THE UNIVERSITY of EDINBURGH

Credit and Social Relations Amongst Artisans and Tradesmen in Edinburgh and Philadelphia, c. 1710-1770

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2011

Abstract

Credit was a central feature of the early-modern British economy. Due to shortages of specie, men and women of all social ranks participated in the urban, consumer marketplace by using credit. Historical research has convincingly shown that credit was socially mediated and constructed, and as such it sheds light not only on economic development, but also on contemporary culture. Several recent studies address these issues, but two gaps in the historiography deserve further consideration. The literature pertaining to personal credit and social relations has focused almost solely upon England, neglecting a wider British and comparative Atlantic context. Furthermore, the decades spanning the middle of the eighteenth century have not been subjected to dedicated treatment, though this period has often been considered an era when institutional development caused profound changes in the nature of interpersonal credit.

This thesis examines credit and social relations in the British Atlantic between 1710 and 1770, comparing case studies drawn from two provincial, urban contexts: Edinburgh and Philadelphia. Particular attention has been given to artisans and tradesmen who have hitherto been less well served by the Atlantic historiography. Drawing on legal, institutional and personal records, the thesis begins by addressing economic structures of petty credit, before progressing to consider social constructions of credit and reputation and their change over time. The study concludes that while structures of credit changed, credibility continued to be built upon interpersonal trust, personal reputation, social capital and gender identity. Furthermore, this 'culture of credit' transcended national boundaries. Similarities of practice within two very different legal and institutional systems call into question the perceived influence of these structures upon the behaviour of the lower-middling sort.

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Abbreviations

APS   American Philosophical Society, Philadelphia

BCP   Bailie Court Processes

BCPA   Bailie Court Petitions for Aliment

BOED   *Book of the Old Edinburgh Club*

C&C   *Continuity and Change*

EcHR   *Economic History Review*

ECA   Edinburgh City Archives

HSP   Historical Society of Pennsylvania

JAH   *Journal of American History*

LCP   Library Company of Philadelphia

MBSAS   Minute Book of the St Andrews Society of Philadelphia

NAS   National Archives of Scotland

NLS   National Library of Scotland

P&P   *Past and Present*

PCA   Philadelphia City Archives

PMHB   *Pennsylvania Magazine of History and Biography*

RP   Register of Protections, Holyrood Abbey

SASP   St Andrew's Society of Philadelphia Private Collection

SCA   Swarthmore College Archives

Stg   Sterling

TRHS   *Transactions of the Royal Historical Society*

UPL   University of Pennsylvania Library

WLB   Warding and Liberation Book, Edinburgh Tolbooth

WMQ   *William and Mary Quarterly*

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Introduction

In societies where there is insufficient coin, most purchases and economic transactions must take place through the use of credit. Without institutions to provide credit, individuals are reliant on each other as lenders. Structures of interpersonal credit have been traced through a long line of pre-industrial societies, from medieval European communities to developing nations in the twentieth century.[1] The practices of urban trade in the eighteenth-century British Atlantic World were no exception. Shortages of specie, seasonal cycles of trade and employment, and a volatile economy all limited the supplies of ready money available for day-to-day trade. Men and women of all social ranks thus participated in the urban marketplace, as both producers and consumers, by exchanging personal credit.

But credit was not only a tool facilitating access to the market. It was a form of exchange that was closely bound with and mediated by social relations, and it was intimately connected with the concepts of trust and reputation. Two examples illustrate the typical practices of interpersonal credit: in 1708, the cabinet-maker John Head opened an account with the merchant Jeremiah Warder. The account remained open for over two decades, and during this time, the two men engaged in reciprocal exchange that included furniture, molasses, shirts, and borrowed money.[2] In 1765, William Jamieson, a smith, granted Elizabeth Carnegie £30 for work on her house. Jamieson considered the contract a great financial risk, but Carnegie 'promised to be ever a friend to him and his family if he would assist her upon this occasion'. Eventually, she repaid the debt by using her influence as a gentlewoman to help him and his family obtain the rights to a plot of ground.[3]

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[1] For credit in medieval England see Chris Briggs, *Credit and Village Society in Fourteenth-Century England* (Oxford, 2009); Michael Postan, 'Credit in Medieval Trade', in E. M. Carus-Wilson, ed., *Essays in Economic History* (London, 1954), 61-87. For early modern England, see B.A. Holderness, 'Credit in a Rural Community, 1660-1800. Some Neglected Aspects of Probate Inventories', *Midland History*, 3 (1975), 94-116; Craig Muldrew, *The Economy of Obligation: The Culture of Credit and Social Relations in Early Modern England* (Basingstoke, 1998). For credit and economic practices in modern developing nations, see Alejandro Portes, Manuel Castells, and Lauren A. Benton, *The Informal Economy: Studies in Advanced and Less Developed Countries* (Baltimore, MD, 1989).

[2] American Philosophical Society (hereafter APS), John Head Account Book, 1718-1753. George Vaux Papers, 77, 136.

[3] National Archives of Scotland (hereafter NAS), Consistory Court Processes, *Jamieson v Carnegie*, 1765. CC8/6/417.

These two very ordinary examples of day-to-day trade attest to several of the important features of credit exchange in the eighteenth-century British world. The extension of credit involved a basic relationship of trust. Tradesmen had to trust that their customers had the disposition and the means to repay their debts. In both cases, social bonds, including family and friendship, were relied upon to mitigate these risks and facilitated lines of credit. Head's daughter was married to Warder, and his tolerance for long periods and high levels of debt sat comfortably with tradesmen's propensity to trust members of their kinship networks, and with the tendency of middling tradesmen to structure business around kinship obligations.[4] Gender provided another social feature structuring credit relations. Head's patriarchal role made him the face of the family's credit, even though the shirts that he traded and claimed credit for were actually the product of his wife's labours.

Personal reputation mediated an individual's access to credit, and this reputation was unfixed, fragile and constantly negotiated. After two years, the relationship of trust between Carnegie and Jamieson broke down. Carnegie believed that she had been cheated, and when Jamieson refused to adjust his price, she spread a rumour about the honesty of his business that resulted in the public loss of his credit. Credit relations could change quickly, and when they did, institutions often played a role in their re-negotiation. In settling his credit dispute, Jamieson exhausted a number of informal means of resolution before turning to the court, one of the many institutions involved in maintaining trust between members of the trading community.

Finally, these examples suggest something of the common features of local, petty credit exchange within a wide geographic context. Jamieson and Carnegie were residents of Edinburgh, while Head and Ward resided in colonial Philadelphia. Despite their geographically distant locations and the two very different environments in which these exchanges took place, the cases suggest that common structures, norms and rules of behaviour dictated the nature of credit exchanges between tradesmen and their customers in British urban spaces. Credit exchanges were widely based on social relations of trust, mutuality, rank, and gender. They tended to be of lengthy duration, and reciprocal in nature. This thesis intends to

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[4] Margaret R. Hunt, *The Middling Sort: Commerce, Gender, and the Family in England, 1680-1780* (London, 1996), 23-29.

address the economic structures of credit as well as the social constructions of credit and reputation and their change over time by placing these themes in a comparative framework. It seeks to apply conclusions about nature of credit drawn from an English historiography to a wider, British Atlantic context.

I. Historiography

The dynamics of credit and social relations in eighteenth-century English communities have received attention in two recent monographs by Craig Muldrew and Margot Finn.[5] Muldrew's study begins in late sixteenth-century England, where a particular kind of trust based on interpersonal mutuality structured credit relations in small communities. Muldrew's work explored the social role that credit played as a means of exchange. Drawing on a case study of credit in King's Lynn and using probate material and debt litigation in the borough court, Muldrew described credit as a social order and an ethical system.[6] Bonds of mutual obligation tied households in early modern communities together, creating 'tangled webs of economic and social dependency'. Society was made up of the unity of these millions of interpersonal obligations.[7] Issues of trust were central to the creation and maintenance of individual obligations, and credit or trustworthiness was defined primarily in social terms. According to Muldrew, 'the reputation for fair and honest dealing of a household and its members became the currency for lending and borrowing', making a good name in itself a kind of currency.[8] Financial and personal issues were therefore impossible to separate, and there was no distinction between economic transactions and social transactions, such as courtship, sex, and patronage.[9]

It has been argued that in this system of credit based on trust and obligation, individuals were not driven by rational calculations of profitability and self-interest,

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[5] Margot C. Finn, *The Character of Credit: Personal Debt in English Culture, 1740-1914* (Cambridge, 2003); Muldrew, *Economy*.
[6] Craig Muldrew, 'Interpreting the Market: The Ethics of Credit and Community Relations in Early Modern England', *Social History*, 18 (1993), 163.
[7] Muldrew, *Economy*, 97, 123.
[8] Ibid., 148. The intersections between reputation and credit were of course not limited to trade in local communities. For parallels amongst merchant communities, see Natasha Glaisyer, *The Culture of Commerce in England, 1660-1720* (Woodbridge, 2006), 38; Nuala Zahedieh, *The Capital and the Colonies: London and the Atlantic Economy, 1660-1700* (Cambridge, 2010), 94-96.
[9] Julian Hoppit, *Risk and Failure in English Business 1700-1800* (Cambridge, 1987), 163; Muldrew, *Economy*, 149.

but by a desire to maintain mutual interdependence. It was in the interests of contemporaries to ensure that their neighbours sustained credibility, as one person's default could cause others to default as well.[10] The early modern market was a moral economy. Contemporaries understood trade through a language that stressed social relations, trust, and obligations.[11] Moral competition in order to gain credit was more prevalent than economic competition, so 'what mattered was not an internalised or autonomous self, but the public perception of the self in relation to a communicated set of both personal and household virtues'.[12]

This system of interpersonal mutuality and trust was to break down eventually, and for Muldrew and others, the eighteenth century was the crucial turning point.[13] Muldrew described the dynamics of credit as a social ethic of trust as a feature of the period 1550 to 1720. After this point, the world of mutual obligation gave way to one in which credit principally depended on 'rationally determined future profitability' and where self-interest was 'a more coherent locus of the interpretation of economic exchange and communication than trust'.[14] However, Muldrew's conclusions about the nature of credit in the eighteenth century were largely speculative, based on his interpretation of a great decline in litigation rather than a close reading of eighteenth-century sources.[15] Because the court system was central to the maintenance of trust, Muldrew interpreted this decline as symptomatic of a major shift in the nature of contracts. The decline also paralleled the rise of other depersonalising institutions such as large-scale firms, insurance companies and banks, which replaced interpersonal trust as the basis for credit and offered people opportunities to think about credit in more abstract terms.[16] Muldrew never examined the records of these institutions, nor the court records of a later period to test this hypothesis. A more careful look at the nature and use of these new institutions as well as the substance of debt cases might reveal a very different picture.

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[10] Muldrew, *Economy*, 124.
[11] Muldrew, 'Interpreting the Market', 163.
[12] Muldrew, *Economy*, 156, 299.
[13] Karl Polanyi's 'great transformation' from socially embedded reciprocity to impersonal price-driven market exchange culminated in late eighteenth-century Britain. Karl Polanyi, *The Great Transformation: The Political and Economic Origins of Our Time* (Boston, Mass., 2001).
[14] Muldrew, *Economy*, 4, 328-329.
[15] Ibid., 237.
[16] Ibid., 328-329, 241-322, 271.

The chronology of the transformation of social credit and the extent to which the eighteenth century served as an era of change is a continuing topic of historical debate. Muldrew's conclusions have not gone undisputed. Margot Finn's work, based on the 'very long nineteenth century' has instead emphasised the 'persistently social character of modern economic relations' and the 'protracted nature and partial effects of the eighteenth century's modernising impulses'.[17] Rather than becoming abstracted and depersonalised, credit continued to be socially embedded and constructed on personal terms. Gender and status implicated individual abilities to participate in credit contracts well into the modern period. Finn argued against the rise of a cash nexus and saw individual immersion in the world of goods during the consumer revolution of the eighteenth century as coexisting with 'limited familiarity with coinage, paper money and monetary calculation in English market culture'.[18]

Finn's work only partially refuted Muldrew's conclusions. Her work drew on different source materials and methodologies, and focused largely on a different group of people. While Muldrew relied on administrative sources as evidence of everyday credit practice, Finn emphasised the representations of credit in novels, diaries and memoirs as 'essential imaginative tools with which English consumers probed the lineaments of individual character and the moral limits of market exchange'.[19] As modes of discursive practice, literary sources usefully highlight the cultural meanings of credit, but their ability to illuminate the texture of day-to-day exchange is more limited.[20] Furthermore, these sources tend to describe relations of credit from the perspective of a more elite group of consumers than Muldrew, who focused on the credit practices of a wide group of individuals as an aspect of community relations.

Though Finn convincingly argued that credit was not depersonalised during the eighteenth century, she described credit relations as engendering a very different

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[17] Finn, *Character*, 10, 327.

[18] Ibid., 80.

[19] Ibid., 26.

[20] Daniel Vickers, 'Errors Expected: The Culture of Credit in Rural New England, 1750-1800', *EcHR*, 63 (2010), 1035. A substantial literature draws on literary sources to address credit as a form of representation. See for example, Liz Bellamy, *Commerce, Morality and the Eighteenth-Century Novel* (Cambridge, 1998); Catherine Ingrassia, *Authorship, Commerce, and Gender in Early Eighteenth-Century England: A Culture of Paper Credit* (New York, 1998); Mary Poovey, *Genres of the Credit Economy: Mediating Value in Eighteenth- and Nineteenth-Century Britain* (Chicago, 2008). This thesis does not engage with this literature in detail, focusing instead on the materiality of market exchange.

social dynamic than Muldrew, and changes in the culture of credit are thus evident. Finn illustrated a shift in the eighteenth century from a world where credit relations were based on mutual trust, to a world where credit depended on evaluations of personal character. This shift was a result of different forms of communicating and reading personal worth. Whereas trust depended on prior knowledge of the person to whom credit would be extended, character involved a qualitatively different and much more impressionistic evaluation of the outwards trappings of a debtor's respectability. According to Finn, 'creditors sought constantly and unsuccessfully to read debtors' personal worth and character from their clothing, their marital relations, their spending patterns and their perceived social status'.[21] The ways in which individuals interacted through credit, especially in relation to notions of contract, also underwent a profound transformation. In the early modern period, credit was seen as a virtue that could be achieved by anyone. Because it forced people to rely on one another, credit had the ability to gloss over social inequalities. Although society was 'divided by hierarchical gradations of status, wealth and patriarchy, it was still bound together by contractually negotiated credit relationships made all over the social scale and this introduced some limited degree of equality to social exchanges'.[22] In contrast, Finn emphasised credit's role in entrenching disparities of power and relations of a more hierarchical and adversarial nature. Tradesmen helped to position individuals within unequal social relations 'by awarding differential credit terms according to perceived differences of personal character and social standing'.[23]

The contrasting social dynamics described by Muldrew and Finn were shaped by changing legal and institutional contexts. Early modern borough courts supplied the authority needed to maintain trust and acted as 'levelling forces' within communities. Poorer individuals could and frequently did take their superiors to court, so that 'in contrast to prevailing notions of paternalism, deference and patriarchy, the practice of litigation reflected the equality expounded in

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[21] Finn, *Character*, 18-21.
[22] Muldrew, *Economy*, 97.
[23] Finn, *Character*, 9-10.

contemporary social theories of bargaining and market exchange'.[24] England's Courts of Conscience, developed after the mid-eighteenth century to deal efficiently with increasing numbers of petty debt cases, engendered qualitatively different social relations associated with credit. The courts came to be used by tradesmen to sue and imprison working-class debtors.[25] Changing legal institutions demarcated the experience of debt along socio-economic lines, framing the insolvent poor as intentionally dishonest and associating petty debtors with petty criminals.[26]

In these two major studies, covering the periods 1550 to 1720 and 1740 to 1914 respectively, a historiographical gap concerning the chronology of credit relations is evident. The mid-eighteenth century forms a border for both studies but has not been directly addressed in its own right. While Muldrew's research focused on the seventeenth century and projected forward, Finn's focus on the 'long nineteenth century' relied primarily on sources drawn from the later part of the eighteenth century and beyond, projecting backwards. Questions remain about the texture of credit relations at mid-century, and the nature and reasons for the shift between these two different social dynamics.

The role of the eighteenth-century city in the shifting culture of credit has not been addressed in detail. Muldrew's case study focused on credit relations within small communities, while Finn's work was not specific to a particular context. Much of the attention to the issues of trust and credit between economic agents, and the networks of association that underpinned trust, have focused on the risky environment of overseas trade.[27] The separation of creditors and debtors by an ocean challenged 'traditional' methods of assessing credit. As Sarah Pearsall suggested, 'for decades, even centuries, face-to-face transactions that depended solely on the immediate reputation and behaviour of the debtor or creditor had been receding in

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[24] Craig Muldrew, 'The Culture of Reconciliation: Community and the Settlement of Economic Disputes in Early Modern England', *Historical Journal*, 39 (1996), 941; Muldrew, *Economy*, 253, 271.

[25] Finn, *Character*, 202, 208-209, 231.

[26] Ibid., 207, 209.

