

**JOHN PAYNE'S PERSECUTION OF FOREIGNERS IN
THE TOWN COURT OF SOUTHAMPTON IN THE
FIFTEENTH CENTURY.**

A Study in Municipal Misrule.

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AMONG the yellowing parchments of the mediaeval records of the town of Southampton we catch glimpses of local strife and bitter feuds of past centuries in that town. The figure of Master Mayor always looms large in these records, and many and varied were the men who filled this office. Outstanding among them all, however, for his arrogance and turbulence was John Payne, who flourished in the town and pursued his violent feuds there during the disorders of the Wars of the Roses. Payne, whom his fellow citizens thrice chose mayor, was notorious for his disregard of justice and his high-handed dealings even in those lawless times. He showed himself particularly unscrupulous in his treatment of foreign merchants in Southampton, swindling them and using his civic powers to obtain illegal verdicts against them in the town court, in defiance of all right and justice. During his third mayoralty his actions so far outstripped the bonds of legality that the townsmen eventually suffered the indignity of seeing their chosen mayor deposed by order of the King himself, and another more worthy appointed in his place.

Before we can appreciate fully the importance of Payne's persecutions, it is necessary to have a clear picture of the status of foreigners in Southampton during the Middle Ages. The town's prosperity to a very large extent depended upon her overseas trade, which was then almost entirely in the hands of alien merchants. The French wine trade, the Spanish and Portuguese trade and, above all, the great volume of commerce with the Mediterranean which was the mainstay of the port at that time, resulted in the growth of a considerable colony of foreign merchants and clerks in the lower part of the town. Most of them established themselves in the parishes of St. Michael's and St. John's, where the townsmen normally treated them with marked friendliness and courtesy, realizing that the prosperity of the town was largely owing to her foreign trade, and knowing themselves unable to challenge the foreign merchants and shipowners in their different spheres of commerce. Southampton men at this time seem to have been cautious and disinclined to take risks with the little capital they were able to amass. So they almost invariably allowed the aliens to incur the risks of shipwreck and piracy which were constantly interrupting

overseas trade during the Middle Ages, and left to them the profitable yet dangerous business of bringing the exotic produce of the Levant and East to England's shores. They preferred to employ their substance in the less hazardous distribution of these goods throughout the length and breadth of England, either in local vessels around the coast or by cart and pack-horse overland. Rarely did they risk their small ships on the more distant trade routes. So, realizing how necessary the foreigners were to the town's well-being, Southampton men welcomed them to the port and a tradition of friendship towards the town's alien colony sprang up there which was almost unique in England at that time.

In the later Middle Ages local families often inter-married with members of the foreign colony.¹ The civic dignitaries were often willing to confer the privileges of the franchise upon aliens, with consequent remission of all the local custom dues, and often allowed them to hold high municipal offices in the town. Numerous examples of this can be quoted. Pedro Peras, a Spaniard, was admitted into the franchise during the reign of Henry IV and married Alice, widow of John Bigard, who had represented the town in the Parliament of 1388.² Fifty years later we find the Venetian, Damiano de Pezaro, proudly asserting that he had dwelt in Southampton over fifteen years, paying scot and lot, and had been sworn a freeman of the town.³ Gabriel Corbet, also a Venetian, was even more successful in his municipal career. We first meet him in Southampton in 1431, when Henry VI granted letters of denization to Gabriel Corbet, mariner of Venice, who had fought at sea and several times had been shipwrecked in the service of King Henry V, presumably during his war with France, and was at that time living in Southampton. Admitted into the franchise a few years later, he served for two successive years as town steward (1441-3) and in 1444 was water bailiff, or collector of petty customs in the port. The account book which he kept as town steward, or treasurer, is still preserved among the town archives, being one of the best written and methodically kept of all the stewards' books.⁴ He made Southampton the centre of widely radiating trade interests, importing a strange assortment of goods, including brimstone, wax, oil, wine, black soap, buckram and garlic, with occasional salt fish and herring during the Lenten season. The capital he slowly amassed from this trade he used to acquire various properties in the town. These included tenements in English Street (the present High Street), one in Holy Rood parish and one in St. Laurence's; with another called 'le Chayne' in St. John's parish

1. *Black Book of Southampton*, ed. A. B. Wallis Chapman, i. p. 112; P.R.O., Early Chancery Proceedings, bdle. 60, no. 230; bdle. 1223, no. 46, etc.

2. *Black Book*, i. p. 112; Davies, Rev. S., *History of Southampton*, p. 201.

