practice seems to have disappeared by the end of the sixteenth century. However, the service contracts entered into the burgh court records must represent only a small number of the terms of service actually contracted, given the number of servants living and working in Edinburgh, Haddington, and Linlithgow in this period; likely, as was the practice in England, most service contracts were verbal.⁷⁶ Those contracts from 1560 to 1640 that do survive in the burgh court records, meanwhile, generally identify the length of the term of service and the amount of money and the goods (generally a length of cloth or money for cloth, and sometimes also a pair of shoes, or money for shoes) to which the servant was entitled as her 'fie and bounteth' (which referred to both the servant's 'fee', or wage, and her 'bounty', or the bonus she received for completing her term of service). In England, this might be paid quarterly or annually, or at the end of the period of service, while in Scotland a servant's fie was paid every six months, yearly, or otherwise at the close of the period of service.⁷⁷ English servants sometimes received clothing, while Scottish servants generally received lengths of cloth as they were expected to make their own clothes.⁷⁸ The bounteth from a service contract may have been the source of the nine ells of plaiding cloth a female servant from Haddington, Isabel Drummond, gave to a man in Dalkeith on Whitsunday 1635 with the expectation that the man would dress the cloth in his 'walkmyln' (a mill for fulling, or felting, cloth) and then return it to

⁷⁴ CC8/8/54/681-2.

⁷⁵ Ewan, 'Mistresses of Themselves?', p. 416; Kussmaul, p. 32.

⁷⁶ Goldberg, 'What was a servant?', p. 11; Kussmaul, p. 31.

⁷⁷ McIntosh, 'Servants and the household', p. 12; Beattie, 'Single women, Work, and Family', pp. 186-7.

⁷⁸ Goldberg, 'What was a servant?', p. 17; Ewan, 'Mistresses of Themselves?', p. 423.

her within seven days. She appeared in front of the Haddington burgh court to request either the return of the cloth, or 8s as payment for each ell.⁷⁹

In at least some cases servants also seem to have been given an amount of money prior to taking up a position to seal service contracts in the late sixteenth and early seventeenth centuries (harkening back to the payment of 'arles'), as servants also appeared as debtors in cases in which the servant was ordered to repay money to their employer because they had not actually assumed the position of service to which they had been contracted. Katherine Reid, in 1632, was ordered to pay Elspeth Purdie and Robert Russell £3 in complete payment of 'half a year's fie which the said Katherine should have served'.⁸⁰ The reverse was also true, and employers who agreed to employ a servant and then reneged on the deal were sometimes required to pay that servant the money and goods they would have received as part of the agreed-upon contract. Elspeth Kennedy and David Thomson were ordered to pay Margaret Watson £6 13s 4d in complete payment of fie and bounteth and a wyliecoat (underskirt) worth £5, which Elspeth had promised to Margaret a month before Martinmas 1632 when she had hired Margaret to 'run and vent' a variety of drink. Margaret had been willing to enter service, but had been 'debarred therefrom most wrangusly by the said Elspeth'.⁸¹

Unlike findings for late medieval England and early modern Germany, servants who appeared in debt litigation in Edinburgh, Haddington, and Linlithgow do not seem to have been penalised for leaving service beyond repaying any money or items they had already received from their intended employer, although it is possible that a servant who reneged on an agreement might have been dealt with another way or perhaps had difficulty procuring future placements if she gained a reputation for being difficult.⁸² The most extreme treatment of a servant who decided not to enter service after brokering an agreement with an employer took place in Linlithgow in 1621. Christian Reid

⁷⁹ NAS, B30/10/13, f. 44v.

⁸⁰ ECA, SL234/1/14.

⁸¹ ECA, SL234/1/14.

⁸² Kowaleski, 'Women's Work', pp. 153-4; Beattie, 'Single women, work, and family', pp. 191-2; Wiesner, 'Having her own smoke', pp. 201-2.

had agreed to enter into service with Alexander Yeman, but did not. She was ordered to remain warded in the tolbooth of the burgh until she agreed either to enter into service with him or compensate him for breaking the agreement.⁸³ This suggests that employers exerted considerable control over whether or not a servant entered or left a contract, but that the servants themselves might have a harder time extracting themselves from their contracts. This was also common in England, especially after the Black Death, when labourers and servants were in short supply. Madonna Hettinger has explored the wide variety of extraordinary legal actions employers in late medieval England might perform (even going so far as to have servants imprisoned) to retain servants in a period when many servants sought to capitalise on opportunities to negotiate better terms of employment.⁸⁴

Contracts made between servants and their employers in Scotland generally seem to have been for the duration of six months or one year. These agreements typically began and ended at two fixed times in the year, Whitsunday, on 15 May, and Martinmas, on 11 November. This is borne out by evidence in debt litigation in which servants specify the period of service for which they are owed money. Usually, servants, or their former employers, state the length of time the servant was in service, often using Whitsunday and Martinmas as markers. Service contracts in England, meanwhile, were generally also set from Martinmas for most of England north of the Trent and in Lincolnshire, and from Michaelmas, on 29 September, for midland England and many other parts of that country, although some English servants were also hired at Pentecost and Easter.⁸⁵ Service contracts in England also tended to last for one year in the fourteenth century, although evidence from London indicates that contracts there lasted for an average of four years in the early seventeenth

⁸³ NAS, B48/8/10, 31r.

⁸⁴ Madonna J. Hettinger, 'Defining the Servant Legal and Extra-Legal Terms of Employment in Fifteenth-Century England' in *The Work of Work: Servitude, Slavery, and Labor in Medieval England*, eds. A. J. Frantzen and D. Moffat (Glasgow, 1994), pp. 216-7.