[27] See for example, David Hancock, *Citizens of the World: London Merchants and the Integration of the British Atlantic Community, 1735-1785* (Cambridge, 1995); Xabier Lamikiz, *Trade and Trust in the Eighteenth-Century Atlantic World: Spanish Merchants and Their Overseas Networks* (London, 2010); Peter Mathias, 'Risk, Credit and Kinship in Early Modern Enterprise', in John J. McCusker and Kenneth Morgan, eds., *The Early Modern Atlantic Economy* (Cambridge, 2001), 15-35; Nuala Zahedieh, 'Making Mercantilism Work: London Merchants and the Atlantic Trade in the Seventeenth Century', TRHS, 9 (1999), 152.

the face of long-distance trade exchanges'.[28] However, processes associated with urbanisation, which resulted in changes in the nature of community and social interaction, make the urban space an equally rich context in which to study the dynamics of credit.[29]

A second historiographical gap in the literature on personal credit is geographic. Studies have focused predominantly on England and failed to engage with a British context. Two studies have examined credit in early-modern Scotland, but none for the eighteenth century and their focus has been narrowly focused on rural Scotland and on female credit. Ian Whyte used credit as a lens to examine the Scottish rural tenantry's ability to accumulate capital. His work revealed high proportions of people involved in credit exchange and examined the kinds of credit available, the ways in which it was used, and the sources from which it was derived. Whyte concluded that types of lending and borrowing differed according to social group and that credit practices played a role in the polarisation of rural society. However, his work addressed credit only as a type of financial capital, providing little insight into credit as a form of social exchange.[30] Those Scottish case studies that have been more attentive to the social communication of credit have focused exclusively on women.[31] Attention to credit in Scotland has thus been very limited. Men's gendered engagement in networks of credit, themes of continuity and change in the structures of credit networks over time, and the social meanings of credit from the perspective of rank have not been addressed.

Attention to local credit practice in other parts of the British Atlantic world is also lacking, with social credit in colonial America having received little direct treatment.[32] Credit has been considered as an instrumental tool facilitating

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[28] Sarah M. S. Pearsall, *Atlantic Families: Lives and Letters in the Later Eighteenth Century* (Oxford, 2008), 118.
[29] Robert Shoemaker, 'The Decline of Public Insult in London, 1660-1800', *P&P*, 169 (2000), 97-131; Robert Shoemaker, 'Reforming Male Manners: Public Insult and the Decline of Violence in London, 1660-1740', in Tim Hitchcock and Michèle Cohen, eds., *English Masculinities, 1660-1800* (London, 1999), 135-150.
[30] Ian D Whyte and K. A. Whyte, 'Debt and Credit, Poverty and Prosperity in a Rural Community', in Rosalind Mitchison and Peter Roebuck, eds., *Economy and Society in Scotland and Ireland, 1500-1939* (Edinburgh, 1988), 75, 78.
[31] Gordon Desbrisay and Karen Sander Thomson, 'Crediting Wives: Married Women and Debt Litigation in the Seventeenth Century', in Elizabeth Ewan and Janay Nugent, eds., *Finding the Family in Medieval and Early Modern Scotland* (Aldershot, 2008), 85-98.
[32] An exception is Vickers, 'Errors Expected'.

consumption and as a form of financial capital, but not as a form of social interaction and evaluation.[33] However, studies of urban business have addressed similar issues as the historiography of English credit, including market mentalities and their change over time, the importance of status in commercial exchange, and differences in rural and urban behaviour. In the context of a port city, Serena Zabin suggested that market exchange contributed to fluid constructions of status.[34] Similarly, Daniel Vickers found that in rural communities, despite differences in socio-economic status, householders interacted on a 'roughly similar plane' as equals before the law when making exchanges based on credit.[35] Ellen Hartigan O'Connor described how consumer purchasing was embedded in relations of gender and class.[36]

Studies of market mentalities have often been grounded in perceived dichotomies between urban and rural commercial culture. Rural communities in America have been described as interdependent, personal and non-market in nature. It has been argued that in contrast to urban merchants, early American farmers made decisions that put community before profit, and that their goal was to achieve a modest competence rather than to accumulate capital.[37] In contrast, Thomas Allen's comparative study of farmers and merchants in Rhode Island suggested that farmers were at least as likely to pursue self-interested economic strategies as urban merchants, while Naomi Lamoreaux concluded that both merchants and manufacturers pursued business along lines of personal acquaintance and community ethics, but that the mentalités of both groups diverged over time.[38] Others point less

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[33] William T. Baxter, 'Oservations of Money, Barter and Bookkeeping', *Accounting Historians Journal*, 31 (2004), 138; David T. Flynn, 'The Duration of Book Credit in Colonial New England', *Historical Methods*, 38 (2005), 169.

[34] Serena R. Zabin, *Dangerous Economies: Status and Commerce in Imperial New York* (Philadelphia, 2009), 6-7.

[35] Vickers, 'Errors Expected', 1055.

[36] Ellen Hartigan-O'connor, *The Ties That Buy: Women and Commerce in Revolutionary America* (Philadelphia, 2009), 160, 110. For an anthropological perspective on embeddedness, see introduction to Mark S. Granovetter and Richard Swedberg, *The Sociology of Economic Life* (Boulder, Colo., 2001).

[37] Christopher Clark, *The Roots of Rural Capitalism: Western Massachusetts, 1780-1860* (Ithaca, 1990); J. A. Henretta, 'Families and Farms: Mentalité in Pre-Industrial America', *WMQ*, 35 (1978), 2-32; Michael Merrill, 'Cash Is Good to Eat: Self-Sufficiency in the Rural Economy of the United States', *Radical History Review*, 3 (1978), 42-71; Daniel Vickers, 'Competency and Competition, Economic Culture in Early America', *WMQ*, 47 (1990), 3-29.

[38] Thomas Stuart Allen, 'Commerce, Credit and Community: The Transformation of Economic Relationships in Rhode Island, 1771-1850' (PhD Dissertation, Brown University, 1994); Naomi Lamoreaux, 'Rethinking the Transition to Capitalism in the Early American Northeast', *JAH*, 90 (2003), 440.

to rural and urban differences, but to geographical variations between colonies, with individuals in the mid-Altlantic more market-oriented than others.[39]

Like the English historiography, the depersonalisation of the economy in early America has been an issue of debate, with the mid to late eighteenth century as a crucial turning point. According to Bruce Mann, the rapid spread of written credit instruments marked the intrusion of impersonal market relations into lives that had been governed more communally. This shift was solidified in the changing legal structures of debt and insolvency. Changing legal structures are seen to have had profound implications for social relations and contemporary notions of obligation. The rise of legal procedure replaced informal methods of dispute resolution, turning neighbours into strangers.[40] While some have argued for an economy that was increasingly rational, individualistic and profit oriented, others suggest that market relationships during the colonial period were less personal than we have assumed. Colonial communities were far from self sufficient and depended on long distance market relations. The relationships between people in different communities could not depend on trust and mutual dependence because traders did not have regular, personal contact with each other.[41] Others have addressed the trajectory of economic change. Lamoreaux proposed a model of shifting mentalities from custom to instrumentality that is not unidirectional, relies on a more complex notion of economic rationality, and accounts for the role of culture in decision-making.[42] Bushman and Vickers suggested that the market should not be conceptualised as a point of division between classes, periods and cultures, but rather that 'it was the co-existence of individualism *and* reciprocity that defined relationships between free households before the age of capital'.[43]

Though historiographies of English, Scottish and colonial American trade have grappled with similar themes, no attempt at a direct comparison of credit in different Atlantic local contexts has been undertaken. The literature on personal

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[39] Vickers, 'Errors Expected', 1034.
[40] Bruce H. Mann, *Neighbors and Strangers: Law and Community in Early Connecticut* (Chapel Hill, 1987), 22; Bruce H. Mann, *Republic of Debtors: Bankruptcy in the Age of American Independence* (Cambridge, MA, 2002), 4.
[41] Deborah Rosen, *Courts and Commerce: Gender, Law and the Market Economy in Colonial New York* (Columbus, OH, 1997).
[42] Lamoreaux, 'Rethinking the Transition', 460-461.
[43] Vickers, 'Errors Expected', 1034.

credit in England has largely failed to engage with both British and Atlantic scholarship. Scholars have shied away from direct comparisons between England and Scotland due to the countries' different legal systems.[44] While these differences pose challenges, English and Scottish courts generated evidence that can be and have been profitably compared.[45] Different legal systems can be seen as an advantage rather than a problem, highlighting the activities of different groups of people and providing a new perspective on the relationship between credit relations and their legal, social and institutional contexts.[46] Meanwhile, studies of Atlantic credit and trade have tended to focus on the practices of international merchants, largely neglecting local populations of craftsmen and small traders.[47] These individuals were less obviously engaged in Atlantic commerce, and many had a world-view that was mostly inward looking. However, even if they traded locally and did not conceptualise their own activities as being part of an Atlantic paradigm, they engaged in networks that extended well beyond their own localities. As Sheryllynne Haggerty has demonstrated, the distribution of goods throughout the Atlantic was not dependent on elite male merchants, but on a much larger trading community that included small tradesmen, hucksters, chapmen, and informal female networks.[48]

In addition to the literature addressing personal credit and urban trade, this study is informed by and seeks to contribute to a number of related fields. The artisans and tradesmen who form the focus of this thesis were members of the lower end of the middling sort, a socio-economic group defined as distinctive and worthy of focused examination, though its definition remains a continuing source of debate.[49] The middling sort was composed a large and somewhat nebulous group of

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[44] Finn, *Character*, 4.

[45] For example, I. D. Whyte's study of the role of credit in the distribution of wealth and capital accumulation in rural Scotland was able to draw direct comparisons with data examined for England by B. A. Holderness. Whyte and Whyte, 'Debt and Credit', 78.

[46] For example, in a study of seventeenth-century Scotland, DesBrisay and Thomson have been able to address the credit practices of married women, who appear infrequently in English legal records. DesBrisay and Thomson, 'Crediting Wives'.

[47] Thomas M. Doerflinger, *A Vigorous Spirit of Enterprise: Merchants and Economic Development in Revolutionary Philadelphia* (Chapel Hill, 1986); Hancock, *Citizens*; Cathy D. Matson, *Merchants & Empire: Trading in Colonial New York* (Baltimore, 1998).

[48] Sheryllynne Haggerty, *The British Atlantic Trading Community, 1760-1810: Men, Women, and the Distribution of Goods* (Leiden, 2006).

[49] Issues of self-definition remain a particular problem. According to Henry French, before the later eighteenth century, 'middling sort' was more of a social construct than a social category. For a summary of this debate, see especially Henry French, *The Middle Sort of People in Provincial*

people, including several distinct groups and a wide range of occupations.[50] Its composition in Britain and Colonial America also differed slightly. In contrast to the complex gradations of ranks and sorts that defined Britain's population during the period, rank in early America was largely conceptualised as a three-tiered system of ranks or classes. An emerging elite, who redefined what it meant to be a gentleman, filled the gaps left by the gentry and aristocracy and formed the 'better sorts'.[51] Below them a middling stratum was made up of mechanics, artisans and tradespeople, and below them the 'meaner sort', distinguished by their lack of land, goods and skills.[52] The middling sorts were even more pre-eminent in America than they were in Britain, forming one third to one half of most colonial port cities, and nearly 60 per cent of Philadelphia's population.[53] Despite their differences, characteristically middling economic, political, social and cultural qualities can be applied to middling people in both contexts.

Independence set middling individuals apart from those below them. Independence was closely related to levels of wealth, attained especially through commercial activity.[54] In early America, independence was marked by the achievement of a 'modest competency'.[55] According to Margaret Hunt, most middling people in England had incomes of at least £50 to £80 per year, while French identified the possession of capital resources, when rated by the parish, as distinguishing rate-paying 'chief inhabitants', who held a material stake in the community, from other ordinary inhabitants.[56] Independent status could also be achieved by participation in the urban public and political spheres. The 'community brokers' identified by Shani D'Cruze exerted social influence and built up status by

England, 1600-1750 (Oxford, 2007), 16; Keith Wrightson, '"Sorts of People" in Tudor and Stuart England', in Jonathan Barry and C. W. Brooks, eds., *The Middling Sort of People: Culture, Society and Politics in England, 1550-1800* (Basingstoke, 1994), 41.

[50] Stana Nenadic, 'The Rise of the Urban Middle Class', in T. M. Devine and Rosalind Mitchison, eds., *People and Society in Scotland : A Social History of Modern Scotland. 1, 1760-1830* (Edinburgh, 1988), 111.

[51] Doerflinger, *Vigorous Spirit* 37; Gary B. Nash, *Class and Society in Early America* (Englewood Cliffs, NJ, 1970), 8-9; Gordon S. Wood, *The Radicalism of the American Revolution* (New York, 1991), 31-32.

[52] David Cannadine, *Class in Britain* (New Haven ; London, 1998), 37.

[53] Jacob Price, 'Economic Function and the Growth of the American Port Towns in the Eighteenth Century', *Perspectives in American History*, 8 (1974), pp. 177-183.

[54] Nenadic, 'Rise', 115-116.

[55] Vickers, 'Competency and Competition', 3-29.

[56] French, *Middle Sort*, 27, 90-140; Hunt, *Middling Sort*, 15.

occupying positions at the centre of social networks.[57] Participation in urban associations formed another potential mark of independence, serving to solidify disparities of power and wealth and reproduce inequalities within the bourgeoisie.[58] However, if associational membership brought status, it also revealed that interdependence was a more typical reality for most middling households than independent economic stability. Most had to protect their households from uncertainties by using mutual support.[59] The independence of community brokers was only realised through their connections with each other.[60] Studies of bankruptcy in England suggest that downward mobility and the fall from independence was a common feature of the middling experience.[61]

A close association with commerce has been considered one of the distinctive features of the middling sort. Market engagement, including both business and consumption, is seen to have had a particularly strong influence on middling households, families and social lives.[62] Though the development of the market has often been linked with the erosion of mutual relationships, Margaret Hunt and Richard Grassby have both suggested that the demands of the commercial economy led the middling sorts to make more use of kin as partners, agents and providers of security and relief.[63] Market involvement structured relations in kinship networks and within the small producer household, contributing in particular to the shaping of gender identities.[64] Legal and prescriptive ideals dictated that men were expected to be the principal providers for the family credit was considered 'primarily a masculine prerogative'.[65] However, it has been convincingly shown that these prescriptive

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[57] Shani D'cruze, 'The Middling Sort in Eighteenth-Century Colchester: Independence, Social Relations and the Community Broker', in Jonathan Barry and C. W. Brooks, eds., *The Middling Sort of People. Culture, Society and Politics in England, 1550-1800* (Basingstoke, 1994), 182, 197.

[58] Jonathan Barry, 'Bourgeois Collectivism? Urban Association and the Middling Sort', in Barry and Brooks, eds., *Middling Sort of People*, 101, 104; Peter Clark, *British Clubs and Societies 1580-1800, the Origins of an Associational World* (Oxford, 2000), 232.

[59] Barry, 'Bourgeois Collectivism', 98, 106.

[60] D'Cruze, 'Middling Sort', 182.

[61] Peter Earle, *The Making of the Middle-Class: Business, Society and Family Life in London, 1660-1730* (London, 1989), 129-130; Hoppit, *Risk and Failure*.

[62] Hunt, *Middling Sort*, 1; Stana Nenadic, 'Middle-Rank Consumers and Domestic Culture in Edinburgh and Glasgow 1720-1840', *P&P*, (1994), 122-156.

[63] Richard Grassby, *Kinship and Capitalism: Marriage, Family, and Business in the English Speaking World, 1580-1740* (Washington, D.C.; Cambridge, 2001), 217-268; Hunt, *Middling Sort*, 23-29.

[64] Karen Harvey, 'Men Making Home: Masculinity and Domesticity in Eighteenth-Century Britain', *Gender & History*, 21 (2009), 520-540.

[65] Pearsall, *Lives and Letters*, 116.

ideals bore little relation to the reality for most middling families. A diminishing number of men were able to achieve 'self-sufficient economic mastery', and it was only through dependence on the labour of wives and older children that middling male householders were able to achieve public independent status.[66] Scottish and American case studies have shown than wives played crucial roles in the family economy by brokering credit and reputation through sociable and neighbourly interaction.[67] Furthermore, though women's legal rights to property ownership were limited, many maintained their own independent employment. In eighteenth-century England, laws of coverture existed only in 'suspended animation'.[68]

Credit was intimately linked with reputation and trust, and the literature on personal credit thus intersects with and is informed by two bodies of scholarship that address these concepts in more detail. Notions of honour, reputation and shame in the early modern period not only formed the basis for judgements about financial creditability. They also reinforced notions of rank and hierarchy and informed the relationships between households more generally.[69] According to Smail, maintaining honour was an essential part of men's ability to maintain their place in a given social world.[70] A substantial literature addresses the components and dynamics of honour and reputation in early modern Britain, drawing especially from slander litigation. Historians now agree that honour mattered to all levels of society. However, its meanings differed according to rank, context and gender.[71] Much of the literature on reputation has focused on gender, especially on women, and on the contrasting components of male and female honour. These studies have concluded that female honour depended on sexual behaviour while made honour was based upon honesty

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[66] D'Cruze, 'Middling Sort', 182, 207; Alexandra Shepard, 'Manhood, Credit and Patriarchy in Early Modern England', *P&P*, 167 (2000), 78.