3. Early Chancery Proceedings, bdle. 32, no. 313.

4. *Rotuli Parliamentorum*, iv. p. 386; *Book of Remembrance of Southampton*, ed. H. W. Gidden, i. p. 66; *Stewards' Books of Southampton*, ed. H. W. Gidden, i. p. vii; MSS. Steward's book 1442-3.

in a street called the Colehey.⁵ In 1453 he was elected sheriff, but died before reaching the mayoralty.⁶ Some years later another Italian, Cristoforo Ambrogi, followed in Gabriel's footsteps, and pushed his fortunes still further in the town, being twice elected mayor, while the career of Antonio Guidotti in the following century is eloquent of the friendly reception a promising young foreigner could find in the town if Fortune favoured his activities there.⁷

It is evident, then, that there was a firm tradition of hospitality toward foreigners in Southampton in the Middle Ages. But toward the end of the reign of Henry VI the weakness of the central government during the Wars of the Roses gave opportunity for lawless spirits all over England to evade the laws and substitute might for right in local affairs. It is during this short period that John Payne came forward as the ringleader of a small group of Southampton men bent on taking advantage of the lax rule of the time. Following a dispute with three Italian merchants, he proceeded to break the friendly tradition hitherto maintained in Southampton and brutally oppressed and imprisoned alien merchants in the town. For a few years the Court of Chancery resounded with plaintive appeals from aliens who were unable to obtain justice in the mayor's court at Southampton, swayed as it was by a small group of townsmen bent on using their civic powers to the detriment of both aliens and rival townsmen during these years of upheaval and strife.

The Common Court of Southampton, a court of civil pleas, was held in the Guildhall each Tuesday before the mayor and bailiffs of the town.⁸ Unhappily almost all its records for the fifteenth century have disappeared, but in the files of the Chancery Court, now preserved in the Public Record Office, there still remains some evidence of a number of legal cases pending there at this period. These files must necessarily be used with caution, since the undated bills and petitions they contain are fragmentary, biassed and incomplete, but nevertheless it is still possible to reconstruct from them a fairly comprehensive picture of law and justice as it was administered in Southampton at this time. It is usually possible to assign a date to each petition from internal evidence, for in most cases the mayor, bailiff or other town officials are mentioned by name in the suits. Working on these lines, it is soon clear that the great majority of the surviving cases in which aliens complain of injustice in the town court can be assigned to the few years between 1457 and 1465. Nor, when all the evidence is considered, does this appear to be due to the mere accidental survival of these cases. It is clear that there was a decided growth

5. MSS. port books of Southampton, temp. Henry VI; MSS. terrier of town lands, 1455; *Black Book*, ii. pp. 72, 76.

6. *Book of Remembrance*, i. p. 68.

7. *Ibid.*, i. pp. 73-6; cf. my *Antonio Guidotti in Papers and Proceedings of the Hampshire Field Club*, vol. 15.

8. Davies, *Rev. S.*, *op. cit.*, p. 237.

of an element hostile to foreigners in the town at this time, who used their civic powers unjustly to the detriment of aliens pleading in the mayor's court there.

The earliest trace of any alien complaining of injustice or oppression in the mayor's court is found in 1451. In this year a certain Laurence Rose, servant of Cristoforo de Vernagio, of Genoa, complained that when a case of assault which William Wylet, a Southampton butcher, brought against him was being tried in the town court, the sheriff, Simon Patryk, gathered a jury 'of such persones as hym lyst' and put pressure on them to give an unjust verdict against Rose. This they did, notwithstanding that many townsmen had witnessed that Wylet had beaten, wounded and robbed Rose, who was the innocent party in the dispute. Petitioning the Chancery Court, Rose alleged that Patryk did this on account of the 'evyll wyll and malice' he bore Cristoforo de Vernagio and all the other Genoese merchants in Southampton. He affirmed that the sheriff was trying 'by all the ways and menes that he kan to hurt and to make theym to voyd the said Towne of Suthampton Ageynst all right and gode conscience.'⁹ This is an isolated case, however, and we cannot argue from this suit alone that there was any general ill-will toward aliens among the town officials at this period. Indeed, the opposite would seem to be true, if we consider the prompt and efficient way in which the mayor and sheriff of the previous year had intervened to protect the town's Italian residents when the men of Romsey came in a body to rob the Lombards.¹⁰ But the germ of anti-alien feeling was there, and a few years later the weakness of the central government combined with the rise to power of a small group of townsmen who, like Simon Patryk, were hostile to foreigners, caused bitter complaints of the flagrant disregard for justice and legality in the local court. This group found an able leader in John Payne, mayor in 1462/3, against whom no less than six cases of injustice and persecution of aliens are still in existence.

Owing to the scarcity of family records and complete lack of parish registers at this period, it is impossible to find much about Payne's family or antecedents in Southampton. It is possible, however, that he was the son of a certain William Payne who was one of the best known shipmasters in Southampton during Henry V's reign. Apart from his seafaring activities, this William Payne leaves but little mark on the local records. Nevertheless, he appears to have been of some standing in the port; for he lived in a house opposite Bolehall in Bolestreet (or Bugle Street, as it is known to-day), one of the best residential districts of the mediaeval town.¹¹ During Henry V's war with France he is first found as

9. Early Chancery Proceedings, bdle. 19, no. 22; Simon Patryk, the sheriff named in this case, held office in 1451-2 (Davies, *op. cit.*, p. 174).