⁸⁵ McIntosh, 'Servants and the household unit', p. 12; Goldberg, *Women, Work, and Life Cycle*, pp. 173-4, 328; Goldberg, 'What was a servant?', pp. 11-12.

century.⁸⁶ Individual contracts could vary, of course, likely depending on the needs of the employer. In Edinburgh on 8 June 1605 Janet Bow agreed to enter into service with James Broadfoot until the next Martinmas.⁸⁷ These contracts which began on a date outwith the customary start dates of service contracts, however, tended to end at the customary end points of Whitsunday or Martinmas, rather than continuing for a full six months or one year, a practice which was also followed in England.⁸⁸ Payments for periods of service were often made once or twice per year, although it has been speculated that employers may have advanced money to their servants before the end of their term of service and deducted any such loans from the payment at the end of the contract.⁸⁹

How large these half-yearly or yearly payments were is difficult to determine, as they are never explicitly quantified in the contracts entered into the burgh records. Cases pursued by servants against their employers for amounts of 'fie' were often 'in complete payment' of the whole sum, indicating that some of the fie had already been paid to the servant. Further, most debt cases do not stipulate the length of service to which the amounts in question correspond, making it difficult to calculate an average yearly wage rate. As a result, it is necessary to hypothesize what servants might have been paid by bringing together evidence from a variety of places. Wiesner, in her discussion of German domestic servants, has pointed out that female servants were always paid about half the wages that male servants received, regardless of whether the servant worked in the fourteenth century or eighteenth century, and whether she worked in 'a patrician household in a large city, a noble estate in the countryside, or an artisanal household in a small town'.⁹⁰ The same seems to have been true for servants who worked in England.⁹¹ Goldberg has used

⁸⁶ Kussmaul, p. 51; Goldberg, *Women, Work, and Life Cycle*, p. 176; Kowaleski, 'Women's Work', p. 153; Brodsky Elliot, p. 92.

⁸⁷ ECA, SL234/1/6.

⁸⁸ Kussmaul, p. 32.

⁸⁹ Ewan, 'Mistresses of Themselves?', p. 424; Kussmaul, p. 38.

⁹⁰ Wiesner, 'Having her own smoke', p. 200.

⁹¹ Kussmaul, p. 37.

evidence from late fourteenth-century Oxford to argue that wages paid to servants were 'probably graduated according to age and experience' and that 'male servants' wages were markedly higher' than those paid to female servants.⁹² Female domestic servants in London were paid an average of £3 10s per year in the 1670s.⁹³ As regards Scotland, Ewan cites a debt case from Dundee in 1556 in which 50s was owed to a female servant and notes that the sum represented more than a year's wage for the servant to whom the money was owed.⁹⁴ Servants' annual fees paid by the laird of Lochleven to his servants in the second half of the sixteenth century ranged between £1 6s 8d and £3 for men, and between 14s and £2 for women, although it is not known if these amounts also contained the servants' bounteths.⁹⁵ It seems likely that female servants in Edinburgh earned, on average, between £2 and £3 per year between the mid-sixteenth and the mid-seventeenth centuries, although larger amounts were also common. Margaret Forsyth, a servant, was owed 56s in complete payment of £3, which was her fie for a half a year in 1622.⁹⁶ In 1616 Elspeth Stewart was owed £44 by John Cunningham, a merchant, and Margaret Nimble, his wife, for eight years of fie: £4 for each of the first two years of her service with them, and £6 for each of the last six years of her service.⁹⁷ Presumably, different duties garnered different degrees of wages. As well, it is likely that good servants were in demand, and could negotiate wage increases year on year.

Servants in other towns appear to have been paid less than servants in Edinburgh. Katherine Allan appeared in front of the Linlithgow burgh court to formalise her contract with James Wilson and Elizabeth Meldrum on 25 June 1596. For her service, which presumably was for one term, Katherine would receive 20s and one and a half ells of cloth.⁹⁸ In Haddington in January 1625, Agnes Maxwell, a servant to James Barns, appeared before the burgh court and

⁹² Goldberg, 'What was a servant?', p. 16.

⁹³ Tim Meldrum, *Domestic Service and Gender, 1660-1750: Life and work in the London household* (Harlow, 2000), pp. 188-9.

⁹⁴ Ewan, 'Mistresses of Themselves?', p. 423.

⁹⁵ Sanderson, *A Kindly Place?*, p. 38.

⁹⁶ ECA, Register of Decrees, 1619-22.

⁹⁷ ECA, Registers of Decrees, 1615-19.

⁹⁸ NAS, B48/8/4, f. 47.

was successful in having Christian Vallance and John Wilkie, her spouse, ordered to pay 40s for fie, 8s for one ell of linen, 5s for one ell of hardin (a coarse fabric), and 12s for one pair of shoes. These items, or their monetary equivalents, had allegedly been promised by Christian to Agnes for her fie and bounteth for a half year's service from Martinmes 1624 to Whitsunday 1625. The agreement appears to have soured, as Christian and John would not 'accept nor receive' Agnes.⁹⁹ Nevertheless, they were ordered to make good on the payment terms of the agreement.

Servants in Haddington and Linlithgow may also have been expected to perform different duties than their Edinburgh counterparts. The service contract from Linlithgow between Agnes Bissett and John Heart, a maltman, and Elizabeth Wauch provides evidence for this. For the six months of service Agnes would perform for John and Elizabeth she would receive £4 for fie, 20s for a pair of shoes, 10s for one ell of linen, 6s for one ell of hardin, and six days shearing in harvest as bounteth.¹⁰⁰ No other service contracts in this period make mention of 'shearing', and it is unclear why it is considered in this contract as part of Agnes's bounteth. Perhaps shearing, or its products, was particularly lucrative, and as such it was considered an appropriate bonus for a servant at the end of her contract, or perhaps this suggests a more agricultural environment than Edinburgh. One particular duty for which Edinburgh female servants do appear to have been contracted was the selling of drink. Three women from Edinburgh are identified as having been 'in service' to others in the capacity of taverners. In 1592 Helen Polwart owed Christian Park and John Blair £35 13s 9d for ale and beer she had sold in their service as their taverner.¹⁰¹ Margaret Barrie was identified as both servant and taverner to Katherine Horne, a widow, in 1595. She owed Katherine the staggering sum of £813 for Spanish wine she had sold while in Katherine's service.¹⁰² Finally, Agnes Kinnimonth was identified as

⁹⁹ NAS, B30/10/11.