[67] DesBrisay and Thomson, 'Crediting Wives', 85-98; Hartigan-O'Connor, *Ties*, 133-136.

[68] Peter Earle, 'The Female Labour Market in London in the Late Seventeenth and Early Eighteenth Centuries', *EcHR*, 42 (1989), 337-338; Margot Finn, 'Women, Consumption and Coverture in England, C. 1760-1860', *Historical Journal*, 39 (1996), 707; Elizabeth C. Sanderson, *Women and Work in Eighteenth-Century Edinburgh* (Basingstoke, 1996).

[69] Keith Thomas, *The Ends of Life: Roads to Fulfilment in Early Modern England* (Oxford; New York, 2009), 151-173.

[70] John Smail, 'Credit, Risk and Honor in Eighteenth-Century Commerce', *Journal of British Studies*, 44 (2005), 9.

[71] Faramerz Dabhoiwala, 'The Construction of Honour, Reputation and Status in Late Seventeenth- and Early Eighteenth-Century England', *TRHS*, 6 (1996), 201; Steve Hindle, 'The Shaming of Margaret Knowsley: Gossip, Gender and the Experience of Authority in Early Modern England', *C&C*, 9 (1994), 391-419.

within business.[72] Further scholarship has challenged these conclusions, suggesting more gender overlap.[73]

Several gaps exist in the historiography on reputation. In addition to the predominant focus on women, gender has often been discussed in isolation from other categories of analysis such as rank and occupation. Furthermore, most studies have defined the importance of honour as something particular to early modern England in the period before 1730.[74] During the eighteenth century, the enforcement of respectable behaviour through rituals of public insult and shame, and individual willingness to defend one's honour at court, both declined.[75] There have been few attempts to address reputation in a later period and even fewer to address Scotland. Studies of male business in the eighteenth century have emphasised issues of honesty and probity, linking honour with issues of commercial risk, but the general terms of reputation require further elucidation.[76] Building on the work of Robert Shoemaker, further attention is needed on how the meanings of honour during the eighteenth century were redefined, especially in relation to urban spaces and changing notions of community.[77]

Honour was not the only social aspect of early modern credit exchange. Trust was another. In general terms, trust can be defined as the 'choice to make oneself vulnerable based on the positive expectations of the intentions or behaviour of others under conditions of interdependency and uncertainty'. Trust is a solution to specific problems of risk, distinctive from but often built upon confidence or familiarity.[78] As a more general aspect of social relationships, trust functioned in a variety of settings,

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[72] Susan Dwyer Amussen, *An Ordered Society: Gender and Class in Early Modern England* (Oxford, 1988), 98-104; Laura Gowing, 'Gender and the Language of Insult in Early-Modern London', *History Workshop Journal*, 35 (1993); James A. Sharpe, *Defamation and Sexual Slander in Early Modern England: The Church Courts at York* 1980), 28-29.

[73] Bernard Capp, 'The Double Standard Revisited: Plebeian Women and Male Sexual Reputation in Early Modern England', *P&P*, 162 (1999); Dabhoiwala, 'Construction of Honour', 208; Toby Ditz, 'Shipwrecked; or, Masculinity Imperiled: Mercantile Representations of Failure and the Gendered Self in Eighteenth-Century Philadelphia', *JAH*, 81 (1994), 51-80; Shepard, 'Manhood', 75-106; Alexandra Shepard, *Meanings of Manhood in Early Modern England* (Oxford, 2003), 154.

[74] Martin Ingram, *Church Courts, Sex and Marriage in England, 1570-1640* (Cambridge, 1987), 319.

[75] Sharpe, *Defamation*, 9.

[76] See for example, Smail, 'Credit, Risk and Honor in Eighteenth-Century Commerce', 439-456.

[77] Shoemaker, 'Decline', 113, 124.

[78] Niklas Luhmann, 'Familiarity, Confidence and Trust', in Diego Gambetta, ed., *Trust: Making and Breaking Cooperative Relations* (Oxford, 1988), 95; Bill Mcevily et al., 'Can Groups Be Trusted? An Experimental Study of Trust in Collective Entities', in Reinhard Bachmann and Akbar Zaheer, eds., *Handbook of Trust Research* (Cheltenham, UK, 2006), 54.

and it was an intrinsic part of credit exchange.[79] This was by no means unique to the eighteenth century, and indeed a substantial theoretical literature addresses these issues. While the importance of trust and the extent to which business was done along lines of personal acquaintance has been well established in the historical literature, the concept is often used in a loose way. Sociological theories usefully distinguish different types of trust, and they inform a more nuanced understanding of the role that institutions played in fostering relationships of trust between individuals.

Three distinct types of trust operate in economic settings: particularised or individualised trust, system or institutional trust, and collective or inter-organisational trust. 'Particularised' trust exists between individuals, based on the information that they can gather about each other, whereas 'generalised' or 'system' trust describes how individuals with no familiarity trust each other as part of a common and ordered social system, and social relations play no role in the process.[80] Examples of system trust include legal systems of contract enforcement, regulatory agencies and third-party brokers. By contrast, collective trust is trust in an organisation itself.[81] In early modern terms, this might include trust in the reputation of guilds or societies as collectives of trustworthy individuals.

These different types of trust have often been considered mutually exclusive, and they are associated with a historical shift towards modernity, especially in terms of community relations. Toennies distinguished between the personal trust based on mutual promise that was possible in environments of stability, harmony and sentiment in *Gemeinschaft* and the 'impersonal trust' of modern societies, based on skill, profession and reputation.[82] System trust has been facilitated by the development of institutions, such as political organisations, governments, or economic organisations, which replaced the relationship of trust between individuals with a relationship between individuals and institutions. According to Guinane,

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[79] Barbara Misztal, *Trust in Modern Societies, The Search for the Basis of Social Order* (Cambridge, 1996), 19.
[80] Luhmann, 'Familiarity, Confidence and Trust', 102.
[81] McEvily et al., 'Can Groups Be Trusted?', 53.
[82] Barbara A. Misztal, *Trust in Modern Societies: The Search for the Bases of Social Order* (Cambridge, 1996), 38.

institutions can replace trust by providing information and sanctions.[83] While particularised trust is underpinned by emotional relations and moral or ethical beliefs, system trust is seen to be associated with more individualistic and 'rationally motivated' economic choices.

Sociological theory demonstrates how these different types of trust can be interrelated, and it offers more complex possibilities for the role of institutions in helping individuals trust each other. Trust can be transferred between individuals and organisations. Individuals usually trust collectives because of positive exchanges conducted with members of the organisation. At the same time, collectives can transfer trust to individuals by facilitating the construction of relationships through the lens of shared group identity.[84] Institutions can facilitate a midway point between interpersonal and system trust. By laying the foundations for the eventual formation of trust relations, trust in institutions and trust in individuals can overlap. According to Carol Heimer, institutions put mechanisms into place that provide information and limit the potential losses that might be incurred by trusting someone who is ultimately untrustworthy, thus generating the conditions under which interpersonal trust can emerge.[85] A wide definition of institutions helps support this understanding. According to Jean Ensminger, the family can be considered an institution. Turning explicitly contractual relationships into kinship relationships requires less precision in specification of the contract, less monitoring, and greater tolerance for long term debts.[86] Dietland Stolle suggests that voluntary associations foster personalised trust by facilitating repeated involvement and cooperation.[87] By incorporating these sociological definitions into a historical setting, a more nuanced analysis of the role that institutions played in eighteenth-century credit relations is possible.

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[83] Timothy Guinane, 'Trust: A Concept Too Many', Economic Growth Center, Yale University, Center Discussion Paper No. 907, February 2009, p. 8. <http://www.econ.yale.edu/growth_pdf/cdp907.pdf>
[84] McEvily et al., 'Can Groups Be Trusted?', 54, 65.
[85] Carol Heimer, 'Solving the Problem of Trust', in Karen S. Cook, ed., *Trust in Society* (New York, 2001), 40-88.
[86] Ensminger, 'Reputations, Trust, and the Principal Agent Problem', in Karen S. Cook, ed., ibid., 187.
[87] Dietlind Stolle, 'Clubs and Congregations: The Benefits of Joining an Association', ibid., 203.

II. Methodology

This thesis aims to fills gaps in the historiography through a comparative study of credit relations in Edinburgh and Philadelphia in the decades following the Act of Union and preceding the American Revolution: a period spanning the mid-eighteenth century, framed by political events that changed the legal context of both countries, and representing a moment when both cities were comparable as provincial capitals. The study focuses on the experiences of skilled working populations in both cities, primarily middling artisans and tradesmen, who have been less well served by the existing historiography, though their use of credit was extensive and ubiquitous.[88] Through a comparative methodology, the thesis seeks to test two conclusions that have emerged from English case studies.

The first is the geographic scope of the 'culture of credit' that has emerged from various English micro-studies. According to Muldrew, in the seventeenth century there was a common credit culture throughout England, and 'the social mores of credit and reputation were as common in London parishes as in rural Derbyshire or the north Norfolk coast'.[89] Other case studies have substantiated this claim, showing that communities in early modern England shared similar credit structures and notions of morality and mutual obligation, which facilitated credit lending 'over wide areas'.[90] This study aims to test the applicability of the culture of credit in a wider British Atlantic context. The growing Atlantic historiography suggests that, by the eighteenth century, individuals lived in an increasingly globalised world. Related fields of consumer behaviour and class formation have profitably located case studies in an Atlantic setting.[91] It is therefore possible that the culture of credit extended well beyond the boundaries of Great Britain to include colonial societies in North America, and that structures of interpersonal mutuality,

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[88] Nancy C. Cox, *The Complete Tradesman: A Study of Retailing, 1550-1820* (Aldershot, 2000), especially ch. 5.

[89] Muldrew, *Economy*, 188.

[90] Stephen Matthews, 'Money Supply and Credit in Rural Cheshire, 1600-1680', *C&C*, 24 (2009), 269; Robert Tittler, 'Money-Lending in the West Midlands: The Activities of Joyce Jeffries, 1638-1649', *Historical Research*, 67 (1994), 249-263.

[91] See for example, C. D. Hemphill, 'Manners and Class in the Revolutionary Era: A Transatlantic Comparison', *WMQ*, 63 (2006); Carole Shammas, *The Pre-Industrial Consumer in England and America* (Oxford, 1990); John Styles and Amanda Vickery, *Gender, Taste, and Material Culture in Britain and North America, 1700-1830* (New Haven, CT, 2006).

the importance of reputation, and the entanglement of financial and social relations in early modern England were in fact more generally consistent with pre-modern societies without sufficient specie. While a British Atlantic culture of credit has sometimes been assumed, this has not been grounded in comparative research. Vickers made claims for an 'early modern Anglo-American economic culture that settlers carried with them from England and that lasted until the rise of institutional capitalism', but did so without drawing systematic comparisons.[92]

It is also possible that the culture of credit relations was not universal, and that individual practices were more contingent on the circumstances in which they were enacted and transacted. These circumstances, which might include structures of governance, administrative procedures and the social composition of cities, varied considerably throughout the British world. Smail's study of the English textile industry noted variations in the culture of credit within different textile-producing regions, which resulted in different forms of entrepreneurship amongst merchants and producers.[93] By applying a comparative framework to the culture of credit, the impact of local conditions upon the individual behaviour of tradesmen and craftsmen becomes clearer.

This study seeks to test whether the bonds of credit and trust were different in old and new world cities, and to understand the role that legal and institutional structures played in shaping these differences. In England, the development of a consistent common law created a 'high degree of unity' in legal practice that created 'conditions of understanding favourable to the creation of reliability' within her inland trade.[94] Throughout England, the courts shaped the nature of interpersonal contracts and provided a means for communities to maintain trust.[95] The American colonies' adoption of English common law,[96] should have fostered some consistency in credit practices within British Atlantic communities. By drawing a comparison with credit practice in Scotland, which had a mixed legal system heavily influenced

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[92] Vickers, 'Errors Expected', 1035.
[93] John Smail, 'The Culture of Credit in Eighteenth-Century Commerce: The English Textile Industry', *Enterprise and Society*, 4 (2003), 299, 308-317.
[94] Muldrew, *Economy*, 188.
[95] Ibid., 253.
[96] Mann, *Republic*, 48.

by Roman law, this study questions the extent to which legal systems created particular cultures of credit.[97]

The second major aim of this thesis is to test the sense of the decline of the interpersonal in the eighteenth century. While the notion of a 'great transformation' has largely been refuted, the more subtle gradients of change that have been identified in English case studies deserve further consideration. This study will address whether the social structures engendered by credit changed, and whether a system of credit supporting an equality of exchange based on notions of contract was supplanted by a system in which credit served to entrench disparities of power. It will also test the transition from interpersonal trust to personal character, based on the type of information and communication that individuals relied upon when evaluating credibility. A comparison of shifting economic culture in two places allows for conclusions to be drawn about the nature and pace of change in a wider British context. Was change universal? Was it gradual and uneven, or quick and unidirectional? Did it differ according to rank or occupation, and did the social credit of middling tradesmen and artisans appear distinctive? Where possible, this thesis addresses the personal negotiation of credit through the lens of gender, focusing particularly on the gendered experiences of men and building upon the work of Shepard, Harvey, Ditz and others.

The two cities chosen for comparative treatment at first glance appear very similar in terms of their urban character. Both can be classified as 'provincial capitals' according to the criteria of Clark and Slack. Both had sizeable populations, exercised a range and depth of influence over their hinterlands, enjoyed prosperity that depended on a range of functions, and acted as administrative, trading, social and consumer centres.[98] Both cities engaged in movements of civic, intellectual and cultural 'improvement' during the eighteenth century, a feature of the 'eighteenth-

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[97] For discussion of Scotland's legal system, and how laws were codified in contrast to English common law, see John Cairns, 'Historical Introduction', in Kenneth Reid and Reinhard Zimmermann, eds., *A History of Private Law in Scotland* (Oxford, 2000), 118-123, 130-134; Julian Goodare, *The Government of Scotland, 1560-1625* (Oxford, 2004), 70-86; Grant Mcleod, 'The Romanization of Property Law', in Kenneth Reid and Reinhard Zimmermann, eds., *A History of Private Law in Scotland* (Oxford, 2000), 220-242.
[98] Peter Clark and Paul Slack, *English Towns in Transition* (London, 1976).

century urban renaissance'.[99] Edinburgh styled itself the 'Athens of the North' while Philadelphia called itself the 'Athens of America'. By the eighteenth century both cities had developed a range of voluntary institutions and assemblies where individuals engaged in sociability, learning and the negotiation of credit.[100] Both cities were typically crowded for their time. Cramped and confined domestic and public spaces, shared by people of all ranks, made for frequent interpersonal contact in these 'face-to-face' societies.[101] Not only did Edinburgh and Philadelphia share similar features, but they also were directly linked through relations of trade, intellectual networks associated with the Enlightenment, and networks of education.[102]

While Edinburgh and Philadelphia appear superficially similar, a closer look reveals that these cities were in fact quite different in terms of their spatial layouts, and their legal, administrative, institutional and social structures. These differences make a comparison fruitful because they reflect variations in British Atlantic cities, offering complementary perspectives on similar types of people. A focused study of the credit practices of middling tradesmen in these two places can begin to tease out which aspects of credit were related to local conditions, and which aspects were more universal to this rank of individuals. By comparing two different cities with different evidence, this study interrogates existing models of credit and assesses how universal 'English' concepts and credit relationships might have been. Comparative methodology serves as a tool for addressing problems of explanation and causation. By highlighting the similarities and differences in credit practice in Edinburgh and Philadelphia, and considering why these differences existed, this thesis aims to draw

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[99] Peter Borsay, *The English Urban Renaissance: Culture and Society in the Provincial Town 1660-1770* (Oxford, 1989), 9; Charles Mckean, 'Twinning Cities: Modernisation Versus Improvement in the Two Towns of Edinburgh', in Brian Edwards and Paul Jenkins, eds., *Edinburgh: The Making of a Capital City* (Edinburgh, 2005).

[100] John Brewer, 'Clubs, Commercialization and Politics', in Neil McKendrick, J. H. Plumb, and John Brewer, eds., *The Birth of a Consumer Society: The Commercialization of Eighteenth-Century England* (London, 1982), 197-264; Clark, *British Clubs*; Davis Dunbar Mcelroy, *A Century of Scottish Clubs, 1700-1800. Vol. 1* (Edinburgh, 1969).

[101] Peter Thompson, Rum Punch and Revolution: Taverngoing and Public Life in Eighteenth-Century Philadelphia (Philadelphia, 1999), 6; Sam Bass Warner, The Private City: Philadelphia in Three Periods of Its Growth (Philadelphia, 1987), 19.

[102] 'Scottish Thought and Culture in Early Philadelphia', in Richard B. Sher and Jeffrey R. Smitten, *Scotland and America in the Age of the Enlightenment* (Edinburgh, 1990), 227-274.

wider conclusions about the role that trust and social relations played in economic transactions, and the influence of institutions in fostering these relationships.

