

BOOK REVIEW

ESSEX SESSIONS OF THE PEACE, 1351, 1377-1379. Edited with an introduction by Elizabeth Chapin Furber. Essex Archaeological Society, 1953. Pp. x, 216. Thirty-five shillings.

Seldom does a single event so affect the course of social and legal development as did the Black Death in England in 1349. This visitation of the plague brought about a chain of reactions that were to be felt for at least a century. It not only resulted in the death of a substantial portion of the population of England, but it gave a profound shock to the entire economy by depleting the labor supply so seriously that the manorial system became completely disorganized. To meet the immediate needs of the situation, the king's council enacted the Ordinance of Labourers, which provided that all able-bodied persons under 60 and with no means of support must work when required. More importantly, the Ordinance provided that wages should not exceed the level of 1346 and that prices should be reasonable, and it thus initiated an important experiment in the fixing of wages and prices by law. In 1351 parliament enacted the Statute of Labourers, which extended and made more precise the provisions of the Ordinance. Shortly thereafter the government issued to the justices of the peace special commissions which included, *inter alia*, jurisdiction over the enforcement of the Ordinance and the new statute. This extension of the justices' jurisdiction marked an important step in the development of local government because it represented a reversal of the hitherto universal trend towards centralization. A still further result of the Black Death remains to be noted. The activities of the justices of the peace who enforced the Statute of Labourers and legislation supplementary thereto fill a large portion of their rolls during the ensuing thirty years. A number of these rolls are in print, and they demonstrate beyond dispute that the enforcement of the labor laws and of wage controls contributed largely to the Peasants' Revolt in 1381. Although the Revolt failed in the attainment of its objectives, it nevertheless gave some impetus to the establishment of the legal security of copyhold tenures. It was these direct and indirect results of the Black Death which made its effects far-reaching from the standpoint both of legal and of social history.

The records which are here published for the first time by Mrs. Furber are the rolls of the justices of the peace for Essex for the years 1351 and 1377-1379. Since the effects of the Black Death had been most noticeable in agricultural communities such as Essex, the importance of the earlier series as illustrative of labor conditions and of the general economic situation will at once be apparent. Since the Peasants' Revolt first broke out in Essex, even greater interest attaches to the rolls illustrative of the jus-

tices' enforcement activities which helped to fire it in the years immediately preceding 1381.

The rolls present a broad picture of lawlessness and labor unrest for the years with which they deal, and the growing seriousness of the situation is well illustrated by the indictments of the 1377-79 period. They add substance to the warning given by the Chancellor at the beginning of the reign of Richard II, that the rule of force was coming to be divorced from the rule of law. The stringency with which the labor laws were enforced is reflected in the fact that in 1351 the justices took fines for labor offenses from one out of every six persons. Although, on the legal side, these records do not contain the full accounts of process and trial that are found on the rolls for other counties, they have great significance in their cumulative effect, by adding to the mass of printed proceedings before the justices of the peace which will help to solve many of the problems of fourteenth-century legal history. They are likewise of considerable importance to historians for the light they shed on economic history and on local history and genealogy.

The editing of the manuscript has been done with the thoroughness and care which are to be expected of a former student of Professor Bertha Putnam, and it is a work of which she may well be proud. The footnotes reflect painstaking research in other pertinent manuscript sources, which are effectively collated and used to illumine the cases on the rolls. Mrs. Furber is particularly to be congratulated on the excellence of her complete Introduction, which places the records in the perspective of the provisions and personnel of the commissions, of the mechanics of the justices' sessions, and of social and economic developments generally. The Essex Archeological Society has indeed been fortunate in having Mrs. Furber to prepare this admirable addition to their publications.

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