¹⁰⁰ NAS, B48/8/10, f. 172r.

¹⁰¹ NAS, B22/8/5, 144v-145r.

¹⁰² NAS, B22/8/6, 234v-235r.

being 'in service' with Robert Masterton, a merchant, in 1624 specifically to act as his taverner.¹⁰³

As well, numerous women were identified in the debt litigation for Edinburgh as being 'in the service' of an employer specifically for the 'running and venting' of ale, wine, or beer. No servants from Haddington or Linlithgow were employed for this specific task. However, as it is unclear who – the servant or the employer – received the profit from the sale of these beverages, it is uncertain as to whether the selling of drink in such service contracts was a term of the service contract, or an activity for which servants were contracted independently of any other duties they may have performed. This becomes even more complicated when the servant employed to sell the drink was identified as the servant of one employer who was selling drink for another. Regardless of the type of service, however, the wages earned from positions in service theoretically allowed servants to save money to put toward establishing their own households, usually once they had left service.

Regardless of their location, servants in early modern Scotland were both the recipients of relatively large amounts of ready money at one or two times in the year and had their bed and board provided for them as a term of their service. The result of having such large amounts of money deposited into servants' hands once or twice per year, while the servants themselves lived and ate with their employers and did not directly have to pay for these necessities, is that servants periodically had amounts of ready money on their hands, which they could save, spend, or lend out to others.¹⁰⁴ Wiesner has found evidence of female servants in early modern Germany saving their wages for dowries, spending them on clothing and jewellery, and using them to make investments or play city lotteries.¹⁰⁵ Froide also argues that 'because a maidservant did not have day-to-day expenses she was often able to save up her wages for a dowry or, if she never married, for her future maintenance' and that 'servants often

¹⁰³ ECA, SL234/1/11.

¹⁰⁴ Kussmaul, pp. 35-9; McIntosh, *A Community Transformed?*, p. 63.

¹⁰⁵ Wiesner, 'Having her own smoke', p. 202.

served as modest moneylenders'.¹⁰⁶ McIntosh has found evidence that servants in Havering in the late sixteenth and early seventeenth centuries used their wages to act as moneylenders, arguing that these lump sums allowed servants to become involved in their local credit network by lending and borrowing sums ranging from a few pence to a few pounds.¹⁰⁷ This practice was also common in Scotland between 1590 and 1640, when servants participated actively in the debt and credit networks of Edinburgh with increasing frequency, primarily as moneylenders and drink sellers, but in a variety of other ways as well. Like English servants, Scottish servants lent a wide variety of sums of money, extending from a few shillings to amounts that extended to £100 or more, and it is to a discussion of servants' roles as creditors that we now turn.

Servants as Creditors

Delving into the debt and credit networks in sixteenth- and seventeenth-century Scotland of which servants were a part can reveal a great deal about female servants and the role they played both within the employer-servant relationship and within their communities. In cases involving drink, servants sometimes amassed huge debts that extended to several hundred pounds or more as they purchased drink from their employers, sold the wine, beer, or ale on to others, and were then required to reimburse their employers from the money they had earned. It is unclear from the litigation whether the servant or her employer received the profit from these sales, but it seems likely that they would have gone to the servant. Servants seem to have purchased drink from their employers for a certain amount of money, and no mention is made in any such cases of the profit from the sale of this drink. These arrangements thus involved servants engaging in credit networks both with their employers and with members of the wider communities.

Servants were also active in lending money to their employers and others, and might also act as creditors in the sale of food, amounts of cloth and

¹⁰⁶ Froide, *Never married*, p. 89.

¹⁰⁷ McIntosh, 'Servants and the household unit', p. 12.

pieces of clothing, and other items. Female servants in Edinburgh exhibited an increasingly dynamic role in the economy of debt and credit during this period, in contrast to the decrease in the number of servants over the same period that has been noted for England.¹⁰⁸ No woman explicitly identified as a servant appears in the records between 1560 and 1589. The first woman explicitly identified as a servant appears in the records in 1590. Between 1590 and 1601 servants appeared in 0.6 per cent of cases entered into the Edinburgh burgh records, but between 1631 and 1640 accounted for more than seven per cent of litigants. Therefore, as Table 6.1 illustrates, the presence of women identified as servants in debt litigation in Edinburgh grew considerably between 1590 and 1640.

Clearly, women identified as servants enjoyed a steadily increasing role in the debt and credit networks of early modern Edinburgh over the course of the seventeenth century. Moreover, the majority of servants who acted in these cases did so as creditors, with 1,285 servants appearing as creditors and 491 as debtors. The reasons for which servants acted as creditors in debt litigation fall into four distinct categories: debts for drink, debts for money, debts for fie, and debts for cloth. Servants also appeared as creditors in the sale of a variety of items, including meat and bread (grouped together as 'food'), and other items, including merchandise and tobacco, as illustrated in Table 6.2.

Table 6.1: Debt cases Involving Female Servants in Edinburgh, 1590-1640:

Years	# of Cases Involving Servants (A)	Total # of Cases (B)	A as a % of B
1590-1600	21	3,122	0.6
1601-1610	80	7,351	1
1611-1620	352	12,713	3
1621-1630	564	11,847	5
1631-1640	759	10,609	7

Source: NAS, B22/8/4-31; ECA, SL234/1/4-12, 14, 16; ECA, Register of Diets, 1606-1622.

¹⁰⁸ Kussmaul, p. 97.