10. MSS. steward's book, 1449-50.

11. *Black Book*, ii. p. 17.

master, or captain, of a balinger called *la Margarite de la Toure*, and shortly afterwards was promoted master of a Genoese carrack, the *Vivande*, which had been captured and re-named the *Poule* in the English fleet. By 1418 he was master of the *Gracedieu*, one of the largest vessels in the Royal Navy, but little else has come to light concerning his activities.¹² It is possible that John Payne, senior, was his son, but the link cannot be established beyond doubt. Payne was flourishing as a prosperous Southampton merchant throughout the first part of Henry VI's reign. He represented the town in Parliament in 1435, and again in 1446/7 and 1450/1. He was chosen mayor for the year 1450/1 and again for 1451/2.¹³ Here we find the first hint of the lawless streak in his nature which was to develop so strongly in later years. During his first mayoralty a certain Robert Whitehed complained in Chancery that Payne had begun a plea of debt against him in the town court and brought the case before himself as judge by virtue of his position as mayor.¹⁴

Payne's first brush with foreigners in Southampton can be assigned roughly to the years 1457 or 1458, when three Venetian merchants, Jacobo Falleron, Nicholo Vege and Humphrey Justinian, all brought suits against him in the Chancery Court. They complained that Payne had unjustly arrested certain wine and woad belonging to them in Southampton with the connivance of certain servants of the Duke of Somerset. Defending himself, Payne retorted that he had waited two years and more for Falleron and Vege to pay a debt of £164 owing to him since March 1455, and finally, despairing of getting his money paid, he had arrested their merchandize instead. The case seems to have dragged somewhat in the Chancery Court, for some time later Falleron and Vege petition the Chancellor again, alleging that although the matter was pending in Chancery, Payne had begun another action in the court at Southampton against Falleron. It looks suspiciously as if Payne was eager to obtain a verdict in his favour in Southampton, where he undoubtedly had influence, before the Chancery Court made its award. It seems that his manoeuvres were partially successful, too, for still later he is found declaring in Chancery that the Southampton court had made an award in his favour covering part of the debt, although £85. 3s. 0d. still remained owing. Falleron, however, insisted that the full amount had already been paid, and that a new suit that Payne had begun in the town court to obtain the residue of the debt was an attempt to compel him to settle the same debt twice.¹⁵ Unhappily no further records of this complicated dispute have survived, so it is impossible to decide how

12. *Cal. Pat. Rolls*, 1416-22, pp. 71, 142, 144, 208.

13. Davies, *Rev. S.*, *op. cit.*, pp. 174, 202; *Book of Remembrance*, i. p. 66; MSS. steward's book, 1450-1.

14. *Early Chancery Proceedings*, bdle. 19, no. 117.

15. *Ibid.*, bdle. 26, nos. 221, 385; bdle. 28, no. 346; bdle. 30, nos. 8 and 9.

the suit terminated. Judged upon this suit alone, we could scarcely condemn Payne, but a little while after a similar accusation brought against him by a Florentine merchant lends colour to the Venetians' story. Angelo Donato di Aldobrandi, representative of the great Aldobrandini firm of Florence in Southampton, accused him in the Chancery Court of trying to force him to pay again a debt which had been settled six years before. Payne, in his defence, asserted that the dispute was 'matter determynable by the comen lawe and nott in this place,' perhaps implying that he was eager to get it settled in the common law court at Southampton, where he had influence, rather than in the Court of Chancery.¹⁶ But again, owing to lack of records, we cannot know whether he was found guilty.

Apart from these lawsuits, we have little evidence of the part played in local affairs by John Payne between his second mayoralty in 1451/2 and 1460, when his eldest son and a band of lawless companions were responsible for the notorious riot on the occasion of the election of the new mayor. The utter inability of the royal government to enforce its decrees in Southampton at this time is clearly shown in this affair. During the Middle Ages it was the custom for the town officials to be elected each autumn by the mayor, aldermen, bailiffs and commonalty of the town, but toward the middle of the fifteenth century there was a distinct growth of oligarchy in Southampton and consequent restriction of the rights of the commonalty. The custom grew up whereby the outgoing mayor, instead of holding a free election, nominated two candidates himself from whom the burgesses were obliged to choose their new mayor. It was presumably as a protest against this innovation that John Payne, junior, began the celebrated riot of 1460. In that year Richard Gryme, the outgoing mayor, nominated Walter Fetplace, junior, and Nicholas Holmage, as the two candidates for the election. But as the elections were being held in the Guildhall, about a hundred riotous townsmen, led by John Payne, junior, Thomas Payne, Andrew James, their brother-in-law,¹⁷ Robert Bagworth and Walter Aylward, rushed upon the Guildhall, and with daggers drawn and threatening cries, broke in upon the assembly. Ignoring Fetplace and Holmage, they carried Robert Bagworth upon their shoulders to the chief magistrate's seat, and proclaimed him mayor. Gryme and his friends appealed to the King, for a couple of months later a mandate was issued condemning the election as illegal and ordering that it should be held again according to the custom of the town. But in spite of the royal command, Bagworth retained the mayoralty and his associate, Walter Aylward, was sheriff for the same year.¹⁸