Edinburgh and Philadelphia's physical layouts developed in very different ways (Images 1.1 and 1.2). Though Philadelphia was planned to be orderly and spacious, drastic population growth meant that by mid-century it resembled older European cities in terms of its cramped and filthy conditions.[103] Lots were carved into smaller pieces, creating living spaces in back alleys and crowded households for the city's poorer population. As the population increased, the physical size of the city remained the same, causing an increase in density from 25,000 per square mile in 1760 to 45,800 per square mile in 1800.[104] Most houses and businesses were clustered closely together along the banks of the Delaware River. Edinburgh's footprint looked very different. Old Edinburgh extended down the spine of a ridge with steep sides. A disorderly jumble of 329 streets, closes, squares and wynds branched off the High Street. The town's physical features and layout were largely a result of the geography as well as the absence of a unity of landownership and unplanned, uncoordinated development.[105] The geographic footprint changed very little before the building of the New Town, and like Philadelphia, the town's growing population was accommodated by increased density within the city boundaries. The burgh was only 800 yards long and 400 yards wide, covering an area of about 140 acres, but the greater urban area also encompassed the Canongate to the east and the sprawling West Kirk parish, populated by tenant farmers.[107] To the north lay the port of Leith, through which Edinburgh participated in networks of long-distance trade.

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[103] John William Reps, *The Making of Urban America: A History of City Planning in the United States* (Princeton, 1992), 147-174; Sharon Salinger, 'Spaces inside and Outside, in Eighteenth-Century Philadelphia', *Journal of Interdisciplinary History*, 26 (1995), 11; Carole Shammas, 'The Space Problem in Early United States Cities', *WMQ*, 57 (2000), 523-524; Billy G. Smith, 'Death and Life in a Colonial Immigrant City: Demographic Analysis of Philadelphia', *Journal of Economic History*, 37 (1977), 888.
[104] Sharon Salinger, 'Spaces, inside and Outside, in Eighteenth-Century Philadelphia', *Journal of Interdisciplinary History*, 26 (1995), 15; Shammas, 'The Space Problem', 506.
[105] R. A. Houston, *Social Change in the Age of Enlightenment: Edinburgh, 1660-1760* (Oxford, 1994), 112.
[107] Houston, *Social Change* 105.
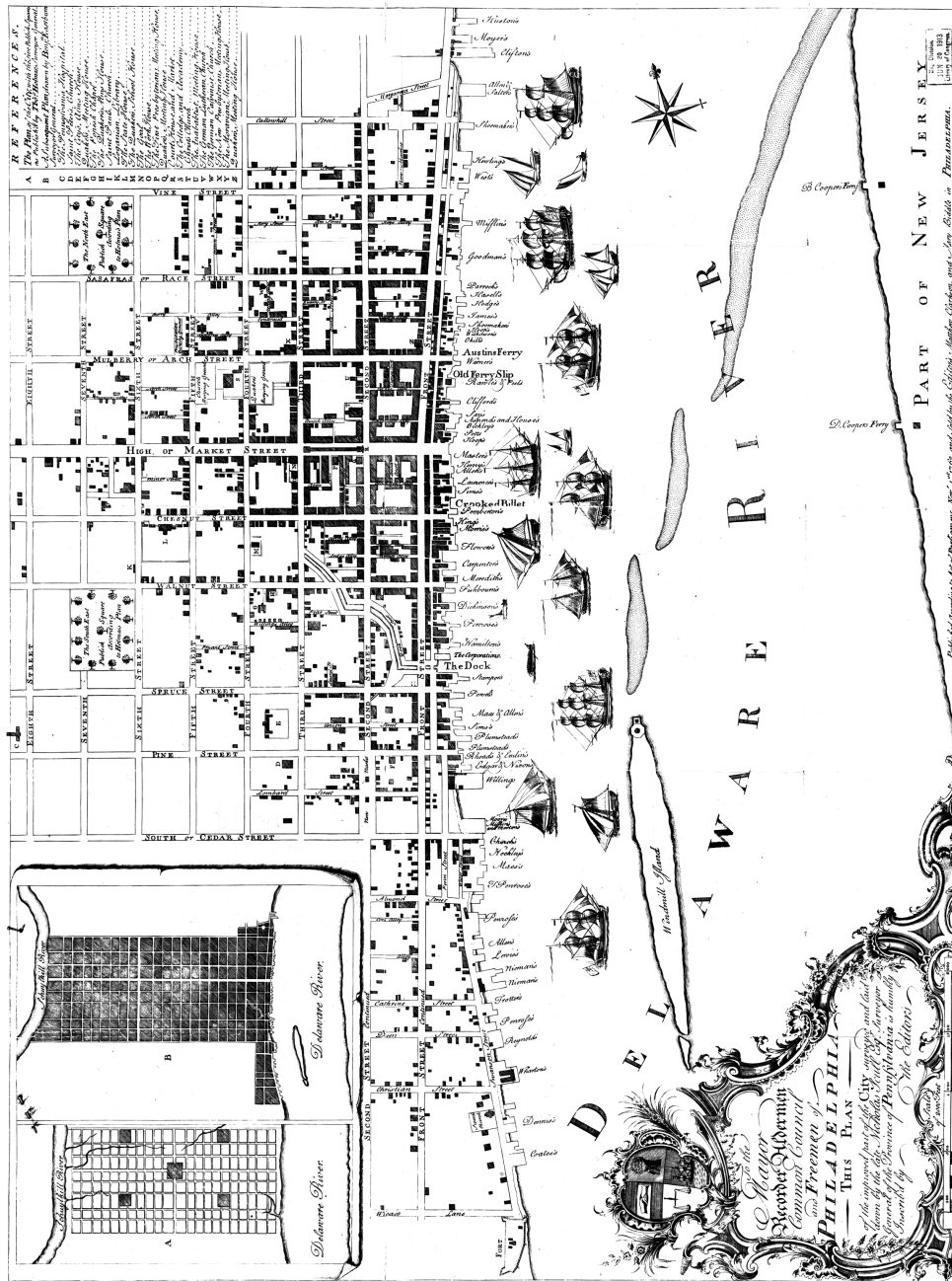
Image 1.1. Plan of Philadelphia, 1762, by Nicholas Scull.
Source: Library of Congress Geography and Map Division, digital collection, G3824.P5 1762 .S3.
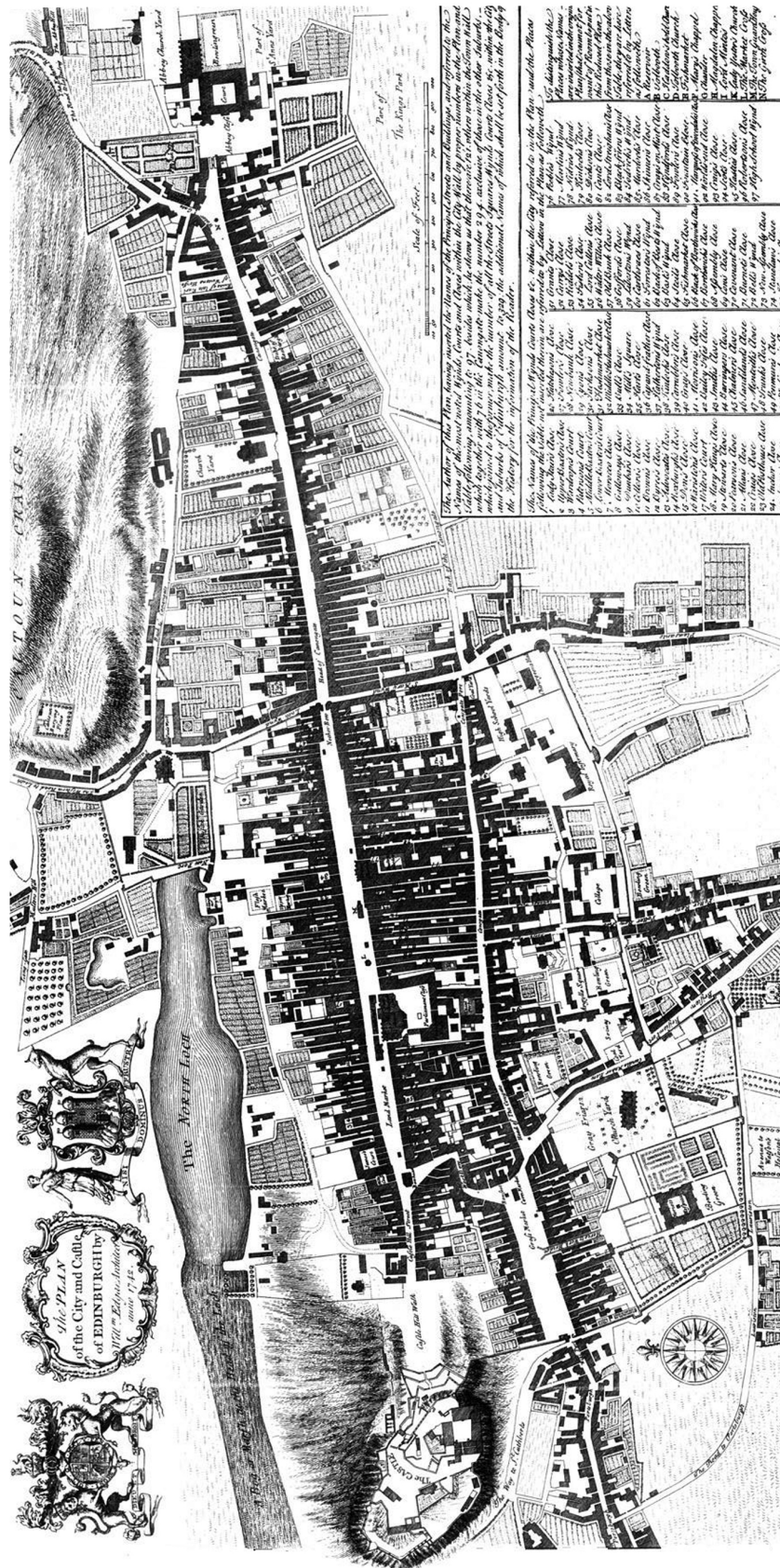
Image 1.2 Plan of the City and Castle of Edinburgh, 1742, by William Edgar.
Source: National Library of Scotland, EMS.s.55c.

The different spatial layouts of both cities created for different sociological dynamics and patterns of neighbourhood interaction. In Philadelphia, rich and poor lived alongside each other, with wealth spread fairly evenly throughout the city. Over time, occupational and social clusters began to form. Residents set up identifiable neighbourhoods and distinct sectors in a grid pattern based on class, race, ethnicity and occupation, showing a clear preference to live near others with like characteristics.[108] Social zoning was not replicated in Edinburgh, where patterns of wealth and status formed within buildings rather than between neighbourhoods. Edinburgh tenements were described as 'upward streets'. In buildings of seven to twelve stories lining the High Street, individuals lived cheek-by-jowl, with poorer people in cellars, tradesmen and mechanics in the upper storeys, and middling sorts and aristocracy in the middle levels.[109] Occupational zoning within Edinburgh was never as distinct and enduring as in other European cities or in Philadelphia. Minimal clustering was determined by the availability of resources rather than a desire to live near like occupations. Concentrations of brewers, for example, located themselves in the western fringes of the city close to water supplies and accessible to carriers of raw materials from the agricultural region to the south. Tailors clustered in College parish near the point of overland entry for cloth.[110]

By the early eighteenth century, both cities had populations large enough to qualify as provincial capitals, but Edinburgh had a population three to five times that of Philadelphia throughout the period. Philadelphia remained a comparatively small place and would not become the 'jewel of the Atlantic' until after the Revolution, when it would become the largest English- speaking city outside of the British Isles. Philadelphia's population was 10,000 in 1720, reaching 23,000 at mid-century.[111] In contrast, population estimates suggest that at mid-century inner Edinburgh and the Cannongate was home to about 35,000 people or 57,000 in the outlying area,

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[108] Mary M Schweitzer, 'The Spatial Organization of Federalist Philadelphia, 1790', *Journal of Interdisciplinary History*, 24 (1993), 36, 44.

[109] See Charles Mckean, 'Improvement and Modernisation in Everyday Enlightenment Scotland', in Elizabeth A. Foyster and Christopher A. Whatley, eds., *A History of Everyday Life in Scotland, 1600 to 1800* (Edinburgh, 2010), 51-82.

[110] Helen M. Dingwall, *Late Seventeenth-Century Edinburgh: A Demographic Study* (Aldershot, 1994), 139-144; Houston, *Social Change* 137-138.

[111] Gary B. Nash, *The Urban Crucible: Social Change, Political Consciousness, and the Origins of the American Revolution* (Cambridge, MA, 1979), 407-408.

growing to 81,000 in the outlying area by the end of the century.[112] Differences in population size would have implications for the nature of community in both places. Though face-to-face interaction remained important to commerce, Edinburgh's growing population made anonymity a real possibility. In contrast, Philadelphia's smaller population and mode of settlement made it a 'walking talking city'. One Philadelphian remarked at mid-century that he 'knew every person white and black, men women and children by name'.[113] Yet Philadelphia had a very transient population that complicated the realities of this familiar community. During the colonial period, the city's population increased fourfold due to immigration, and Pennsylvania was described as having the most transient population among the thirteen colonies.[114]

The two cities had different social structures, which created different measures of distinction and different understandings of rank, reputation and class, all of which were integral to judging credibility. In Edinburgh, complex layers of social differentiation divided the population. Subtle gradients of rank were based on inherited generational capital, residence, wealth, gender, status, reputation and language. Continuity of status across generations and limited opportunities for social mobility were the norm for most individuals. Boundaries of status were crystalised by institutional administration and made visible in a variety of ways, from a person's occupational status as derived from admittance to the community of burgesses, to where he or she sat in church, to social behaviour and communication.[115] In contrast, Philadelphia's social hierarchies were far less complex and less fixed. The colonial American cities lacked a fully articulated social hierarchy, and without ranks of birth, prestige corresponded roughly with economic rank.[116] Lingering social assumptions inherited from the old world were modified by the contingencies of colonial conditions, making status more fluid, though structures of patronage continued to

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[112] Dingwall, *Late Seventeenth-Century Edinburgh*, 21; T. C. Smout, *A History of the Scottish People, 1560-1830* (London, 1969), 243.
[113] 'Diary of James Allen, Esq of Philadelphia', quoted in Gary Nash, 'Poverty and Poor Relief in Pre-Revolutionary Philadelphia', *WMQ*, 33 (1976), 2.
[114] Fertility did not become the main cause of population growth until after 1790. Carole Shammas, 'The Space Problem in Early United States Cities', ibid.57 (2000), 508; Smith, 'Death and Life', 884.
[115] Houston, *Social Change* 31, 64, 68, 82, 146.
[116] Cannadine, *Class in Britain*, 36.

provide the means for most social mobility.[117] By considering cities with different social and class structures, the role of credit in entrenching dynamics of social power or creating fluid status becomes clearer.

The different social structures in Edinburgh and Philadelphia were in part a result of their different economies, which attracted people of different occupations. Though it was no longer a national capital, Edinburgh remained a legal, administrative and financial centre, and was home to large numbers of professionals as well as members of the gentry and aristocracy who were attracted to the city's cultural resources.[118] A service industry grew up around these prosperous middle ranks, catering to their needs. In the early eighteenth century, domestic servants accounted for the largest occupational category in the city.[119] Manufacturers and craftsmen also made up a significant proportion of the population.[120] Having recovered from a period of dearth in the 1690s, Edinburgh experienced steady economic growth through the eighteenth century, though periods of economic crisis were felt during the 1740s and in 1762, following a depreciation of Scots money due to excessive note issue.[121] Through the Port of Leith, the city engaged in international trade and exerted regional economic influence over Scotland.[122] However, with the re-orientation of commerce towards the Atlantic and the rise of Glasgow, it came to occupy a much less strategic position for trade.[123]

Philadelphia's economy, by contrast, rested squarely on commerce and international trade. Symbiotically linked to its hinterland, the city's growth was related to the development of cattle and grain farming in western Pennsylvania, which was exported, along with meat and lumber, through the port of

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[117] Simon Middleton and Billy G. Smith, *Class Matters: Early North America and the Atlantic World* (Philadelphia, 2008), 13; Billy G. Smith, 'The Material Lives of Laboring Philadelphians, 1750 to 1800', *WMQ*, 38 (1981), 181; Wood, *The Radicalism of the American Revolution*.

[118] Nenadic, 'Middle-Rank Consumers ', 126.

[119] Dingwall, *Late Seventeenth-Century Edinburgh*, 134.

[120] Nenadic, 'Rise', 111; Smout, *History of the Scottish People*, 357.

[121] R. A. Houston, 'The Economy of Edinburgh, 1694-1763: The Evidence of the Common Good', in S. J. Connolly, R. A. Houston, and R. J. Morris, eds., *Conflict, Identity and Economic Development: Ireland and Scotland, 1600-1939* (Preston, 1995), 60-63; Bruce Lenman, *An Economic History of Modern Scotland, 1660-1976* (London, 1977), 93.