Table 6.2. Female Servants as Creditors in Debt Litigation, 1590-1640:

Reason for Debt	Edinburgh	Haddington	Linlithgow
Drink (Wine, Beer, or Ale)	822	2	1
Lent Money	593	10	1
Fie and/or bounteth	204	2	2
Cloth or Clothing	29	1	0
Food (Bread or Meat)	27	0	0
Other	64	0	0

Source: NAS, B22/8/4-31; ECA, SL234/1/4-12, 14, 16; ECA Register of Diets, 1606-1622; NAS, B30/10/6-13; NAS, B48/8/2-11.

According to the records, female servants in Edinburgh were significantly more active as creditors than were servants in either Haddington or Linlithgow, yet the reasons for which servants appeared as creditors were similar across the three communities in question. Servants were primarily involved in debts for money lent by them to others, for drink they had sold, and for money and items owed to them by their employers as part of their fie and bounteth. Edinburgh servants were most active in all such transactions, indicating both that a greater number of servants were present in the town, and that they were more engaged in debt and credit transactions than were their counterparts in Haddington or Linlithgow. The nature of the debts, particularly the huge number of Edinburgh servants who sold drink and lent money, indicates that there was greater demand for these services in that town than might have been the case in Haddington and Linlithgow.

The role of servants in the sale of drink tended to follow a specific practice. The servant would purchase a large amount of drink from her employer and then sell it, in smaller measures, to others. The servant was responsible for ensuring that her customers paid up, because she would then have to repay her employer for the cost of the drink which had been provided to her. This practice of purchasing large amounts of drink and selling it on to others in smaller amounts was even identified under a specific term in the records. Specifically, these debts were accrued by the servants for the 'running and venting' of wine, beer, and ale, a branch of service which seems to have

been performed particularly by female servants, both in Scotland and elsewhere. (Very few debt cases have been found where a male servant owed money to his master for the running and venting of ale.) Often, the women who were contracted to sell drink to others were already servants, as they were explicitly identified as such in the records. Some servants who sold drink were identified as a servant of a third person, and not the servant of the employer for whom they were selling wine. Such arrangements indicate that some servants engaged in the selling of drink as a by-employment, above and beyond their duties as servant.

This evidence is in line with that uncovered by Goldberg for fourteenth-century York and Yorkshire, where female servants were particularly engaged in the victualling trades, and particularly with houses associated with inns and hostelries, where they acted as 'tapsters'.¹⁰⁹ Female servants selling ale have also been uncovered by Dingwall in the 1690 Poll Tax for Edinburgh. She notes that alesellers 'appeared infrequently on the Poll Tax, but it is obvious from those who appeared in this category that this was an occupation undertaken by poorer people, often women, who worked as domestic servants and sold ale as a sideline.'¹¹⁰ Like other, more conventional service contracts, servants who sold drink for their employers received a fee and bounty for their efforts. It is not clear whether or not servants kept part of the proceeds from drink they had sold for themselves, but debts owed by servants to their employers for drink they had sold in their service could amount to hundreds of pounds. The largest debt owed by a servant to her employer for this reason was £813 for Spanish wine sold by Margaret Barrie, who acted as servant and taverner to Katherine Horne, the widow of a goldsmith, in 1595.¹¹¹

Only two servants in Haddington and one servant in Linlithgow appeared as creditors in debts for drink, indicating that servants in Haddington and Linlithgow did not have the same opportunities as Edinburgh servants to engage in this type of employment. It is possible that the occupational divisions

¹⁰⁹ Goldberg, *Women, Work, and Life Cycle*, pp.187-190.

¹¹⁰ Dingwall, *Seventeenth-Century Edinburgh*, pp. 150, 202.

¹¹¹ NAS, B22/8/6, 234v-235r.

in these smaller towns were more discrete, and did not invite the cross-over that might take place in a larger centre such as Edinburgh. If a woman was hired as a servant, she might not have had the time or opportunity to also sell drink. A further reason for the low numbers of servants owed money for drink in Haddington and Linlithgow may be that it was more likely for drink in these communities to be produced by those who would then sell it. Bennett, writing about ale producers in small, rural, English communities in the fifteenth and sixteenth centuries, notes that these producers tended to sell their product themselves in small measures.¹¹² In Haddington and Linlithgow the situation may have been similar, and it may have been possible for the maltman, vintner, or taverner to more easily supply ale, beer, or wine to his or her customers him- or herself, negating the need for hiring one or more servants to disseminate these beverages.

The second most common reason for a servant to appear as a creditor in debt cases was for amounts of money which had been lent by the servant to another. The amounts lent by servants could range widely. In Edinburgh, these amounts varied from 30s to over £100. On 12 March 1629 William Ferguson, a servant, was determined to owe Janet Kilgour, another servant, £104. Most amounts of money lent by servants to others, however, were for £50 and below, but were still significant amounts considering a servant's yearly *fie* tended to be only a few pounds. Servants in Edinburgh also lent money to people of all ages and classes: other servants, craftsmen, merchant burgesses, and their wives and widows. Servants even lent to their own employers. Sometimes, such loans would not be repaid until the servant left service and had taken the employer to court over the lent money and final payment of her *fie* and *bounteth*.

Servants in Haddington and Linlithgow appear to have lent smaller – but still significant – amounts of money. Agnes Hude, servant to John Cranston, appeared before the Haddington burgh court on 26 March 1605 and was successful in having Lawrence Saidler and Bessie Ayton, his spouse, ordered to repay to her the £9 borrowed from her by the deceased Alison Ayton (perhaps a

¹¹² Bennett, *Ale, Beer and Brewsters*, pp. 45-6.

relative, given that the two women shared a surname).¹¹³ Marion Ayton, a servant to Robert Lamb, a writer, appeared before the same burgh court on 19 January 1619 and was successful in having John Ayton, a burgess, ordered to repay to her the £45 he had borrowed.¹¹⁴ Isabel Allan, a servant to Patrick Brown, appeared before the Haddington court on 24 June 1623 and was successful in having John Wilson, a litster, and Patrick Skowgall ordered to repay to her £4 40d and £8 respectively borrowed by them two years previously.¹¹⁵ In Linlithgow, however, only one servant was owed for lent money. She was owed 50s for the annual rent, or interest, of £22 she had lent to a burgess in the community from Whitsunday 1628 to Whitsunday 1630.¹¹⁶