16. Early Chancery Proceedings, bdle. 29, nos. 264-5.

17. For details of the family cf. P.C.C. Wills 18 Godyn, John Payne senior's will (Somerset House).

18. Davies, *Rev. S.*, *op. cit.*, p. 164; *Cal. Pat. Rolls*, 1452-61, p. 639.

In 1462 the same party seems to have been in power, for John Payne, senior, was chosen mayor that year for a third term of office.¹⁹ Henceforth he did not scruple to use his civic powers to oppress aliens in the town court, imprisoning them without cause and acting as judge in his personal disputes with them. Demetrio Spinelli, a Genoese merchant who lived for some years in Southampton, complained bitterly that Thomas Payne, his son, constable of the town, had arrested him and kept him 'in secrete wyse by duresse of imprisonment withoute writte or any oder auctorite' in an effort to compel him to pay a debt which Payne alleged was owing to him from Andrea Spinelli, Demetrio's cousin. Demetrio protested his inability to obtain a just trial in the town court, where Payne, he said, was 'Jugge in hys Owne cause, Whych ys ayenst all lawe and good conscience so to be,' but again gaps in the records leave us uncertain of the end of the case.²⁰ Payne's son-in-law, Andrew James, seems to have imitated his high-handed dealings; probably with the connivance of his father-in-law. William Romaine was obliged to appeal to Chancery for justice in a dispute between them. Angelo Cattani, of Genoa, accused him of bringing a vexatious action against him in the town court, hampering his business activities in Southampton and threatening to ruin him by his 'sotell and ontrewre labore.' James also brought a dispute with a certain Fabian into the town court about this time. So far it has not been possible to identify this Fabian, but he must have been a foreigner, for half the jury selected to try the case were aliens, according to the law in force at that period in all suits in which an Englishman and an alien were involved. On this occasion the mayor of Southampton was accused of bribing one of the aliens on the jury, Quelicus Brignali, to give a verdict in favour of James, and although the name of the mayor is not disclosed, it is probable that he was John Payne. The petition in which this accusation was made is undated, but it is addressed to George, Bishop of Exeter, who was Chancellor from 1459 to 1465, and during this time Payne is the most obvious occupant of the mayoral chair who would be interested in favouring James (his son-in-law) in the town court.²¹

Another notorious figure involved in the baiting of aliens in Southampton was John Walker, sheriff in 1461/2, who also used his official position in the town to further his own interests. Nicholo Dandolo, a Venetian merchant, protested indignantly that he had tried to swindle him in a commercial transaction between them by means of his civic authority. Reading the narrow brown strip of parchment in which Dandolo relates in detail the story of his misfortunes, the scenes in the mediaeval town rise again vividly before our eyes. We see the Englishman being rowed out from the quayside to the great carrack anchored in the harbour, bargaining

19. *Book of Remembrance*, ed. H. W. Gidden, i. p. 68.

20. *Early Chancery Proceedings*, bdle. 29, no. 403.

21. *Ibid.*, bdle. 29, nos. 398, 405; bdle. 32, no. 76.

on board for certain bales of cotton brought up from the hold for his inspection, and paying the 'earnest money' to clinch the bargain. Three or four days later Dandolo and Walker met again in one of the narrow, cobbled streets of the town. Walker's hectoring tone and high-handed manner as he endeavours to browbeat the Venetian into giving him more advantageous terms in his bargain are clearly shown, as is the helplessness of Dandolo when, using his authority as sheriff of the town, his adversary threw him into prison until he agreed to his terms. It was probably from the Bargate prison, the town gaol in the Middle Ages, that Dandolo addressed his woeful plaint to the Lord Chancellor, complaining that he had been refused bail and could get no help nor justice in Southampton.²² Filippo Cini, who came to live in the town in 1461, also suffered at Walker's hands. He is found petitioning the Chancery Court about the same time, complaining of illegal confiscation of his merchandize and arbitrary arrest by officers of the town court, friends of John Walker.²³

It is obvious from these incidents that while the central government was feeble, local spirits seized the opportunity to override all bonds of justice and legality in the town court. Nor were their victims found among members of the foreign colony alone. Even in their bitterest moments, when smarting under the treatment meted out to them by Payne and his associates, the animosity of these aliens does not exceed that of Peter James and John Emory, who had a long-standing feud with Thomas White, another son-in-law of John Payne senior, and accused the latter of aiding and abetting White in his malicious activities against them.²⁴ White and Payne seem to have been kindred spirits. We find the former engaged in numerous lawsuits in the town, and on one occasion during a bitter quarrel with John Flemyng and Peter and Andrew James his adversaries almost succeeded in having him disenfranchised.²⁵ Nor was it in Southampton alone that their activities caused disturbances. In 1460, when John Payne, senior, was representing the town in Parliament, he was responsible for one of the earliest cases of breaches of privilege in the Commons.²⁶ Local feuds were fought out with great tenacity in Southampton, it is clear, and few could hope for impartial justice while John-Payne remained in power.