[122] A. J. S. Gibson and T. C. Smout, 'Regional Prices and Market Regions - the Evolution of the Early-Modern Scottish Grain Market', *EcHR*, 48 (1995), 273-274.

[123] T. M. Devine, *The Tobacco Lords: A Study of the Tobacco Merchants of Glasgow and Their Trading Activities, 1740-90* (Edinburgh, 1990); T. M. Devine, 'Scotland', in Peter Clark, ed., *The Cambridge Urban History of Britain, Volume II: 1540-1840* (Cambridge, 2000), 162.

Philadelphia.[124] Ship-building and housing construction formed major industries in the city, with the construction industry alone employing nearly one in ten taxpayers by mid-century.[125] Maritime trade moved in cycles and seasons and the city's local economy was vulnerable to fickle and volatile foreign markets, disruptions and opportunities imposed by war, and control of the ocean routes between North America and the West Indian Islands where most of the city's goods were exported. The city's trade swung back and forth between periods of recession and bursts of activity. Downturns in international trade during the 1750s, opportunities created by the French and Indian War years, and economic crisis in the decade preceding the American Revolution were all acutely felt in the city.[126]

Important differences also existed in the ethnic, religious and racial composition of the cities' respective populations. Edinburgh was a relatively homogenous place, where most residents were locally born and attended the established Church of Scotland. In contrast, the population created by Penn's religiously tolerant 'holy experiment' included Scots-Irish, Germans, Dutch and English immigrants. Religious and ethnic pluralism affected political, social, and economic life. Networks of trade and association often revolved around these sub-communities, which provided tradesmen with information and trading partners.[127] Religious and ethnic communities also provided systems of administration and methods of resolving disputes. Quaker communities exerted control over their members' economic lives, enforcing obligations of charity and arbitrating disputes based on property rights, the payment of wages, the interpretation of contracts, and the settlement of estates. Quaker meetings were even used as agencies for collecting debts.[128]

The impact of religious and ethnic pluralism was compounded by the two cities' profoundly different institutional contexts. Edinburgh was an ancient burgh with a well-developed legal system and a tradition of litigiousness. A tangled web of

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[124] Gary B. Nash, *Race, Class, and Politics: Essays on American Colonial and Revolutionary Society* (Urbana, Ill, 1986), 11.
[125] Billy G. Smith, *The "Lower Sort": Philadelphia's Laboring People, 1750-1800* (Ithaca, N.Y.; London, 1990), 81.
[126] Nash, *Urban Crucible*, 73; Smith, 'Death and Life', 883.
[127] Haggerty, *British Atlantic*, 135-139; Michael Zuckerman, ed., *Friends and Neighbors: Group Life in America's First Plural Society* (Philadelphia, 1982), 23.
[128] Frederick Barnes Tolles, *Meeting House and Counting House: The Quaker Merchants of Colonial Philadelphia, 1682-1763* (New York, 1963), 73-77.

six courts heard cases of debt. In contrast to England, where a long process of decline in litigation had culminated by about 1750,[129] rates of civil litigation in Scotland remained much steadier, and it continued to play a prominent role in the daily lives of Scottish urban dwellers.[130] In contrast to Edinburgh's complex legal system, Philadelphia had a single court of common pleas, based on the English system of common law, which heard civil cases including debt. Numbers of debt cases brought before the court remained low during the colonial period, likely reflecting the population's preference for other types of dispute resolution.[131] Philadelphia's less well-developed legal system was a symptom of colonial society, but the population's hesitancy to use this system was specific to the city's own social and religious composition. Studies drawing on court papers from New York, Charleston and Providence suggest much higher litigation levels. In Connecticut, debt litigation increased at rates exceeding population growth from the 1720s, clogging county courtrooms.[132]

Courts were not the only institutions involved in regulating interpersonal credit. In Edinburgh an ancient system of incorporations (guilds) regulated trade by licensing traders, setting prices, arbitrating in trade disputes, and providing social opportunities for gaining credibility. Unlike London and other British cities, where the power and influence of guilds declined, they maintained more authority in the regulation of trade and a greater role in civic life in eighteenth-century Edinburgh.[133] Philadelphia lacked professional organisations during the colonial period, but a number of informal institutions, fashioned by their participants, regulated social and economic transactions between their members and were instrumental in shaping the

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[129] For litigation decline in England see W.A. Champion, 'Recourse to the Law and the Meaning of the Great Litigation Decline, 1650-1750: Some Clues from the Shrewsbury Local Courts', in C. W. Brooks and Michael Lobban, eds., *Communities and Courts in Britain, 1150-1900* (London, 1997), 179; Muldrew, *Economy*, 237.

[130] Historical Society of Pennsylvania (hereafter HSP), Court of Common Pleas Dockets, 1706-1766. Am. 370; R. A. Houston, *Madness and Society in Eighteenth-Century Scotland* (Oxford, 2000), 119; Leah Leneman, 'Defamation in Scotland, 1750-1800', *C&C*, 15 (2000), 212.

[131] H. Clay Reed and George Julius Miller, *The Burlington Court Book: A Record of Quaker Jurisprudence in West New Jersey, 1680-1709* (Baltimore, MD, 1998), 11-12; Tolles, *Meeting House*, 76.

[132] Allen, 'Commerce', 101; Cornelia Hughes Dayton, *Women before the Bar: Gender, Law, and Society in Connecticut, 1639-1789* (Chapel Hill, NC, 1995), 45, 53; Hartigan-O'Connor, *Ties*, 71-73.

[133] S. R. Epstein, 'Craft Guilds in the Pre-Modern Economy: A Discussion', *EcHR*, 61 (2008), 155-174; Houston, *Social Change* 33-35; Rebecca King, 'The Sociability of the Trade Guilds of Newcastle and Durham, 1660-1750: The Urban Renaissance Revisited', in Helen Berry and Jeremy Gregory, eds., *Creating and Consuming Culture in North-East England, 1660-1830* (Aldershot, 2004), 63.

culture of credit. Clubs, societies, and corporate and civic institutions contributed to the fabric of cultural and social life, and served as sources of capital.[134]

Developing financial institutions provided another, if limited, source of credit. In Philadelphia, the General Loan Office, which opened in 1723, acted as a land bank for just over 20 years. During this period it offered over 3,111 loans of between £12 5s and £100, serving as an important source of cash and capital formation.[135] Meanwhile, during the eighteenth century, Edinburgh was becoming a major financial centre in Britain. By mid-century, a number of private banks operated alongside the three public banks: the Bank of Scotland, Royal Bank of Scotland, and British Linen Company.[136] The influence of these institutions upon the credit practices of small tradesmen remains unclear. The emergence of cash accounts is seen to have provided an important source of short-term credit, especially for shopkeepers and traders in Edinburgh and Leith. According to Richard Saville, between 1729 and 1763, 38 per cent of the cash account holders at the Bank of Scotland were merchants, 3 per cent were manufacturers, and 4 per cent were traders.[137] These figures suggest that bank clearly served as an important source of credit for some, but with a total of only 200 accounts and an average balance of £270 per account,[138] it seems unlikely that using a cash account was a typical experience for most petty tradesmen. Money lending in both cities seemed to take place more between individuals, small businesses or families.

Edinburgh and Philadelphia's different legal, institutional and social contexts produced very different sets of historical sources. These extant sources complement each other, providing a range of perspectives useful to the study of credit and social relations, and highlighting different aspects of the business practices of artisans and tradesmen. From Edinburgh, this study relies on an extensive body of legal material, including small debt cases from the bailie court, litigation over scandal or ruined

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[134] Jessica Roney, '"First Movers in Every Useful Undertaking": Formal Voluntary Associations in Philadelphia, 1725-1775' (PhD Thesis, Johns Hopkins University, 2008).

[135] Mary Schweitzer, *Custom and Contract: Household, Government and Economy in Colonial Pennsylvania* (New York, 1987), 116-129, 142-164.

[136] Lenman, *Economic History*, 92-93; Charles Munn, 'The Emergence of Edinburgh as a Financial Centre', in T. M. Devine and A. J. G. Cummings, eds., *Industry, Business and Society in Scotland since 1700: Essays Presented to Professor John Butt* (Edinburgh, 1994), 128-131.

[137] Munn, 'Emergence', 131; Richard Saville, *Bank of Scotland: A History, 1695-1995* (Edinburgh, 1996), 252, 263-265.

[138] Saville, *Bank of Scotland*, 264.

credit from the consistory court, and the records of the debtor's prison and refuge, where insolvent debtors were confined. Tradesmen and craftsmen formed the majority of litigants in both courts, as well the majority of inmates in the prison and refuge. No extant civil court processes survive from colonial Philadelphia, preventing a direct comparison of legal material. However, the strengths of Philadelphia's sources lie where Edinburgh's fall short. From Philadelphia, the thesis draws primarily on a rich body of business material and associational records, for which there are few surviving equivalents in Edinburgh. A collection of account books is used to explore the credit networks of four artisans and one shopkeeper, and these are complemented by tax records and probate material. The study also draws on the records of the St Andrews Society, a voluntary association that catered to middling status tradesmen, and the personal papers of two members.

III. Chapter Structure

The text of this thesis is divided into two sections. The first addresses economic structures of credit and their change over time. By comparing the practices that emerge from complementary sets of sources in Edinburgh and Philadelphia, the first three chapters consider whether credit practices were contingent on the contexts in which they were transacted, or whether common practices and structures emerge from the two different social, legal and administrative systems. An understanding of the structures of interaction that credit engendered provides a basis for addressing the functions of reputation, gender and association, which are attended to in the second half of the thesis. The following three chapters address the social meanings of credit, linking these with changes in urban life and considering the decline of the interpersonal across the period of study. Throughout the thesis, different processes in the lifecycle of credit are considered, including its establishment, its maintenance and its breakdown. Each chapter draws on a different set of sources that highlights in a unique way the issues of change over time, the depersonalisation of credit, and the common practices of tradesmen and artisans in the British urban world.

Chapter two examines networks of credit in Edinburgh, drawing on cases of small debt brought before the town's bailie court. This legal source is representative

of Edinburgh's unique institutional context. The bailie court was one of several local, civil courts that formed a complicated web of legal jurisdictions in the city. In sketching out this system, the chapter begins by focusing on the institutional options for credit mediation and enforcement that were available to the city's inhabitants, how effective these were, and how Edinburgh's civil court system was distinctive within a British context. An examination of this system and the patterns of litigation that emerged from it can begin to address the larger question of the impact that institutional and legal structures had on individual credit practices.

Evidence of disputed credit transactions from the court are then used to describe structures or networks of credit in Edinburgh. These structures relate directly to issues of social relations and depersonalisation because they depict the types of interaction that credit fostered, for example by binding households together through relations of interpersonal obligation. Quantitative data emerging from the records is used to analyse the ranks and occupations of people who tradesmen lent to, the nature of their credit transactions, and the extent and duration of indebtedness. Using this complete and extensive record, the chapter considers changes in the structure of credit networks over time, and whether these reflect a change in the nature of interpersonal obligation.

The patterns of credit practice identified in Edinburgh can be directly compared with English case studies from earlier and later periods, and by doing so, the chapter addresses changes over time in terms of the shift from interpersonal trust to personal character described by Finn. Case papers describe the information that litigants and witnesses had about each other, which served as the basis for trust. This evidence can be used to reflect upon whether the risk they assumed in lending was based on direct personal knowledge and familiarity (particularised trust), or rather upon outward signs of character. An analysis of the information that creditors relied upon also highlights the distinct qualities of credit evaluation in Edinburgh. Notions of social and economic worth, not easily disentangled in early modern England, were considered independently. Some creditors relied upon evaluations of moveable wealth when extending credit, paying seemingly little attention to issues of honesty or personal reputation. Based on their evaluations, they took steps to physically

secure this wealth. Their actions can be directly linked to Edinburgh's legal structure and the options for mediation and enforcement that it offered.

Chapter three considers the structure of credit networks and the foundations of trust amongst tradesmen in Philadelphia. The surviving account books of Philadelphia tradesmen and craftsmen offer insight into the business practices of this rank of individuals and act as a complement to bailie court papers. While evidence from the bailie court describes single transactions between hundreds of different people, shedding light upon patterns of practice across a wider population, account books describe the complete and extensive networks of a few individuals. While court records describe credit relations that broke down, account books describe both successful and failed relationships. Account books provide different perspectives on the structures of credit described by court records, highlighting different forms of secondary credit, the informal means of dispute resolution hidden by court records, and the limitations of structures of credit, which were in many ways as important as its functions.

Like the Edinburgh court records, account books are used to shed light on the connections between credit and social relations by examining structures of credit interaction and by considering the social bonds that overlapped with credit exchange. The longevity and extent of credit exchange, the types of people tradesmen engaged with, the goods they traded and the payments they used are all considered, as well as the structure of each individual's network, including its extent and density. Through record linkage, this source is used to examine the nature of the relationships between tradesmen and the individuals in their networks. The chapter reveals that a variety of social networks overlapped with and supported credit. Ties of kinship, ethnicity and religion are identified as providing the basis for credit, suggesting that tradesmen addressed risk and trusted their customers by embedding their business practices in networks of familiarity. By drawing direct comparisons between structures of credit and the foundations of trust in Philadelphia with the data analysed for Edinburgh, the chapter addresses the influence that these different urban contexts had upon middling credit practices.

Chapter four examines instruments of credit as a way of assessing the depersonalisation of credit exchange. Technologies of money, especially the

development of paper money in the eighteenth century, presented contemporaries with new ways of trading in credit. They facilitated the changing structures depicted in the first two chapters, and they provided solutions to some of the limitations of credit. The use of these instruments provides a link between the experiences of individuals in the two cities. The scarcity of specie, especially a problem of small change, was more acute in Scotland and the American colonies than in England by the eighteenth century, and the Scottish banks and American colonial governments were at the forefront of the development of paper money. Furthermore, the use of specie and paper notes in both places, which included several international currencies, was part of an Atlantic experience. Even for those tradesmen who traded only locally, the use of these types of money represented their engagement in a wider network of trade.

By examining the individual use of a variety of credit instruments, as depicted in account books and court records, the chapter addresses the impact that these instruments had upon relationships of trust between individuals trading in the market. It addresses the question of whether these forms of money, and the improving accounting skills of the people who used them, helped people trust each other by preventing mistakes and avoiding the need for litigation, or whether, as economic theorists and legal historians have suggested, these instruments contributed to the depersonalisation of credit exchange, institutionalising the relationship of trust. The chapter shows that amongst tradesmen and craftsmen in Edinburgh and Philadelphia, these new instruments contributed to the changing structures of credit identified in the first two chapters, however, they did not result in the depersonalisation of credit exchange. In a midway point between particularised and institutionalised trust, tradesmen used these impersonal instruments in personalised ways. New forms of money were linked to social identity. Gender, rank, occupation and skill conditioned the use of certain forms of money, blurring the distinctions between money and its users.

Chapter five draws on cases of slander and defamation from Edinburgh, using the language of public insult to reflect upon the social constructions of credit. It illustrates in particular how credit was constructed amongst middling male tradesmen, providing insight into the credit of this population in a way that is unique

not only between the two cities, but also in comparison to England. Using this source, the chapter reflects upon the range of personal and financial attributes that identified a person as being of good credit, including honesty, good sexual behaviour, family life, occupational status and solvency. The source allows for reflection upon points of gender divergence and gender overlap, as well as the interdependence of male and female reputation. Arguing against narratives of depersonalisation, the chapter suggests that for middling men, credibility was constructed in profoundly personal and gendered terms through the period of study. Achieving credit in the marketplace meant adhering to notions of honour and reputation.

Litigation over slander and defamation has also been examined because it can be used to reflect upon changes in the meanings of personal reputation and how it was communicated. This highlights the role that changes in the urban environment had upon the negotiation of reputation. Amongst middling men, the components of reputation remained consistent, but the forms and settings in which it was negotiated changed. Publicly staged insult was replaced by gossip as a form of communicating credit. The people amongst whom an individual's credit mattered underwent significant change. As the urban community became larger, individual reputation was not widely known and enforced, but rather discussed amongst a smaller group of people with whom one did business.

Chapter six draws upon records related to the physical confinement of debtors in Edinburgh's prison and refuge. These sources highlight the impact that financial failure had upon constructions of male credibility. The perspective of failure is crucial to understanding the middling experience of credit because downward social mobility, business failure and insolvency were increasingly common amongst middling families during the period of study. However, increasing levels of failure sit at odds with the roles that solvency and independence played in constructions of male credibility (discussed in chapter five). The chapter seeks to make sense of these juxtapositions by drawing connections between attitudes towards failure and the physical treatment of insolvents in both institutions. Perceptions of behaviour during an individual's business life seemed to take

precedent over actual financial shortcomings, determining who was punished in prison and who was eligible for forgiveness and refuge.

The refuge and the prison have also been examined because the ways in which creditors used these institutions reveal the importance of issues of social power in negotiating credit, complicating narratives of the decline of the interpersonal. If the personal relations between creditors and debtors no longer mattered by the eighteenth century, then imprisonment should have served as an instrumental means of extracting payment from a debtor. However, the use of the prison by creditors suggests that the infliction of shame through symbolic social and physical punishment, which served to ruin reputation, remained the primary motive for imprisonment.