In other cases, debts for money lent by servants come to light not through debt litigation, but through testaments written by servants. In some cases, debts for lent money represented the only items servants could call their own. Grissell Deans and Isabel Laing, both of whom died with no items in their inventories, were owed money at the time of their deaths. Grissell was owed £270 13s 4d by the deceased James Hunter, who may have been related to her employer, David Hunter.¹¹⁷ The fact that she had been owed this sum since 1616 (she died in 1622), may account for the fact that she died without items to make up an inventory. Isabel was owed £130 by three men jointly. She had been owed the sum since Whitsunday 1626 when she died in December 1627.¹¹⁸ Otherwise, debts owed to the twenty-eight servants from Edinburgh, Haddington, and Linlithgow who made testaments ranged from £33 6s 8d owed to Jean Wood in Haddington by Robert Henryson to £783 6s 8d owed to Isabel Logan by various men.¹¹⁹ As explanations for these debts are not given in the testament, it seems likely they were for borrowed money rather than goods or services.

Those servants who sold drink for employers who were not their primary

¹¹³ NAS, B30/10/8, f. 23r.

¹¹⁴ NAS, B30/10/10, f. 116 r-v.

¹¹⁵ NAS, B30/10/11, f. 6r.

¹¹⁶ NAS, B48/8/11, f. 30v.

¹¹⁷ NAS, CC8/8/57/529.

¹¹⁸ NAS, CC8/8/55/10.

¹¹⁹ NAS, CC8/8/55/319 and NAS, CC8/8/50/415.

employers and those servants who lent money are particularly interesting because they were engaging in by-employments. Although contracted by one employer to engage in service in his or her household, these servants also managed to engage in methods of earning money which were in addition to their primary occupation of 'servant'. There are many reasons servants might have chosen to do this. They might have desired to expand their skill set, or train themselves to perform another type of job (such as taverner), or to make extra money above and beyond their regular servant fee. The involvement of women and servants in these types of by-employments has been noted in several studies, and it is generally accepted to have been a common activity among women throughout Europe, in Scandinavia, Germany, England, and elsewhere in the early modern period, at least on a small scale.¹²⁰ Whittle discusses similar arrangements which saw housewives in rural areas of early modern England engage in dairying, brewing, baking, and spinning.¹²¹ Wiesner had suggested that German servants might have invested their savings in small loans and that in German cities they also had the opportunity of putting their money in a more risky investment, the city lottery.¹²² And although somewhat beyond the timeframe of this study, Cissie Fairchilds has commented on the role of French servants in moneylending. She argues that engaging in money lending and learning to navigate networks of debt and credit effectively were life skills that were just as important as domestic skills.¹²³ By lending money, purchasing large amounts of drink for resale, or purchasing household supplies for their employers, servants gained experience in managing money and credit.¹²⁴ These skills would stand them in good stead when they set up their own households.

The third most common reason for a servant to appear as a creditor in debt litigation was the seeking of complete payment of their fee and bounteth.

¹²⁰ Chester Jordan, *Women and Credit*, pp. 19-20, 32-3. See also McIntosh, *A Community Transformed?*, p. 63; Simonton, *A History of European Women's Work*, p. 105.

¹²¹ Whittle, 'Housewives and Servants', pp. 69-73.

¹²² Wiesner, 'Having her own smoke?', p.202.

¹²³ Cissie Fairchilds, *Domestic Enemies: Servants and their Masters in Old Regime France* (Baltimore, 1984), pp. 78-9.

¹²⁴ *Ibid*; Wiesner, *Working Women*, pp. 91-2; McIntosh, 'Servants and the Household', pp. 12, 18.

Suits of this nature were also commonly brought by female servants before England's Court of Request in the late sixteenth century.¹²⁵ The reticence with which some Scottish employers seem to have approached paying their servants their final wages may indicate how significant these wages were and that some employers were reluctant to pay out such large sums of money. Debts for *fié* owed by employers to their servants were also common in testaments, as employers made note of the servants who worked for them and, as such, had to be paid for their service until the testator's sickness or death. At time of his death, John Horne owed three female servants, Janet Harret, Katherine Hamilton, and Katherine Alexander, a year's worth of their *fié* each.¹²⁶ Nicoll Couper, meanwhile, owed Janet Cunningham 36s for a year and a half worth of her *fié*, 68s to Bessie Gires for one year's worth of her *fié*, 30s to Katherine Kingorne for half a year's *fié*, and 23s to Katherine Wilson for her *fié* (the length of time of which was unspecified).¹²⁷ And Marion Brydane, who died in May 1574, owed 63s to Helen Gipson for her *fié*, 20s to Andrew Dickson for his *fié*, 8s to John Sanford for his *fié*, 10s to Helen Cardie for her *fié*, and 15s to Marion Anderson for her *fié*.¹²⁸ Such small sums indicate that at least some of these amounts of *fié* were not for full six-month or year-long terms, but rather shorter periods of time.

Yet testators often went beyond leaving their servants what they were due through the employer-servant contract. Many employers elected to bequeath their servants additional amounts of money and personal items as well. Often, bequests to servants were similar to those made to children, a phenomenon which has also been observed in wills from late medieval and early modern England.¹²⁹ Whittle has noted a bias towards female servants in bequests, and speculates that this may have been 'either because women earned less and were seen as more deserving recipients of gifts, or because female

¹²⁵ Stretton, *Women Waging Law*, pp. 106-7.

¹²⁶ NAS, CC8/8/20/278.

¹²⁷ NAS, CC8/8/1/328.

¹²⁸ NAS, CC8/8/3/113.