But the public career of this turbulent townsman was destined to be cut short in a spectacular manner before his year of office was over. The injustices they had suffered at his hands made foreigners wary in their activities in the town, and before long an opportunity to unmask his illegal dealings was given to them.

22. Early Chancery Proceedings, bdle. 27, no. 190.

23. *Ibid.*, bdle. 32, no. 52.

24. Early Chancery Proceedings, bdle. 16, no. 656; *ibid.*, 17, no. 235.

25. *Ibid.*, bdle. 16, no. 352.

26. *Rotuli Parliamentorum*, v. p. 374.

On February 18th, 1463, Payne arrested 20 butts of sweet wine—malmsey, Tyre and Romeney—in Southampton which were the property of Filippo Cini and Andrea Morosini, Venetian merchants. As a pretext for this, he pretended they had not paid the local custom dues on a large consignment of merchandize they had brought into Southampton five months before, and that he was selling their wines to defray these dues. The Venetians appealed to Chancery, realizing they had scant hope of obtaining a hearing in the town court while Payne was mayor. There they affirmed that they had paid the sum of £39. 15s. 0d. to Robert Belhous, the water bailiff, and triumphantly produced 'a byll ensealyd by the same Robert testfyeng the same payment.' Normally this acquittance, produced in the town court, would have secured judgement in their favour and compensation for their wines, which Payne had already sold at half their real value, presumably to his associates in Southampton. But Payne dominated the court and the Venetians complained they could not obtain a hearing 'bycause of his grete myght and supporte within the saide Toune.'

This time Payne had overshot the mark. The Venetians were determined to exact full compensation for all the indignities he had heaped upon their compatriots in Southampton. They demanded twice the value of their wines in compensation and appealed to the Laws of England to justify this claim, saying :—

'Where as the statute made in the Parliament holden at Westminster the xxxvj yere of the regne of Kyng Edward the thirde for coragynge of marchauntis straungers to repayre into this Roialme with their goodys and marchaundises Whereby the same Roialme shuld be enriched hit was ordeyned by auctorite of the same Parliament that all marchauntis straungers that Were not of the Kyngis emmytee myght sauflly and surely com into this Roialme with their goodis and marchaundises and abide in the same undir the Kyngis proteccion and saufl garde and that noo theng shuld be taken of theme Wrongfully ayenst their Will by the kyng his minystres or any other person. And yf any minystre or other by coloure of his office or otherwise toke any thing of theme ayenst their Will he shuld be arrested forthwith by kyngis officers and minystres and hasty spedy processe shuld be made ayenst hym fro day to day and fro houre to houre after lawe of the Staple and not by Comyn lawe as well in places oute of the Staple as Withyn the Staple. And he that were convicte of suche wrongfull takynge of the goodis of any merchaunte straunger shuld pay to hym double damage ; as in the same statute hit ys contened more at large.'

In conclusion, they played cleverly on the new king's desire to encourage foreign merchants to the realm, affirming that Payne's treatment of aliens would be 'grete discourge and discomfort to other merchautes if sharpp correccion in such case be not hadd.'²⁷ Although the suit breaks off here and we cannot follow it to its final conclusion, there seems no doubt that the Italians proved their point and that the King's 'sharpp correccion' did not fail to fall on John Payne. On 17th May, 1463, he was deposed from the mayoralty by Royal command and three days later the submissive

27. Early Chancery Proceedings, bdle. 27, no. 416; bdle. 29, no. 150.

townsfolk elected Walter Fetplace, junior, in his stead.²⁸ Fetplace, it will be remembered, was one of the candidates John Payne, junior, had prevented from being elected in the 1460 riot.