Chapter seven draws on a source from a voluntary society, a different and important forum for middling business relations. Clubs and societies were common spaces for social interaction for all ranks in both cities, but only the records of associations catering to the elite have survived in Edinburgh. The extant records of the St Andrews Society of Philadelphia highlight the practices of middling Scottish immigrants. Complemented by the papers of two of its members, these sources allow for a close look at the internal dynamics of such an organisation and the functions that it served in its members' business practices. Though associations were common in both cities, this source highlights a particular aspect of the new world city, namely the cooperation of economic agents in the absence of regulatory institutions. The chapter considers how voluntary associations could fill this institutional gap by regulating behaviour, enforcing obligations and providing members with information.

As a business network and a source of charity for Scottish immigrants, many of whom came from Edinburgh, the society also provides a direct connection between the two cities. The experiences of society members highlight how credit practices developed in the old world had to be adjusted in a new world city. The transition from Edinburgh to Philadelphia meant making due without the depth of inter-generational family networks and institutional regulation to which businessmen in Scotland were accustomed. Finally, this source is illustrative of social capital, a particular aspect of trust and credibility. The Society provided its members with

social capital by establishing a collective reputation and by linking credibility with a muted form of Scottish ethnic identity. In its diverse functions, the Society serves as an example of the varied and possible roles that institutions could play in a city's culture of credit.

In these six chapters, this thesis suggests that many of the conclusions drawn from English case studies transcended national boundaries and can be applied to a wider geographic context. While attending to differences in legal, social and administrative structures in both cities, and drawing on sources that emerged from these different contexts, it shows the ways in which some aspects of credit were contingent on the circumstances in which they were enacted, and more strikingly, how a continuous clutch of themes were common to credit practices amongst artisans and tradesmen in both communities. The constructions of credit within male business, the dangers of losing reputation and the importance of one's community relations were a common feature of credit relations in pre-modern urban spaces. By drawing on a range of sources that emerge from two administrative systems, a more complete understanding of middling male business practices is constructed. The thesis addresses the pace and nature of change in these practices during the eighteenth century, drawing comparisons with case studies of an earlier period in order to show links with the past. By illustrating how this change unfolded in two spaces, it argues against narratives of depersonalisation and against a shift from trust to character. Interpersonal trust played a continuing and central role in the credit of artisans and tradesmen throughout the period of study.

Chapter 2: Credit Networks and Trust in Edinburgh

In eighteenth-century Edinburgh, most consumer purchasing was facilitated by credit. Shortages of specie, a problem throughout Britain, were especially acute north of the border and prevented exchange based on money. Small tradesmen, craftsmen and retailers were particularly affected by the shortage. As one article in *Scots Magazine* commented in 1750, 'if you survey a common shopkeeper's house, you will rarely meet with more than ten or twelve pounds in the till, tho, at the same time, the stock in his shop alone is worth three or four hundred pounds... in the whole circle of people of all degrees, the sum, lying by them, in ready cash does not appear to be one twentieth part of their whole stock'.[1] This shortage of specie posed a problem because, during the period, Edinburgh's economy was steadily growing and developing. Trade through the Port of Leith was expanding.[2] Growing consumer demand, especially among the middling sort, contextualised the use of credit.[3] Previous studies of Edinburgh's urban trade have shown that men and women of all social ranks relied on a number of credit practices, including pawning, pledging, borrowing and promising to participate in new and second hand markets.[4] In terms of its importance and ubiquity, the use of credit in Edinburgh was very similar to practices uncovered south of the border.

Credit had multiple definitions, which explicitly linked tradesmen's reputations with their capacity to acquire credit in a financial sense. According to Natasha Glaisyer, credit had three interconnected meanings: payments to be made later, one's capacity to pay later, and one's reputation.[5] The social and financial meanings of credit were not easily unpicked. Muldrew has shown that by the seventeenth century, credit was based upon a language of reputation, and that as a form of wealth, credit also became a means of social judgement.[6] Finn revealed that

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[1] *Scots Magazine*, v. 12, Feb 1750, p. 91.
[2] R. A. Houston, *Social Change in the Age of Enlightenment: Edinburgh, 1660-1760* (Oxford, 1994), 54.
[3] Stana Nenadic, 'Middle-Rank Consumers and Domestic Culture in Edinburgh and Glasgow 1720-1840', *P&P*, (1994), 140, 146.
[4] Elizabeth C. Sanderson, 'Nearly New: The Second-Hand Clothing Trade in Eighteenth Century Edinburgh', *Costume*, 31 (1997), 38-48.
[5] Natasha Glaisyer, *The Culture of Commerce in England, 1660-1720* (Woodbridge, 2006), 38.
[6] Craig Muldrew, *The Economy of Obligation: The Culture of Credit and Social Relations in Early Modern England* (Basingstoke, 1998), 153, 157.

credit was embedded in social structures well into the modern period.[7] Though the social and the economic were tightly bound, this chapter attends to credit in the financial sense, that is, as a device that facilitated the exchange of goods and services within the urban marketplace, rather than as a means of representation or social judgement. It seeks to reconstruct the materiality of credit exchange. Structures of financial credit had implications for social relations. The market was the space where many social interactions took place, and structures of credit reveal the nature of these interactions, showing who was indebted to who, for how long and to what extent, and the power relationships between creditors and debtors.

This chapter addresses the credit of tradesmen and craftsmen by drawing on small debt litigation from the city's bailie court.[8] Of the many thousands of credit transactions that were made every year in Edinburgh, hundreds of those appeared before the court. Cases of debt do not present unbiased evidence. They represent moments of crisis in credit relationships, and the vast majority of credit transactions, even disputed credit transactions, did not end up in court. However, litigation reflects the normative credit behaviours that were breached, and cases before the bailie court provide evidence of the structure and nature of the many credit transactions that were made on a daily basis. Case papers provide a glimpse of the negotiation of personal credit among traders and their customers.

An analysis of bailie court litigation addresses the theme of whether credit relations were contingent on the local contexts in which they were enacted, particularly legal contexts, and whether credit practices in Edinburgh were thus unique. To this end, the chapter begins with an analysis of Edinburgh's legal system before turning to the structures of credit networks and drawing direct comparisons with England. An understanding of the legal jurisdictions of debt in Edinburgh and the changes that they underwent during the eighteenth century facilitates an appropriate interpretation of the evidence that emerges from the record, but the legal system is also of interest in its own right as an institution that engendered particular credit relations. English case studies suggest that cultures of credit were closely bound to their legal contexts. Two models of credit interaction, as fostered by the

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[7] Margot C. Finn, *The Character of Credit: Personal Debt in English Culture, 1740-1914* (Cambridge, 2003), 10.
[8] Edinburgh City Archives (hereafter ECA), Edinburgh Bailie Court Processes, 1730-1770.

legal system, have been described. During the early modern period, civil litigation, which took place at very high rates, was a normal part of credit relations. Courts supplied the authority needed to maintain interpersonal trust and community relations.[9] During the eighteenth century, the emerging system of Courts of Conscience created a new dynamic, wherein the court system served to entrench the disparities of power constructed by credit relations.[10] Edinburgh's eighteenth-century civil court system fit neither of the models described for England. The role that this system played in structures of credit, trust and community relations requires further consideration.

Debt litigation before the bailie court left a lengthy paper trail, and the evidence that emerges from the record is used to consider whether the social nature of credit changed over time to become less personal. Using creditor depositions from case papers, the chapter tests Finn's proposed shift from interpersonal trust to personal character. Depositions often described in some detail the information that creditors relied on when judging debtor credibility, shedding light on the character of credit networks and the bonds that held them together in terms of trust. The chapter addresses whether trust was based upon economically rational information such as individual wealth, or rather upon social relations and issues of reciprocity. It also considers whether this information was based on direct personal knowledge and familiarity (particularised trust), or rather upon outward signs of character.

By addressing themes of geographic continuity and change over time, and drawing comparisons with England, the chapter complicates some of the conclusions that have emerged from the English historiography. It suggests that the social relations of credit proposed by Muldrew can be applied to a wider British context, and that they did not undergo significant change during the period of study. Relations of credit were structured somewhat differently than in early modern England, but they did not produce a shift from trust to character.

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[9] Craig Muldrew, 'The Culture of Reconciliation: Community and the Settlement of Economic Disputes in Early Modern England', *Historical Journal*, 39 (1996), 941; Craig Muldrew, 'From "Light Cloak" to "Iron Cage": Historical Changes in the Relations between Community and Individualism ', in Alexandra Shepard and Phil Withington, eds., *Communities in Early Modern England: Networks, Place, Rhetoric* (Manchester, 2000), 165; James A. Sharpe, '"Such Disagreement Betwyx Neighbours": Litigation and Human Relations Early Modern England', in John Bossy, ed., *Disputes and Settlements: Law and Human Relations in the West* (Cambridge, 1983), 167-188.
[10] Finn, *Character*, 9-10.

In order to make sense of the massive volume of surviving case papers, a system of sampling has been employed. All extant cases from three years spanning the middle of the century 1730, 1750 and 1770, yielding a total of 1003 cases, have been analysed. This method of sampling provides a holistic picture of credit transactions before the court during defined periods, while also allowing for changes in patterns of indebtedness and credit structures to be traced over time and across several generations. Court business in these years was fairly typical, and numbers of cases appearing before the court fit within a larger pattern of litigation decline (Figure 2.1). The years 1730, 1750 and 1770 were thus chosen not only because they were evenly spaced, but also because they were years of relative stability, unaffected by moments of economic crisis. Bailie court litigation reflected economic cycles and the state of the local economy at particular moments in time, and particular circumstances underpin the samples. For example, a downturn in the economy in 1740 was reflected by spike in litigation during that year.[11] In 1750, brewers appeared in large numbers as creditors, accounting for nearly 15 per cent of all creditors whereas they accounted for 11 per cent in previous samples. Their supply of raw material was conditioned by harvests and grain supply. Perhaps as a response to the highly variable and fluctuating prices that were characteristic of the grain market, they came to the bailie court in greater numbers that year to call in their debts.[12]

Given the nature of the bailie court evidence, which is both large in volume and rich in anecdotal evidence, a combination of quantitative and qualitative methodologies has been applied to the material. A database was constructed in which the information appearing consistently in each case was recorded, including litigant occupation and gender, any secondary parties involved in the debt, the extent and nature of the debt, how long it had been outstanding, whether any payments or credits were applied to the account, the instrument used to facilitate the payment, and where applicable, how many hands the debt had passed through. This database facilitated analysis of patterns of litigation, the levels and extent of indebtedness, and networks of interaction through credit over time. The database also enabled name

[11] A. J. S. Gibson and T. C. Smout, *Prices, Food and Wages in Scotland, 1550-1780* (Cambridge, 1995), 172; Houston, *Social Change,* 3.

[12] Gibson and Smout, *Prices*, 171.

matching in order to trace the appearance of individuals in several cases. This information was used to reconstruct networks of credit and examine how individuals used the legal institutions considered. Anecdotal evidence was then considered to shed light upon issues of trust and social relations.

Figure 2.1. Total numbers of debt cases appearing before the Edinburgh bailie court, 1720-1770.
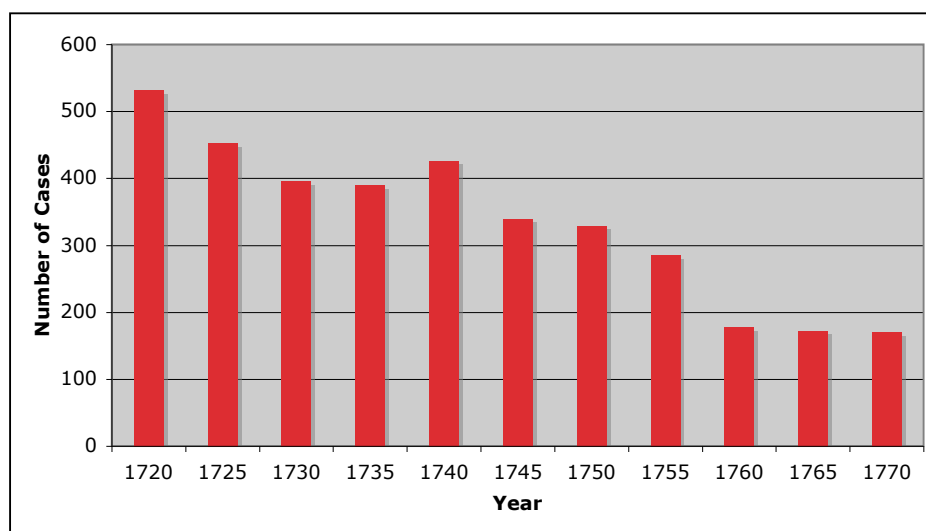
Source: ECA, Bailie Court Diet Books, 1720-1770, vols. 37, 49, 52, 55, 56, 57.

I. Legal jurisdictions

Scotland's system of debt litigation underwent only minor changes during the period of study. While England's Courts of Conscience were established in the mid-eighteenth century, Scotland's Small Debt Act, which established a small claims court to be presided over by the justices of the peace, was not passed until 1795.[13] Edinburgh had long served as a Royal Burgh and an administrative centre, and by the eighteenth century its civil court system consisted of a web of overlapping and entangled jurisdictions developed over a period of centuries. Historians have never comprehensively sketched this system, which formed the landscape for reconciling disputed credit transactions. Creditors wishing to enforce their debts faced a labyrinthine court system that was both inefficient and intimidating, and limited

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[13] Gilbert Hutcheson, *Treatise on the Offices of Justice of Peace* (Edinburgh, 1806), 132.

litigation to those with skills and resources. The ability to negotiate the complicated web of courts, to understand the type of justice dispensed by each, and familiarity with the lengthy and proscriptive processes were requirements for creditors using the legal system. While market activity was increasing, the means of enforcing contracts changed very little, but it became more expensive and inefficient to use. Writing after the new small claims court was established, one legal commentator expressed relief at the new system, now free 'from the trammels and forms and review which make litigation so tedious and expensive in courts of law'.[14] In the first years of its establishment, the new court heard an average of 3,000 cases per year, suggesting that there was a need for cheap and simple legal proceedings.[15]

Creditors in Edinburgh could pursue debts before six different courts, which sat at different levels of government, from local burgh courts to central courts, and all had overlapping jurisdictions. None of the six courts developed a procedure to make their jurisdiction over small debts effective.[16] For the pettiest, local debts, the bailies or city magistrates held a 'ten merk court' twice weekly in the council chamber, which heard actions dealing with a maximum of ten merks Scots (10s. 9d. stg), except actions for servants' wages. No records from this court survive. In order to keep the operating costs of the court low, no pleadings, evidence or minutes were recorded, meaning that the court avoided the cost of employing clerks. The court had the right of summary jurisdiction, meaning that it was able to dispatch justice 'as shall appear to them agreeable to equity and good conscience' and without the use of a jury.[17] Hearings were oral and no legal practitioner was allowed to appear to plead. Though historians know very little about the nature of cases that came before the court, it appears to have been 'popular and heavily used'.[18] It probably siphoned off the very smallest debts and those debts brought by women, leaving those for slightly higher sums and those brought by men to the other courts.

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[14] Ibid., 138.
[15] Ann E. Whetstone, *Scottish County Government: In the Eighteenth and Nineteenth Centuries* (Edinburgh, 1981), 51.
[16] Ibid., 134.
[17] David M. Walker, *A Legal History of Scotland* (Edinburgh, 1998), 599. When parliament passed a bill in 1795 allowing the Justices of the Peace to 'summarily' try small debt cases, the magistrates of Edinburgh felt that this infringed upon their jurisdiction. Edinburgh Town Council Minutes, 13 May 1795. ECA, SL1/1/123.
[18] Ibid., 599.

Two courts dealt with slightly more substantial debts. Though it was not technically part of their jurisdiction, the justices of the peace were 'in the practice' of determining small civil claims for money not exceeding £40 Scots (£3 1s. 6d. sterling).[19] The 'ordinary court' or 'bailie court', presided over by city magistrates, had the right to hear actions for debt contracted within the liberties of the burgh and the port of Leith.[20] Though they were competent to any amount against any party inhabitant in Edinburgh, most debts were for less than £40 Scots. Like the ten merk court, procedure before the justices was summary. Civil questions were determined immediately upon hearing the parties personally at the bar, which prevented cases from extending over long periods of time.[21] The court met twice per week in the Old Tollbooth, and after 1760 in the newly built City Chambers, and it was presided over by only one of the bailies at any given time.[22] In the bailie court, litigants faced legal processes that were considerably more complex than the ten merk court. The bailies dispensed summary justice, but litigants normally hired counsel to plead for them, helping them to negotiate court-room proceedings that were formal and prescripted.[23] Four clerks and three extractors took minutes of the proceedings and produced a considerable amount of paperwork including summonses, extracts and decreets, which were used to enforce the orders of the magistrates.[24]

The sheriff had jurisdiction similar to the bailies, but with a wider geographical scope. Creditors with debtors outside of Edinburgh usually brought their cases to the court because it held jurisdiction throughout the county of Midlothian.[25] Like the bailies, the sheriffs had unlimited jurisdiction in civil cases.[26] The court was held every week on Wednesday and Friday at 11am, during the sitting of the court of session.[27] The commissary court, a superior court with jurisdiction

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[19] John Monro, *Decisions of the Court of Session, from November 1765 to December 1769* (Edinburgh, 1777), 151.