¹²⁹ McIntosh, 'Servants and the household unit', p. 19; Whittle, 'Servants in Rural England', 99.

servants developed closer relationships with employing families'.¹³⁰ These bequests usually included items of clothing, jewellery, and amounts of money, although the amounts of money testators left to their servants was typically less than that left to their children. In addition to leaving her servant, Bessie Law, the amount which was owing to her as her fie, 68s, Marion Brown, who died in April 1569, also elected to leave Bessie her black gown which 'she' (presumably Marion) wore each day.¹³¹ Another woman, Margaret Richardson, who died in February 1568, in addition to leaving items to her daughter, son-in-law, and nephew, also left Janet Bunshe, her servant, a black kirtle and a grey mantle and five sleeves of linen and harden.¹³² And Jane Morris, who died in November 1576, left 40s each to two of her servants.¹³³ Presumably, since the amount was not listed as a debt owing to the two servants, these amounts were gifts or bonuses to recognise or reward the service given by these two servants to Jane prior to her death. Female servants were also often bequeathed household utensils and bedding, an indication perhaps that these were young people who would eventually marry and set up households of their own.¹³⁴ Bequests made to servants were a way in which a testator could thank a servant for support rendered to him or her during his or her lifetime, and, in turn, help to support that servant in future endeavours.¹³⁵

Female servants, therefore, played significant roles as creditors in debt litigation between 1590, when they begin appearing in the burgh court records specifically identified as servants, and 1640, by which time they accounted for seven per cent of all litigants. Female servants were almost three times as likely to appear as creditors than as debtors in debt litigation, and their roles as creditors were, for the most part, not linked to their status as servants. Rather,

¹³⁰ Whittle, 'Houswives and Servants', p. 56.

¹³¹ NAS, CC8/8/1/483.

¹³² NAS, CC8/8/1/444. It is interesting to note that servants were usually expected to make their own clothes, and that their only hope of acquiring ready-made clothes was through a bequest. (Coutts, 'Women, Children'.)

¹³³ NAS, CC8/8/6/422.

¹³⁴ Goldberg, 'What was a servant?', p. 2; Goldberg, *Women, Work, and Life Cycle*, p. 182.

¹³⁵ This is further explored in Barbara Hanawalt, 'Peasant women's contribution to the home economy in late medieval Europe' in *Women and Work in Preindustrial Europe*, ed. B. Hanawalt (Bloomington, 1986), p. 6.

servants were most likely to appear as creditors in debts for amounts of wine, beer, or ale which they had sold to another, or as creditors in debts for lent money, whereby they had loaned an amount of ready money to another, usually at some degree of interest. Less often, servants acted as creditors in cases where they pursued former employers for payment of their *fie* and *bounteth*. Many servants were wives by the time they sought this payment, indicating that they had left service and established their own households with their husbands. Perhaps they needed the money from the final payment of their *fie* and *bounteth* to fund this next stage of their lives. Indeed, they may have used the skills they had learned as servants, drink sellers, and money lenders to effectively argue their cases in front of the burgh court officials, or appeared with their husbands in order to capitalise upon the greater legal clout enjoyed by their spouses.

Servants as Debtors

The first reference to a female servant involved in a debt case as a debtor appeared in the records on 15 May 1582, when Robert Turner appeared in court to pursue an action raised by him against Bessie Paterson and John Ramsay, her husband ('for his interest'), in which Robert contended that Bessie had been in his service since the previous feast of Whitsunday (presumably 15 May 1581) and that on the previous 19 July she had been found to owe him £50 18s 5d for the wine she had sold for him while in his service.¹³⁶ The two obviously continued on in business together, with Bessie continuing to sell Robert's wine, as the two were back in court fourteen months later on 6 July 1583 when Robert (this time with his wife, Margaret Palie) again appeared in court to pursue an action against Bessie and John. This time, according to Robert and Margaret, Bessie had entered into service with them at the feast of Lambes (1 August) and remained in service with them until the ensuing feast of Michaelmas (29 September). During that time, Robert and Margaret had provided Bessie with three tuns (or barrels) and three puncheons (or casks) of wine, which she then sold 'at her pleasure' for £78 per tun. However, Bessie and John had not passed

¹³⁶ ECA SL234/1/2.

on to Robert and Margaret any of the money she had raised through the sale of the wine, and indeed 'refused to the same without they be compelled'.¹³⁷

Notably, unlike the majority of servants discussed in this chapter, Bessie was not a life-cycle servant and is a rare example in the records of a woman in service in Edinburgh in this period who was married.

As illustrated in the case above, servants' roles as debtors were often linked to their roles as creditors. The most common reason why servants appeared as debtors had to do with debts for ale, beer, or wine they had either sold for another person, or had purchased from another and then sold 'in [that person's] service' (indicating that they had purchased the drink with the understanding that it would be sold to others), as illustrated by Table 6.3. In the majority of these cases, the servants in question seem to have both purchased amounts of drink from their employers, and have been paid by their employers for the act of selling the drink to others.

Table 6.3. Female Servants as Debtors in Debt Litigation, 1590-1640:

Reason for Debt	Edinburgh	Haddington	Linlithgow
Drink (Wine, Beer, or Ale)	374	2	0
Lent Money	70	1	0
Fie and/or bounteth	1	4	1
Cloth or Clothing	19	0	0
Other/Unspecified	34	0	2

Source: NAS, B22/8/4-31; ECA, SL234/1/4-12, 14, 16; ECA Register of Diets, 1606-1622; NAS, B30/10/6-13; NAS, B48/8/2-11.

In all, 374 Edinburgh servants appeared as debtors for drink. The vast majority of these cases were servants purchasing drink which they would then sell to others. Less frequently, servants appear – either on their own or with their master – as debtors because they had bought a barrel or tun of drink, presumably for their own, or their master's, sale or consumption, although the reason for the purchase is never explicitly stated. This was the case of Janet

¹³⁷ ECA SL234/1/2.