It is probable, moreover, that Payne's political sympathies were an added reason for Edward IV's willingness to humiliate him in the town. Although the evidence is fragmentary and scattered, there is good reason to believe that Payne had close connections with the Lancastrians before their overthrow by Edward IV. In 1446 he was acting as one of the farmers of the pesage in Southampton for Cicely, Duchess of Warwick, and he also had friends or acquaintances among the retinue of the Duke of Somerset, for certain of the Duke's servants abetted him in his seizure of the merchandize he confiscated from Falleron and Vege.²⁹ Moreover the two charters granted to the town by Henry VI, the last Lancastrian King, were both obtained during years when Payne or his associates were in power in the town. In 1445, the date of the first charter, Andrew James was bailiff and John Flemmyng, father of James' first wife, was mayor, while in July 1452 John Payne himself was mayor and Simon Patryk sheriff when the second charter was granted.³⁰ It is important to note that when Edward IV seized the throne he confirmed all the town's charters except these two granted by Henry VI. And evidence of a good deal of Lancastrian sympathy in the neighbourhood is found in 1461, when a royal mandate ordered Payne's predecessor to arrest a certain John Bryncheley, servant of the Duke of Somerset, who was trying to gather forces in the neighbourhood of Southampton for the Lancastrian cause.³¹ This may have been one of the same servants of the Duke who aided Payne a few years before in his attack on the Venetians, for obviously he must have known the neighbourhood to be entrusted with this mission. It seems not improbable that Edward IV, aware of the existence of a good deal of Lancastrian sympathy in Southampton, was not displeased when the Venetians' appeal gave him an opportunity to make a public example of one whom he suspected to have been a strong upholder of the Lancastrian cause.

What is the explanation of the outbreak of hostility against foreigners at this time, so contrary to the usual traditions of the town? At first sight it might seem that commercial jealousy, the main motive of the Londoners' attacks on aliens, lay at the root of the matter in Southampton also. But for various reasons we must reject this simple explanation. We have already seen that the town's prosperity largely depended upon her Mediterranean and Eastern trade, which was almost entirely in the hands of aliens.

28. Davies, Rev. S., *op. cit.*, p. 174; *Book of Remembrance*, i. p. 68.

29. Early Chancery Proceedings, bdle. 26, nos. 385, 484.

30. Davies, Rev. S., *op. cit.*, p. 174; *Charters and Letters Patent of Southampton*, ed. H. W. Gidden, pp. 54-69, 82-97; Early Chancery Proceedings, bdle. 16, no. 277.

31. *Cal. Pat. Rolls*, 1461-67, p. 67.

Their importance to the well-being of the town can best be gauged from the lamentable complaints of the townsmen a century later when their disappearance brought the town to the status of one of the 'decayed towns' of England.³² Southampton men engaged chiefly in the retail and re-distributive trades at this time; they were not apparently enterprising enough to challenge the aliens' monopoly of the southern trade or to risk their small vessels on distant routes. Even twenty years later, when first the ships of the town begin to make tentative efforts to participate in the Mediterranean trade, their voyages seem to depend very largely on the backing of London merchants.³³ But although the cause of the Londoners' bitterness toward aliens was lacking in Southampton, it is possible that the anti-alien movement there was inspired by London influence and the treatment meted out to aliens in the capital during these years. In London many rich and enterprising merchants were eager to invest in England's overseas trade and resented the monopoly of the foreigners in the most profitable branches of commerce. The bitterness against aliens there, fanned by a real sense of hardship, burst into open demonstrations and riots against foreigners in the capital in 1455 and 1456, and even high civic officials were implicated in these tumults.³⁴ Although order was restored, oppression of aliens was continued in other ways, the city dignitaries perverting the law in the London courts even more flagrantly than Payne and his fellows did in Southampton. Gerardo Caniziani, a familiar figure in Southampton streets, who later became financial advisor to Edward IV, complained he was utterly unable to obtain justice in London, 'in so mych as the peple of the cite more favour the Englys merchautes than the estraungers.' A jury impanelled to give the verdict in a case between a Londoner and a certain John Antony Sanguineto openly boasted 'that they will neuer giff credens to the sayng of a merchaunt Straunger in noo accion where as a Inglysshman is party,' and another jury declared in advance its intention of giving a verdict against a certain Julyan de Ecclesia, another Italian, saying 'that they will never heir evydenche off a lumbard ayenst a Inglyshman.'³⁵

The London court even saw an attack on the aliens' long-established privilege of trial by a jury half composed of foreigners when they were involved in a dispute with Englishmen.³⁶ Galiacio Centurion of Genoa, who often appears in Southampton records, became involved in a suit with a London tailor, who sent to the Chancellor a delightfully naïve appeal that the suit should be decided

32. P.R.O., State Papers Dom. Eliz., vol. clvi, no. 43; *Cal. S. P. Dom. Eliz.*, 1580-90, p. 402.

33. MSS. port books of Southampton and L.T.R. Customs (P.R.O.) for Southampton, temp. Edward IV and Henry VII.

34. Flenley, R., *London and Foreign Merchants in the Reign of Henry VI* pp. 649-52 (*English Historical Review*, vol. xxv).