[20] Robert Forsyth, *The Beauties of Scotland: Containing a Clear and Full Account of the Agriculture, Commerce, Mines, and Manufactures* (Edinburgh, 1805), 113.

[21] Robert L. L. D. Boyd, *Judicial Proceedings before the High Court of Admirality, and Supreme Consistorial or Commissary Court of Scotland* (Edinburgh, 1779), 380.

[22] A. J. Youngson, *The Making of Classical Edinburgh, 1750-1840* (Edinburgh, 1988), 55-58.

[23] Russell A. Fox, *Notes on the History of the Bailies of the City of Edinburgh* (Edinburgh, 1973), 4.

[24] Boyd, *Judicial Proceedings*, 317, 319.

[25] Walker, *Legal History*, 204.

[26] Andrew Macdowall Bankton, *An Institute of the Laws of Scotland in Civil Rights: With Observations Upon the Agreement or Diversity between Them and the Laws of England* (Edinburgh, 1751), 14, 10; Walker, *Legal History*, 204.

[27] Boyd, *Judicial Proceedings*, 195.

over all of Scotland, could hear cases of up to £40 Scots unless the debtor consented to being sued for more.[28] They were also one of the primary courts to go to for creditors wishing to register bills, the first step in the process of recovering a debt.[29] Finally, the court of session, the supreme civil court in Scotland, had jurisdiction in all civil actions. Though it was competent to hear cases of any amount, the court generally heard cases of insolvency and bankruptcy, and cases where the debtor had been imprisoned. From 1746, it was limited to cases of over £12 sterling.[30]

Because civil jurisdictions overlapped, a creditor could choose to pursue a debt before one of several courts. The choice of court could reflect a number of considerations. As Brewer and Styles suggested, different courts enforced different versions of what was legal and just.[31] Middling creditors most likely chose to pursue their debts at the bailie court because of the type of justice that it dispensed. Over the eighteenth century, the Scottish court system underwent a process of professionalization.[32] The other courts dealing with debt came to be populated by legal professionals, who made decisions based on legal precedent. In contrast, the bailies, as merchants, were more concerned with making judgements that would preserve the smooth functioning of commerce. When deciding on cases, they took into account not only financial records as evidence, but also issues of fairness of trade, the character of parties, and the past relationships between litigants. Thus when Agnes Lethem went to court to collect debts owed to her deceased husband, the court recommended lenience with one debtor in light of the husband's 'compassionate sympathie with the defenders circumstances, being as the defender sayes his acquentence'.[33] Consulting members of a pursuer's trade in order to assess a 'reasonable price' and the quality of craftsmanship before pronouncing judgement was common practice for the bailies.[34] In 1770 the court ruled against the surgeon Robert Barclay after another representative of his trade testified that 'articles in the

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[28] Walker, *Legal History*, 494.
[29] Boyd, *Judicial Proceedings*, 89.
[30] Walker, *Legal History*, 588.
[31] John Brewer and John A. Styles, *An Ungovernable People: The English and Their Law in the Seventeenth and Eighteenth Centuries* (London, 1980), 13.
[32] George Pryde, 'The Burgh Courts and Allied Jurisdiction', in Stair Society, ed., *An Introduction to Scottish Legal History* (Edinburgh, 1958), 384-395; Whetstone, *Scottish County Government*, 60.
[33] ECA, *Agnes Lethem v debtors*, 1730. Box 86, Bundle 213.
[34] See for example, ECA, *Town v Young*, 1770. Box 144, Bundle 371.

account are charged higher than any surgeon would charge'.[35] A sense of fairness in trade appears to have been applied equally to all social ranks. Defenders were often treated leniently, even when brought to court by tradesmen of a higher social status.[36] According to one legal commentator, the court existed because it was 'of interest to the community [to] regulate trade and keep good order'.[37] Litigants brought their business before the court because they expected the court to dispense a certain type of justice. One pursuer told the justices that he came 'before your honours court who of all others ought by no means to be litigious'.[38]

The bailie court was also financially accessible to most litigants. The costs of pursuing a case are revealed by expenses of plea. These were the sums that creditors asked their debtors to pay to cover the expenses associated with a court case, including summoning witnesses and extracting processes (transcribing documents). Expenses of plea provide a more accurate depiction of the actual cost of litigation than would tables of court or lawyer fees. The average expense claimed by litigants in 1750 was 16s., the equivalent of about one day's wages for a wright or mason, or two day's wages for a labourer.[39] This was not an insignificant amount of money, but it was also not prohibitive. However, over the period, initiating a court case was becoming more costly. The expenses of process claimed by litigants at the bailie court doubled between the 1730 and 1750 samples, and the median expense crept slowly upward through the three sample years (Figure 2.2). Though the reasons for this increase can only be speculative at this time, they were very likely the result of the increasing fees charged both by the court and by lawyers, as well as the increasing complexity and duration of cases. The expense of litigation was making the court system both less accessible and less desirable to use. As one legal commentator suggested, 'many pounds have been incurred in recovering a few shillings'.[40]

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[35] ECA, *Barclay v Baillie*, 1770. Box 145, Bundle 374.
[36] H. M. Dingwall, 'General-Practice in 17th-Century Edinburgh - Evidence from the Burgh Court', *Social History of Medicine*, 6 (1993), 133-134.
[37] Pryde, 'Burgh Courts', 387.
[38] ECA, *Watson v Morrison and Alexander*, 1750. Box 122, bundle 310.
[39] National Archives of Scotland (hereafter NAS), Edinburgh Consistory Court Processes, CC8/6/432; Gibson and Smout, *Prices*, 289-299.
[40] Hutcheson, *Treatise*, 132.

Figure 2.2. Expenses of process, Edinburgh bailie court.

Year	Average Expense of Process (£ stg)	Median Expense of Process (£ stg)
1730	0.41	0.20
1750	0.81	0.52
1770	0.81	0.60

Source: ECA, Edinburgh Bailie Court Processes, 1730, 1750, 1770.

Bailie court litigation, as well as the processes pursued before Edinburgh's other courts, represented only one step in a long process of debt recovery. This process makes the effectiveness and authority of the courts in enforcing contracts questionable. Obtaining repayment of a debt through the courts involved multiple steps and increasing expense as litigants waded further and further into the legal process. The first step to recovering a debt was protesting a bill, where a pursuer presented a bill to a clerk of court, who noted it in a Register of Deeds.[41] The debt had to be secured in writing, through a bill, bond or promissory note, already limiting the types of debt that would be pursued through legal recourse. Protesting a bill certified a copy of the debt, which a pursuer could later act upon, but in itself did nothing to recover the debt. After protesting, the pursuer could initiate a process. This involved writing up a libel or complaint, summoning the defender, then appearing before the court in person for oral pleadings. If witnesses or oaths were required for further proof, depositions would be taken, another court day set, and finally a decreet (sentence) pronounced. As figure 2.3 suggests, only about a third of the bills protested resulted in processes, and this figure remained fairly consistent over the period of study. If a bill was taken to court, and the court declared a debt just, collecting the debt through legal channels required further steps. A pursuer could only enforce the court's judgement through a process called diligence, which could result in obtaining a debtor's property or sending them to prison. For many, private or extra-legal dispute resolution provided a more efficient means of debt collection. The procedure for pursuing a debt was largely ineffective aside from the

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[41] 'Pursuer' is the Scots term for plaintiff and 'defender' the common term used for 'defendant'. These terms will be employed through the thesis in order to preserve the original language of the documents.

social power it provided, however this social power was not insignificant. In a commercial setting where personal reputation was the primary component of credibility, as later chapters will show, being taken to court could reflect poorly on a person's honesty and character. Court litigation could also force more informal means of dispute resolution. As J.A. Sharpe suggested, litigation was often used as way of instigating arbitration and bringing about neighbourly relations.[42]

Figure 2.3. Cases progressing beyond the initial stages of protest in Edinburgh bailie court.[43]

Year	Number of protested bills	Number of Processes Initiated
1710	1305	463
1745	761	323
1770	447	170

Source: NAS, Register of Deeds, 1710, 1745, 1770, B22/8/98, 111, 141, 142.

Though the civil court system was a highly expensive and largely inefficient system, the civil courts continued to play a more prominent role in everyday commercial relations than the equivalent courts in England. Table 2.4 shows the changing levels of litigation before the bailie, sheriff, and commissary courts, the only three courts with surviving evidence. A general pattern of civil litigation decline paralleled patterns experienced in England and Germany, but was set in motion much later. Urban debt litigation in England reached its height in the 1580s, with approximately 2.5 cases per household per year, and began to decline in the seventeenth century, reaching a low point in about 1750.[44] In contrast, litigation in Edinburgh continued to play a prominent role well into the eighteenth century. At mid-century, when the city had a population of 57,000, at least one in 45 individuals

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[42] Sharpe, 'Such Disagreement', 178-184.

[43] Records of protested bills were not extant for the sample years 1730 and 1750. Samples for the two closest complete years have thus been recorded.

[44] W.A. Champion, 'Recourse to the Law and the Meaning of the Great Litigation Decline, 1650-1750: Some Clues from the Shrewsbury Local Courts', in C. W. Brooks and Michael Lobban, eds., *Communities and Courts in Britain, 1150-1900* (London, 1997), 179-198; Muldrew, *Economy*, 235-237; C Wollschlager, 'Civil Litigation and Modernization: The Work of Municipal Courts of Bremen, Germany, in Five Centuries, 1649-1984', *Law and Society Review*, 24 (1990), 147.

or about one in 10 families was involved in a case of debt every year.[45] This figure underestimates levels of litigation because it does not include cases brought before the ten merk court, which was probably the most frequently used court. The courts remained sites where many interactions between different households took place. Going to court was a familiar experience for most people, even if it was a last resort and most matters were handled outside the judicial framework.

Figure 2.4. Comparison of litigation decline before Edinburgh civil courts
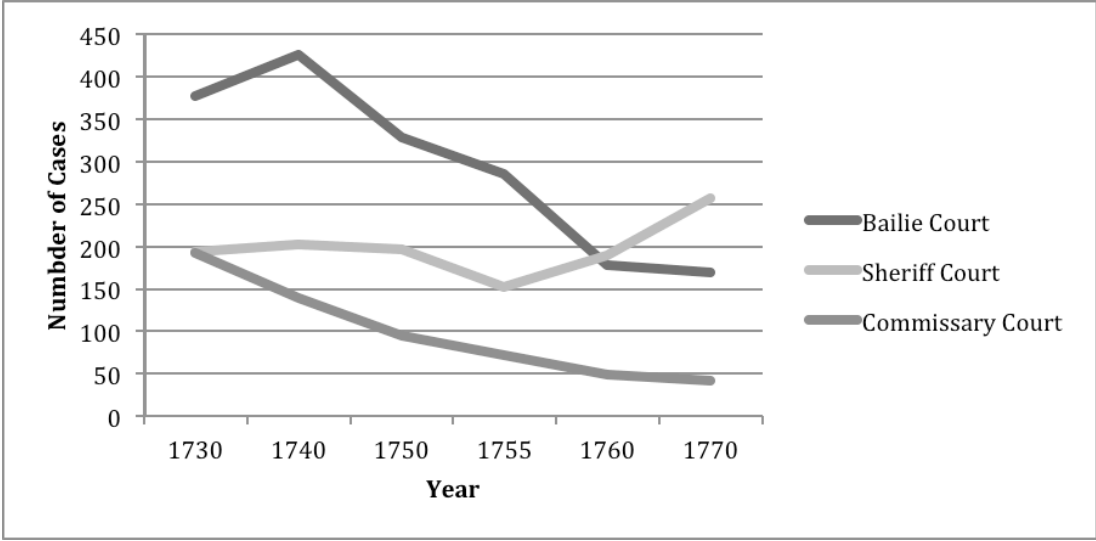
Sources: ECA, Bailie Court Diet Books, 1730-1770, vols. 37, 49, 52, 55, 56, 57; NAS, Edinburgh Sheriff Court Diet Book, 1730-1770, SC39/2/22-31; NAS, Edinburgh Commissary Court Diet Books, 1730-1770, CC8/1/85-92

II. Litigants and Patterns of Litigation

The credit or exchange relationships described in the cases connected people of roughly similar status (Figure 2.5). Most were of the lower middling sort and worked as part of a skilled craft or trade or as local retailers. Defining rank or economic status according to occupation presents certain problems. Levels of wealth within one occupation, for example, could range significantly. However, individuals coming to court were united in their right to claim occupational status within Edinburgh's

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[45] Estimates based on an average household size of 4.4. R.E. Tyson, 'Contrasting Regimes: Population Growth in Ireland and Scotland During the Eighteenth Century', in S. J. Connolly, R. A. Houston, and R. J. Morris, eds., *Conflict, Identity and Economic Development : Ireland and Scotland, 1600-1939* (Preston, 1995), 65.

system of trade incorporations, implying that they possessed some degree of independence. Those appearing in the bailie court engaged in buying and selling on the market for their livelihoods, and their businesses depended both on extending and receiving credit. Though indebtedness was a reality for most individuals during this period, middling tradesmen often sat at the centre of credit networks, and they stood at high risk if their debtors defaulted. The distribution of occupations in debt cases reflects the local economy in Edinburgh, roughly mirroring the distribution of occupations in trade directories.[46]

Within the middling population of tradesmen and craftsmen, it was primarily men who found the court a site for economic and social competition. Case papers describe three categories of litigants: independent men, independent women, and joint parties. Independent men could be single or married, while independent women were generally widows or single women. Joint parties usually consisted of husbands and wives coming to court together, with a few business partnerships. Figure 2.6 reveals that men formed the overwhelming majority of litigants throughout the period, and that over time, women's presence in the courtroom diminished. In 1730, over 20 per cent of pursuers were female, but by 1770 this number had diminished to less than 15 per cent. Numbers of female defenders remained constant, decreasing in 1750 but rising again in 1770. Numbers of joint cases decreased dramatically, becoming all but absent by 1770. Married women appear to make up the bulk of the women who disappeared from the record. In occupational terms, the numbers of those who described themselves as wives fell from about 5 per cent to nothing between 1730 and 1770, making up the difference in female litigation.

Though men were the most common litigants in the courtroom, the cases brought before the bailies did not necessarily represent 'male' debts. In keeping with the notion that the family was the basic unit of credit in early modern society, bailie court debts might be most accurately depicted as family debts represented by the male head of household in the public court of law. Throughout the period of study, men could be found bringing cases of debt to court for traditionally female trading activities, such as ale selling, suggesting that they were actually representing the

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[46] James Gilhooley, *A Directory of Edinburgh in 1752* (Edinburgh, 1988).

Figure 2.5. Occupations of bailie court litigants, sample years combined.

Trade	Total pursuers	Total defenders
alcohol production/sale	117	45
barber/wigmaker	17	24
building trades	66	92
chemical trades	11	21
clothing/footware trades	67	80
entertainment	3	6
farming/husbandry	10	2
food production/sales	63	80
gentleman	11	7
labourer	3	10
lodging	12	2
married woman	25	45
medical trade	25	16
merchant/shopkeeper	222	138
metal trades	12	22
military	5	8
printing/publishing	7	20
professional	97	101
servant/apprentice	17	12
student	0	3
taxman	5	0
transport	23	51
widow/pensioner	68	61
wood trades	5	18
unknown/unusual	95	168
Total	986	1032

Sources: As in figure 2.2

Figure 2.6. Gender composition of litigants.

Year	% Male pursuers	% Female Pursuers	% Male defenders	% Female defenders	% Joint pursuers	% Joint defenders
1730	77.83	20.32	74.59	18.12	1.85	7.29
1750	83.50	15.84	82.51	16.50	0.66	0.99
1770	85.20	14.80	79.84	18.55	0.00	1.61

Sources: As in figure 2.2.

credit of their wives. This practice became even clearer in the testimonies of wives or witnesses, who described the terms of a debt in more detail. For example, when George Wilson sued George Ronaldson for food and drink amounting to one pound, Wilson's wife testified that she had furnished ale and bread.[47] Similarly, the tailor John Poustie sued George Thomason for money lent by his wife.[48] The presence of married women as defenders diminished for the same reason, though their economic activities and purchasing power within the community may have changed very little. When the flesher Alexander Greig took Mr Smiton, a hatter, to court, Smiton's wife testified that 'she had received a number of articles and settled with him on the first of July'.[49] The diminishing presence of women in the courtroom thus does not seem to reflect a decrease in female credit within the Edinburgh marketplace, or a decrease in women's involvement in family economies.[50] Even if men were the public faces of credit, the credit of middling families would have been the mutual concern of husbands and wives.