Currie and Jean Blaikie, her servant, who on 9 February 1626 were ordered to pay Allan Boirlands, a maltman, and Marion Fairholme, his wife, £4 16s for two laids (loads) of ale bought from them.¹³⁸ The case does not identify whether Janet or Jean was the primary debtor, nor does it stipulate who consumed the ale, so it is reasonable to assume that the two women shared both the cost and either the consumption or the subsequent resale of the purchase.

What is perhaps most notable regarding the role of servants as debtors, is just how infrequently they acted in this capacity. There are a number of reasons why servants tended not to act as debtors. It is possible that many had no need to borrow as their immediate needs, in terms of bed and board, were met by their employers. Some servants may also have been considered poor risks. Often perceived as young, inexperienced, and under the rooves and control of employers who may have acted or been seen as surrogate parents, the degree to which servants acted as creditors rather than as debtors illustrates just how able they were at engaging in networks of debt and credit. Servants purchased drink to sell to others and carefully saved the money they earned from these endeavours so that they could repay the employers who had contracted them to carry out this task. They capitalised on their positions as servants who often lived and ate with their employers and saved the money they received as part of their fies and bounteths in order to lend it out to others, at interest, as a way of ensuring that their money grew. Numerous debt cases and testament entries testify to just how much money these servants could amass and how much capital they could effectively control. With such advantages, it is perhaps unsurprising how common positions in service were in Edinburgh in the early seventeenth century, and how significant a portion of the population these servants must have been.

Conclusion

Strikingly, neither comparatively small wages nor a lack of possessions stopped servants from entering into networks of debt and credit. Although many of the

¹³⁸ ECA SL234/1/11.

sources used by historians of other countries do not exist for this period in Scotland, a careful consideration of burgh records can, in fact, offer an intriguing window onto the surprisingly complex and interconnected lives of female servants and their role in the economies of their communities. Both debt records and testaments show large numbers of servants involved in economic activities outside the technical boundaries of their service, and for sums of money that were far from trivial. The act of making wills itself allowed servants a variety of advantages: not only were they able to pass on their money and possessions to those they would benefit most, but they were also able to use these documents to recoup or settle any debts that may have been outstanding – and either owed by them or to them – at the time of their deaths.

Neither were the activities of female servants confined to those tasks typically associated with domestic labour, as evidence taken from burgh records elucidates. Indeed, these women were entrusted with the purchasing and selling of a variety of goods and services within their communities and partook in various enterprises that might have been unconnected from their roles as servants. Most notably, servants were heavily involved in the selling of drink and the lending of money. These unskilled, but very necessary endeavours, gave women who mostly seem to have been young and unmarried valuable experience regarding debt and credit that they could carry into their post-servant lives. Their interactions were not confined to a particular social or economic class; they dealt both with other servants and with wealthy merchants.

These women, whose lives have thus far been largely untouched by historians of early seventeenth-century Scotland, were increasingly crucial components of Edinburgh's economy in that century. Although no women identified as servants appeared in the burgh court records of Edinburgh, Haddington, or Linlithgow between 1560 and 1590, beginning in the 1590s women identified as servants began to appear in increasing numbers, and accounted for seven per cent of litigants by the 1630s. Moreover, they were important actresses in the change over time noted in Chapter 5 regarding the ale and beer trade in Edinburgh, whereby women became increasingly responsible

for the large scale purchase of ale and beer, and its resale in small measures to the public through taverns, alehouses, and on the street. Female servants were at the forefront of these sales, purchasing drink in large amounts from others and selling this drink to a number of customers. Far from living meagre, quiet lives within their masters' homes, they were active participants in their communities, using the limited resources available to them to engage in the burgh's networks of debt and credit.

Conclusion

This thesis began with an ostensibly simple goal: to determine the economic roles played by women of varying social statuses in Edinburgh, Haddington, and Linlithgow between 1560 and 1640. The initial source for this study was to be testaments, and while a significant number of these were assessed as part of this study, the corpus of debt litigation extant for these three communities quickly asserted itself as a more appropriate source for the role of women in the economic sphere. Debt litigation provided evidence of women's roles in day-to-day transactions on an active and continuing scale during their lifetimes, rather than a snapshot of the economic role they had played just before the end of their lives. Further, the sheer number of women who were active in debt litigation in these three communities during this period was unexpected, and was deemed to deserve further attention and discussion. While, in the main, the concentration on the evidence from debt litigation did not change the focus of this project, the information uncovered in the assessment of debt litigation, testaments, and a tax roll that formed the main body of primary research certainly provided new considerations which had to be assessed as part of the examination of women's economic roles in these towns.

In particular, the information uncovered demanded that a consideration of women's social statuses, marital statuses (including their relative position in the life cycle), and adaptability in the face of economic change be incorporated into the exploration of women's economic roles. The most important of these themes was marital status and how it affected both the reasons for which women acted in debt cases and constructed testaments, and their appearance in the records. At the outset of this project it was assumed that wives would be under-represented, thanks to the presence in Scotland in the early modern period of a form of coverture. This existed in most north-western European countries and, as a result, a wife could only contract, sue, or be sued in her husband's name. Early in the research for this study, it became apparent that this was not strictly the case. Wives may have needed the explicit or tacit

permission of their husbands to engage in transactions, but they were certainly present and active in the debt litigation. When quantitatively considering the presence of women of all marital statuses – wives, widows, and never-married women – wives accounted for the most active classification as both creditors and debtors in the litigation assessed for this study. Always named with their husbands, but often identified in the reasons for the debts as acting independently of them, wives were conspicuously active in a number of roles. Their presence brought to light not only their role as debtors, procuring necessary items for their families, but also their roles as creditors and the myriad ways in which wives exerted themselves as producers and merchandisers of a number of products, including ale, lace, and imported items. Due to coverture, this agency has seldom been demonstrated in similar English studies.