35. Early Chancery Proceedings, bdle. 46, no. 40; bdle. 64, nos. 302, 995.

36. *Statutes of the Realm*, 27 Ed. III, stat. 2, c. 8; 28 Ed. III, c. 13.

by a jury composed entirely of Englishmen, in spite of the existing law. The tailor recounts the story of a recent case in London where a mixed jury was trying the dispute, and says :—

‘the lumbardes wer so sotilly and maliciously disposed that they wold haue there own entent wer it wrong or right and perforce of sotill purpose that they myght endure long and to enfamyn the Englisshmen that shuld be charged with them on lesse than they wold aggree to them afore the tyme that they toke their charge they put secretly in their doublettes and bolsters dates and other spices wher with afterward while their felowes and they wer at the Yeldhall to examyn the parties and to accord vpon their verdict the lumbardes refresshid themself and the Englisshmen wer withoute sustenance like to have perished withoute they wold haue aggreeed to the lumbardes wrongfull entent. Wherthru the Englisshman which in the accion was pleyntyf was feyn to fall a nonnsued because he wold not the said Englisshman shuld perisshe.’

This story emboldened the tailor to request that the law should be set aside and twelve Englishmen be appointed to try his suit, and then, he adds naively, he ‘wold not doute but that trouthe and right shuld prevaile ageynst malice vntroth and sotiltie.’³⁷ We do not know what the Lord Chancellor replied!

It is possible that the London riots and the treatment meted out to aliens in the London court inspired the outburst of hostility in Southampton, so contrary to the general traditions of the town. It is a significant point that the two ringleaders of the movement in Southampton, John Payne, senior, and John Walker, were both intimately connected with London, where they must inevitably have come in close touch with the anti-alien movement there. Payne, after a number of years’ experience as a merchant in Southampton, went to London about 1447, and seems to have kept two distinct domiciles thereafter, one in Thames Street, Billingsgate, and one in the parish of St. John’s in Southampton, until his death in 1467.³⁸ As a prosperous citizen and grocer of London, he probably shared the ideas of the merchants who were leading the movement in the capital, and their example may have inspired in him a desire to emulate their high-handed treatment of foreigners in Southampton after his dispute with Falleron and Vege, which dragged on, through the same years that the Londoners were venting their insular dislike of foreigners most actively. John Walker had two distinct domiciles, too. Contemporary records describe him as ‘citizen and grocer of London *alias* merchant of Southampton.’³⁹ It is hardly an accident, we feel, that these two men, both spending part of their lives in the capital, should emerge as the leaders of the movement against foreigners in Southampton and account for over half of the surviving cases of oppression of aliens in Southampton enrolled in the Chancery files.

37. Early Chancery Proceedings, bdle. 48, no. 128.

38. ‘Citizen and grocer of London’ (P.C.C. Wills, 18 God n), ‘late burgess and merchant of Southampton’ (*Cal. Pat. Rolls*, 1446-52, p. 92).

39. P.R.O., Pardon Roll, no. 47, m. 4.

After his ignominious fall, John Payne, senior, seems to have gone back to the capital, for when he made his will, which is still to be seen in Somerset House records, he was residing at 'Paynskey,' Thames Street, in St. Botolph's parish, Billingsgate. His son, John Payne, junior, had apparently died some time before; he refers to him as 'my son that dede ys' in his will. His grandson, another Thomas Payne, grew up in Southampton, however, and became mayor in 1472.⁴⁰ But the ill-feeling Payne and his associates had stirred up in the town did not immediately subside. Notwithstanding the lesson of Payne's fall the sheriff for the year 1464/5, William Needham, was accused by a Spanish merchant, John Despaigne, of repeating a favourite trick of Payne's by bringing a dispute between them before himself as judge in the town court. Antonio Perigo of Florence, Gracian Bukkey of Bordeaux and Pascan Perrault, another Frenchman, all complain in the next few years of the partiality of the local court towards Englishmen. Galiacio di Nigro, of Genoa, accuses Lewis Eynes, bailiff in 1475, of packing a jury to give a verdict in his favour in a dispute between them, and complains that he cannot get justice since he is 'a straunger and can haue no counsell favor nor ryght ayenst the said Lewes for hys grette inbrasyng and manassyng and for that he ys a Burgeys and oon of the grette Officeres and rewlars of the said town of Suthampton.'⁴¹ Even John Walker does not seem to have mended his ways, for a certain Antonio Scapacyn petitioned Chancery, saying he could not get a fair hearing in a dispute between them in the town court 'in soo moche as he is a straunger,' and had the case removed to the Chancellor's court. Walker again followed Payne's tactics, however, and ignoring the right of the Chancery court to settle the dispute, began another suit against Scapacyn in the Court of Piepowder in Southampton.⁴² Clearly, the ill-feeling stirred up by Payne and his friends did not immediately subside after his disgrace.

By 1485, however, when the first Tudor monarch ascended the throne, the usual friendly relationships between the townsmen and the aliens had been resumed, and the right of foreign residents to play an important part in the life of the town received a triumphant vindication in the career of Cristoforo Ambrogi (Christopher Ambrose), who was so successful in winning the respect and confidence of the men of Southampton that on two occasions they chose him mayor during the reign of Henry VII. Christopher Ambrose succeeded so well in identifying himself with the interests of his adopted town that local historians have hitherto assumed that he was an Englishman by birth and did not apparently suspect his alien origin. Yet the alien subsidy rolls of Edward IV's reign,

40. Will of John Payne, P.C.C. 18 Godyn; *Book of Remembrance*, i. p. 72.

41. Early Chancery Proceedings, bdle. 31, no. 428; bdle. 63, no. 115; bdle. 64, nos. 2, 1011; bdle. 66, no. 389.

42. Early Chancery Proceedings, bdle. 64, nos. 222, 312.

now preserved in the Public Record Office, disclose that he was a Florentine whose first appearance in Southampton, between the years 1461 and 1463, was in the capacity of clerk to Angelo di Aldobrandi, a prosperous Florentine merchant who lived for a time in the West Hall, in Bugle Street, one of the largest residential properties in the mediaeval town. After Angelo's departure Christopher remained in the town, being recorded as a householding merchant in the subsidy rolls until 1467.⁴³ After this date these records break off, and we can no longer follow his career here, but on 16th July, 1472, naturalization was granted to 'Christopher Ambrose born in parts of Florence.'⁴⁴ Shortly after this he must have been made a Burgess of the town, for in 1476 he held office as steward, or treasurer, of Southampton. Apparently he acquitted himself well; for he was elected senior bailiff in 1481, sheriff in 1483 and mayor in 1486 and again in 1497. He also served on Royal Commissions for gaol delivery in 1487 and 1505 with other men of note.⁴⁵ His mercantile affairs prospered during these years. His chief interest seems to have been the lucrative Mediterranean trade. He imported a great deal of wine, both sweet wines such as malmsey, Tyre and muscadell, and the less costly Gascon vintage, with cases of green ginger, confectons, succado, lemons and other Mediterranean fruits. It is interesting to find quinces in syrup among his imports, too. Cloth of gold and other costly materials were sent to him from Italy, and more prosaic commodities from the Low Countries, such as garlic, hops and crestcloth.⁴⁶ He rented numerous town properties, including the loft over the old Wool House, which can still be seen near the Royal Pier, the Long House and the cellar beneath St. John's church, while his own house in Holy Rood parish provided a lodging for many foreign merchants passing through the town.⁴⁷ Contemporary evidence of his power is found in the Chancery records, where a servant of Sir John Tróbilfield describes him as 'a man of gret myght wⁱⁿ the same Towne.'⁴⁸

In the following century, too, there is ample proof that friendly relationships between townsmen and aliens continued, although the heyday of the town's commercial prosperity was passed and it was declining rapidly. The chequered career of Antonio Guidotti, the Florentine son-in-law of Customer Huttoft, who was host to Henry VIII on several royal visits to the town, has already been sketched elsewhere.⁴⁹ The wills of other prominent townsmen bear

43. P.R.O., Alien subsidy returns, 173/131-5, 137; MSS. steward's book, Southampton, 1455-6.

44. *Cal. Pat. Rolls*, 1467-77, p. 359.

45. *Book of Remembrance*, I. pp. 73-6; *Cal. Pat. Rolls*, 1485-94, p. 164; *ibid.*, 1494-1509, p. 437.

46. MSS. port books of Southampton, *temp.* Hen. VII; MSS. steward's books, 1477-8, 1485-6, 1487-8.

47. *Ibid.*, 1468-9, 1473-4, 1480-1, 1487-8, etc.

48. *Early Chancery Proceedings*, bdl. 207, no. 1.

49. *Vide supra*, p. 25, note 7.

witness to the trust they placed in certain aliens resident among them at this time. Thomas Bory, one of the chief promoters of the Brazil trade from Southampton in the reign of Henry VIII, made Nicholo de Egra, a Genoese who lived over forty years in the town, guardian and trustee of his son, John Bory. De Egra, in his turn, appointed Sampson Thomas, an Englishman of note, whom he calls 'my well-beloved friend,' executor of his will.⁵⁰ Still later in the century another Italian merchant, Giacomo de Marinis, proved his appreciation of his adopted town by a large contribution toward the building of almshouses, and a legacy of £100 which he left for the use of the poor of the town.⁵¹ But by the death of Elizabeth, Southampton was already one of the decayed ports of the realm, and with the decline of her overseas commerce the colony of alien merchants in the town gradually disappeared.

50. Will of Thomas Bory in the Diocesan Probate Registry, Winchester; Will of Nicholo de Egra, P.C.C. Pynnyng, F. 14 (Somerset House).

51. MSS. Book of Fines, 1563-4; MSS. Book of Debts, 1573; *Southampton Court Leet Records*, ed. F. J. Hearnshaw, p. 371.