Those economic roles played by wives, however, were further delineated by associated social statuses. Wives who were involved in the production, or the purchase with the intent to re-sell, of ale and beer, for example, tended to be women of higher status. In the case of women who produced ale, this was often imposed by community statutes in the sixteenth century. These ordinances sought to limit the number of never-married women producing ale by stipulating that only families who had attained burgess status were allowed to brew ale. This assured a measure of male control over a typically female economic activity, thus preventing women from gaining excessive independence. Selling drinks, meanwhile, was undertaken by women of all social statuses, but in differing capacities. Although it was typically wealthier wives and widows who purchased large amount of wine, beer, and ale for resale, the selling of drink in small measures often fell to women identified as servants.

Unlike wives, widows were no longer hidden by coverture and their economic activities were more easily discernable as a result. In addition to debt transactions involving drink, widows were particularly active in the lending of money and the renting out of property. Widows sometimes acted as moneylenders for significant amounts, and in ways similar to the professional

moneylending practices of elite merchants identified in Edinburgh during this period. Additionally, widows frequently rented out both domestic and commercial properties that had previously been used by their husbands. In fact, it was largely the numbers of widows acting as landlords in the 1635 Annuity Tax Roll (twenty per cent of all landlords) that showed a higher proportion of female property owners in Edinburgh than has been shown in most other European cities during this period. This, combined with ample evidence of widows continuing their deceased husbands' businesses, demonstrates a dynamic presence of women acting freely outwith any male control.

Lastly, female servants, who tended to be young, unmarried women, were also well-positioned to act as moneylenders. Because female servants tended to live with their employers, and so had room and board provided as part of their wages, they were better placed than many others to save their actual, monetary wages and then lend these wages out at interest to others. They were also conspicuously active as sellers of drink in Edinburgh over the course of the seventeenth century. Their presence highlights not only the dominance of female servants in this aspect of the economy, but also provides evidence to support the hypothesis that there were a growing number of female servants in Edinburgh during the early seventeenth century. Unquantified before the Poll Taxes of the 1690s, the exponential increase of female servants in debt litigation for Edinburgh between 1600 and 1640 points to the increasing number of female servants during this period. Further, the low numbers of women identified as servants in the records for either Haddington or Linlithgow indicates that Edinburgh was an attractive destination for women who sought to enter service. These women seem to have been young, unmarried, and drawn from the surrounding countryside and smaller centres to help fulfil the needs of the households and businesses of the wealthy and bustling centre of Edinburgh.

In addition to themes of marital and social status in this thesis, however, was the degree to which women seem to have seized upon the opportunities which were presented to them, and their ability to adapt when circumstances changed. Returning to the drinks trade, women were forced to adapt

significantly when the production of ale and beer was been taken out of their hands by the establishment of the Society of Ale and Beer Brewers in Edinburgh in the late sixteenth century. After this point, women of means began purchasing large amounts of ale and beer, first from the Society and then from William Dick, with the intention of reselling it in their own establishments. In this manner, some women seem to have been able to maintain greater control in the drinks trade than did women in England. Wives in Haddington and Linlithgow, meanwhile, who did not have to content with the Society of Ale and Beer Brewers, seem to have continued to brew as individuals for a much longer period than has been demonstrated elsewhere in the England and Scotland. In fact, overall, wives who were involved in the drink trades were no less involved in 1640 than they had been prior to 1600, but their roles changed from those who produced ale to those who purchased large amounts of drink from others for the purpose of resale. Similarly, female servants were increasingly hired as sellers of drink and women identified as 'cramers' became increasingly common in the litigation over the course of the same period, indicating avenues of employment for women which were opening up at this time. However, the status such work afforded women is questionable, and women may have been able to participate so actively in these pursuits because they were low status employments with poor rates of pay.

Other women utilised sources of employment which they found at their disposal, whether that meant lending out amounts of ready money, renting out spare properties, or continuing the business of a deceased husband. These pursuits seem to have been somewhat higher status, perhaps because the women involved in them had demonstrable capital, whether in the form of money or property. Still others turned the misfortunes of others to their own advantage, as in the case of those women who contracted fatherless girls to make lace in order to pay off the debts they or their mothers had transacted. While women elsewhere in Britain were active in the textile trades in the early modern period, such evidence of lace-making is some of the most extensive that has been uncovered for Scotland thus far.

Marital and social status, as well as opportunity, therefore influenced the economic opportunities open to women living in Edinburgh, Haddington, and Linlithgow between 1560 and 1640. These factors, however, did not necessarily constrain women, as their appearance in debt litigation from this period attests. Rather, women worked within the situations in which they found themselves to exert economic agency, carving niches for themselves as exporters, merchandisers, producers of ale and lace, property renters, money lenders, and sellers of drink. Certainly, the role of women in these different endeavours varied. Only rarely did women act as exporters, and these women likely represented some of the most affluent and influential wives and widows in their communities. Their experience did not represent opportunities open to all women. Conversely, women were much more active as merchandisers and sellers of drink. In these pursuits, the social status of the women involved varied. Those purchasing large amounts of drink for resale may have been those of mid to high social status, who then paired themselves with women of lower social status to sell the drink for them. Yet, together, these roles illustrate how women of varying marital and social statuses could be, and were, active in their communities.

As a last note, it is important to consider not only the findings of this thesis, but the richness of the sources consulted and fruitfulness of the methodology employed. Few studies have used records of debt and credit for this period in Scotland, despite thousands of extant records containing innumerable details of communities' daily lives. The wealth of extant debt litigation for Scottish towns holds great prospects for further studies, including the obvious companion to this study examining the economic roles of men in relation to marital and social statuses. As men are identified by their occupations, and as they are more easily traced through generations, further details concerning the operation of debt and credit networks may be uncovered through their inclusion. It also remains to be seen whether the economic roles of women in other areas of Scotland mirrored those in the southeast, or whether the largesse of Edinburgh offered unique opportunities for women during this

period. Hopefully further studies will follow, allowing for a more complete picture to be drawn of women's economic roles in early modern Scotland.

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