Cases were dominated by a group of creditors who used the court repeatedly. Of the 1002 cases, 410 and were brought by pursuers who appeared more than once (Figure 2.7). Most appeared two or three times, and a few individuals pursued debtors in as many as twenty cases. In most cases, multiple cases clustered in a period of a few months, likely as creditors found their own debts put under pressure. Thus the tailor David Houston pursued three debtors in April and May of 1730, and the merchant David Burrell pursued two debtors in January of 1770. About 11 per cent of creditors pursued multiple debtors at once, probably saving costs by initiating one court case instead of several.

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[47] ECA, *Wilson v Ronaldson*, 1730. Box 85, bundle 212.
[48] ECA, *Poustie v Thomason*, 1730. Box 86, bundle 213.
[49] ECA, *Greig v Smiton*, 1770. Box 144, bundle 372.
[50] The diminishing presence of women in the courtroom seems to be unique to this period. Records of the bailie court for an earlier period are ripe with female credit disputes, especially involving wives. Gordon Desbrisay and Karen Sander Thomson, 'Crediting Wives: Married Women and Debt Litigation in the Seventeenth Century', in Elizabeth Ewan and Janay Nugent, eds., *Finding the Family in Medieval and Early Modern Scotland* (Aldershot, 2008), 85-98. For female involvement in business in eighteenth-century Edinburgh, see Elizabeth C. Sanderson, *Women and Work in Eighteenth-Century Edinburgh* (Basingstoke, 1996).

Figure 2.7. Pursuers appearing in court multiple times.

Number of cases initiated	Number of pursuers
20	1
9	2
8	3
7	3
6	9
5	3
4	16
3	26
2	58
1	592

Sources: As in figure 2.2.

Figure 2.8. Types of debt appearing in bailie court processes.

Type of debt	Number of cases
bill/account unspecified	184
rent/lodging	146
ale	106
merchant goods	85
secondary debt	77
food/drink	70
raw materials for craft (wood, metal, skins, cloth)	70
borrowed money	64
shoes/clothing/hair	45
livestock	23
medical services	22
failed to deliver services	20
legal fees	20
building/repair services	19
wages	17
candles/coal	11
transport	11
borrowed goods	9
consumer goods unspecified	9
promissory note	9
service misc	9
furniture	8
printing	6
total	1040

Sources: As in figure 2.2.

The types of debt litigated over represent a range of trading activities within the urban economy. The most frequent debts were for consumer goods, including

both necessaries and luxuries, services, rent and lodging, and secondary debts (Figure 2.8). Food, drink, shoes and clothing accounted for the most common consumer goods. Debts for unfinished products or raw materials also appeared in large numbers, suggesting that many of the debts represented in bailie court cases were not between retailers and customers, but between retailers or craftsmen and their suppliers. Debts for trade materials such as wood, metal, skins and cloth were pursued by merchants against local craftsmen, and brewers frequently sued innkeepers for debts for ale. Many cases were pursued for several types of debt, and where possible each type of debt appearing in a case has been listed separately in figure 2.7. About 18 per cent of debts were pursued for bills and accounts for unspecified goods. These debts were often pursued by merchants or shopkeepers, and they included a range of consumer merchandise. In other cases, they may have represented debts that were transferred to others, and thus removed from their attachment to a particular product or service. The high numbers of such bills show how frequently debts circulated beyond their original contracting parties by this period. The transfer of assets through money lending was also frequent, and accounted for about 6 per cent of debts pursued.

III. The structure of credit networks

The debt cases in the bailie court suggest that tradesmen and craftsmen were engaged in long-term credit relationships, and that creditors were willing to tolerate long periods of debt. In some cases, tradesmen specified the terms of credit they had originally agreed upon, which ranged from a few weeks to six months (Figure 2.9). From this perspective, credit time looks fairly short. In 75 per cent of cases, debtors agreed to repay within six months. Substantial numbers of creditors asked to be paid within one month. However, agreed credit time bore almost no relation to the actual credit time extended. The amount of time that elapsed between when a credit transaction took place and the date a case was brought to court gives a more accurate depiction of the length of credit tolerated (Figure 2.10). The average person waited 24 months before bringing a debt case to court, but there was wide variation in the lengths of credit time, with almost no periods of credit the same. Some clustering

around certain repayment periods occurred, with evidence of change over time. About 40 per cent of cases were brought within one year across the period of study, with a high percentage also brought between one and two years. For those debts brought within one year, most were brought after six months in 1730, but by 1770 creditors were more likely to pursue their debtors within the first three months. The numbers of cases brought between one and two years increased over time, while the numbers of cases brought after three years decreased. A slight shortening of credit time is thus evident, but relationships continued to be generally long-term and comparable to those witnessed by Muldrew in the mid-seventeenth century, when most creditors took their debts to court in one to two years, and some waited as many as six years before initiating litigation.[51] On the whole, credit time did not shorten significantly across the mid-eighteenth century.

The discrepancy between agreed and actual credit time suggests that credit was not necessarily fixed, but involved a process of constant negotiation, depending both on a creditor's need for money and a debtor's ability to pay. Creditors were hesitant to bring their debtors to court, and there were social consequences for doing so. Calling in debts too quickly or too frequently could result in developing a reputation for being litigious, uncharitable or unpredictable. One litigant, James Grant, told the court that he refused to do business with a particular creditor who he found to be 'indistinct and uneasie in his demands' and who he feared 'would have wanted his payment of the defender'.[52] While it is easy to emphasise the trustworthiness of debtors and their willingness and ability to repay as most important in credit relationships, the reputation of creditors was equally important. Debtors made judgements about the character of their creditors when deciding whether to enter into relationships of financial obligation. The willingness to tolerate long periods of debt was central to perceptions of a creditor's reputation.

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[51] Muldrew, *Economy*, 201.
[52] ECA, *Grant v Moncurr*, 1730. Box 86, bundle 213.

Figure 2.9. Agreed credit time specified in bailie court cases.

Agreed credit time	% cases 1730	% cases 1750	% cases 1770
<1 week	7.81	7.14	23.21
1 week-1 month	23.44	26.79	32.14
1-2 months	12.50	12.50	10.71
2-3 months	14.06	8.93	10.71
3-4 months	9.38	5.36	1.79
4-5 months	7.81	1.79	0.00
5-6 months	10.94	10.71	7.14
> 6 months	14.06	26.79	14.29
Total no. cases	64	56	56

Sources: As in figure 2.2.

Figure 2.10. Length of credit relationships, determined by time elapsed between date of credit transaction and initiation of a suit.

Credit Time	% cases 1730	% cases 1750	% cases 1770
< 6 months	9.91	18.42	26.86
6 mos -1 year	34.05	17.98	18.86
1-2 years	25.00	29.38	32.00
2-3 years	12.93	10.96	4.57
> 3 years	18.10	23.25	17.71

Sources: As in figure 2.2.

Creditors obviously could not tolerate infinite periods of indebtedness, and the decision to call in a debt depended on a number of factors. Some creditors pursued cases after lengths of time that had social or legal significance. Though litigants gave exact dates of transaction due to legal requirements, in reality the provision of an exact transaction date could be problematic. Many obligations were made orally and memory could be a problem. Arbitrary and prescriptive lengths of time appeared frequently. Many, for example, claimed to have been awaiting repayment for exactly three years. The term of three years had legal significance, and provided the upper limits of when a creditor could claim back certain kinds of debt. A variety of obligations, including house rents, servants fees, claims for aliment or maintenance, merchants and writers accounts, and furnishings in account by tradesmen become obsolete three years after the last article was delivered.[53] In practice, the court seems to have accepted debts contracted over much longer periods of time. Beyond legal parameters, some may have claimed three years because it had

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[53] Bankton, *Institute*, 169 v. II.

social and cultural significance. Three years was a length of time invoked in claiming all sorts of social, financial and administrative benefits. For example, it was the amount of time a person had to be resident in a parish to receive poor relief.[54] The term of three years thus had a certain permanence about it. A credit relationship that had endured for three years was bound with deep levels of trust, and to break that trust through non-payment was both a contractual and a social transgression. Credit time could also relate to the distance a debt was made from the Scottish quarter days, which occurred on 2 February, 15 May, 11 Nov and 1 August. Payments were traditionally made on these days, for example rent was always due biannually on Whitsunday and Martinmas. Lengths of debt thus could have more to do with the passing of a quarter day than a creditor's particular debt threshold. Creditors generally made debts due on quarter days rather than after particular lengths of time, and flurries of cases came before the court around these months.

Figure 2.11. Value of debts pursued in bailie court and their change over time.

Debt	% debts 1730	% debts 1750	% debts 1770
<£1	34.7	11.7	18.4
£1-£2	25.2	22.0	22.8
£2-3	14.9	16.3	16.8
£3-4	4.2	14.0	11.6
£4-5	4.7	8.0	5.6
£5-6	3.5	6.7	4.0
£6-7	2.4	4.0	1.6
£7-8	0.7	2.0	4.8
£8-9	1.9	2.0	1.6
£9-10	1.4	1.7	2.0
>£10	6.4	11.7	10.8

Sources: As figure 2.2.

Just as lengths of credit varied, so did the values of debts pursued in the bailie court. Mean and median figures are not representative, but some clustering is evident in the value of debts pursued. Figure 2.11 shows that a significant portion of the debts pursued were very petty indeed, amounting to less than £1.[55] Most debts

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[54] Ibid., 60 v. I; ibid., 40 v.II; ibid., 8 v.II.
[55] Though contemporaries pursued debts in both Sterling and Scots through the period, all figures in this chapter been converted into pounds Sterling and decimalized in order to facilitate comparison.

pursued were for under £3, the equivalent of about four days wages for a skilled artisan.[56] Over the period of study these debts became larger. The number of cases for debts of under £1 decreased by about half between the 1730 and 1770 samples, while debts of £3-4 and debts of over £10 increased. However, the values of debts pursued in court are only partially meaningful because they tended to represent only a portion of the total debts that had been contracted between parties.

Figure 2.12. Debts pursued in bailie court as a portion of the original debts contracted.

% of the original debt pursued in court	% of cases 1730	% of cases 1750	% of cases 1770
10%	5.75	0.00	1.72
20%	12.64	4.76	1.72
30%	10.34	23.81	1.72
40%	12.64	14.29	6.90
50%	9.20	14.29	15.52
60%	17.24	4.76	6.90
70%	19.54	4.76	8.62
80%	4.60	14.29	17.24
90%	4.60	9.52	6.90
100%	3.45	9.52	32.76
Total no cases	87	21	58

Sources: As in figure 2.2.

Debts accumulated over time and were paid off over time. Debtors often made partial payments on their obligations before being taken to court. For parties engaged in reciprocal trade, the bulk of debts cancelled out. The relationship described in a case between John Meals, a brewer, and Duncan Carmichael, a merchant, is a typical example. Between 1768 and 1769, Meals sold Carmichael ale to the extent of £21 9s., which he repaid in the form of lemons, tea, sugar, rum, and the accounts of other parties to whom Meals owed debts. The debt of £6 that Meals pursued at court thus represented only a portion of the volume of trade between them.[57] Households let reciprocal debts accrue for long periods of time, then met to reckon and compare their mutual obligations. For example, the household of John Rammage, a merchant, traded on credit with the family James Somervell, a

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[56] Gibson and Smout, *Prices*, 298-299.
[57] ECA, *Meals v Carmichael*, 1770. Box 144, bundle 373.

goldsmith for over three years. After meeting in 1750, a disagreement over the remaining debts ended up in court.[58] Households that did not engage in direct trade made arrangements to cancel debts through the accounts of mutual creditors and debtors. For example, in 1730 the slater Alexander Ramsay accepted as payment from John Nairn a promise 'to paynt the breen [brewery] which Baillie Gilepsie possese to his satisfaction', effectively using Nairn's debt to satisfy a debt that Ramsay himself owed to Gillepsie.[59]

Given the reciprocity of debts, often only the net balance of trade emerged in the record. In 167 cases, creditors revealed the extent of the original debt owed, and figure 2.12 describes the debts pursued in court as a portion of the original debts contracted. In only 24 cases did pursuers claim debts amounting to 100 per cent of the original credit granted. However, the proportion of cases involving the entire debt changed over the period of study. As figure 2.11 suggests, by 1770 nearly one third of the cases pursued in court were for the entire debt owed. This might reflect a change in the credit market, suggesting that trade was becoming less reciprocal, so that total debts were not diminished over time. It also reflects changing patterns of usage within the court system. While pursuers began to prosecute for more substantial portions of their debts, the size of debts increased, and the number of cases appearing before the bailie court decreased. New methods of facilitating payments, of maintaining trust, and of resolving disputes were perhaps replacing litigation, meaning that only the more serious and unresolvable debts made it to court.

There appears to have been very little correlation between size of debt and the length of time a debt remained outstanding, with a correlation coefficient between debt size and debt time of 0.06. This suggests that debts did not necessarily become larger by accruing over long periods of time. This could be in part because of the payment strategies discussed above, or because certain individuals had credit thresholds that bore little relation to the amount of time they engaged in a relationship. The low correlation also suggests that the value of a debt had little bearing on how quickly a creditor pursued that debt in court. One might expect that larger debts would be called in more quickly, but this appears not to have been the

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[58] ECA, *Rammage v Sommervel*, 1750, Box 119, bundle 303.
[59] ECA, *Ramsay v Nairn*, 1730. Box 86, Bundle 213.

case. The extent of credit was determined more by individual circumstances than by particular creditor thresholds.

Often, creditors pressed for their debts or initiated law suits when their own financial obligations came under pressure. Court processes tended to occur in sequences. Individuals were normally in possession of very little cash, and most wealth was held in the form of goods or credits with others. Assets were not easily liquidised, so if a person was required to meet an obligation, he or she normally had little option but to press the debtors to whom he or she had advanced credit.[60] Litigation over one debt could thus implicate an entire network of individuals, setting in motion a cascade of similar cases as those taken to court were forced to call in their own obligations. Chains of litigation could occur over a period of years and across multiple courts, but they are evident even within a single year in the bailie and sheriff courts. In February 1750, William Lauder, a coach-maker, was sued in the sheriff court by John Durymure, a merchant. In order to protect his own interest in Lauder's estate, another creditor, Harry Miln, sued Lauder in July. Without the liquid assets to fulfil obligations to both creditors at the same time, Lauder was forced to call in one of his own debts. Later in July, he sued Robert Blackwood, an advocate, in the bailie court. Blackwood, in order to fulfil the obligation demanded by Lauder, sued James Haly, a goldsmith. Litigation could carry on in this matter indefinitely, causing debts to be pursued in the courts regardless of their size, length, or the relationships between contracting parties. Linked cases of debt suggest that obligations made through credit formed chains of mutual dependency that, as in early modern England, tied communities of individuals together. They also allowed households to trade in less reciprocal ways, using the debts of third parties to meet their obligations.

Chains of credit are also evident in suits over secondary debts. Many causes were brought either for bills that had passed through several hands, or against parties who owned debts they had not originally contracted. Large numbers of secondary debts in the bailie court cases describe how debts were passed from one person to another. Usually secondary debts took the form of bills or promissory notes. A bill could either be drawn as payable to a third party, or it might be drawn directly from

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[60] Peter Earle, *The Making of the Middle-Class: Business, Society and Family Life in London, 1660-1730* (London, 1989), 120.

creditor to debtor, then passed on with each party endorsing the back. One case describes the life of a bill as it was passed around a network of credit, from a merchant, to a book-binder, to another merchant, to the keeper of Parliament House. The bill, drawn by William Murray against Archibald McEwen, keeper of Parliament House, was endorsed to John Young, servant to the Earl of Hopetoun, then to Robert Dickson, a writer. Dickson protested the bill in court in 1730, causing the arrest of Robert Pollock, a merchant, who was in debt to Archibald McEwen for £20 Scots for shop rent in the Parliament House, who then protested a bill of John Simpson, who was indebted to him for £20 Scots. Thus one bill implicated the credit of five individuals. Over time, cases such as this appeared in the court more frequently. Figure 2.13 shows that between 1730 and 1770, secondary debts became more common. The number of debts at least two degrees removed increased by 20 per cent. While credits contracted directly between parties continued to constitute the majority of debt cases pursued in court, these types of debt did decrease from 81 to 65 per cent of cases, representing a significant shift in the structure of credit relations. Over time, more debts were becoming more complex and further removed from their original contracting parties.

Figure 2.13. Nature and frequency of secondary debts pursued in bailie court, 1730-1770.

Degrees of removal from original contracting parties	Percentage of total cases 1730	Percentage of total cases 1750	Percentage of total cases 1770
Direct	81.3	72.6	65.0
2 degrees	16.9	25.1	32.9
3 degrees	1.2	2.0	1.6
4 degrees	0.5	0.3	0.4
more than 4 degrees	0.2	0.0	0.0

Sources: As in figure 2.2.

In secondary debts, the structures of trust that underpinned credit changed. If a debt was made liquid and handled by several people, each person knew and trusted the person to whom they passed a debt to, but the first person in a chain might not know the last, to whom they were ultimately indebted. Despite this process, the

impact of secondary debts upon the social nature of credit was less profound that we might assume. Previous studies have suggested that increased distance in credit relationships resulted in the loss of an economy of familiarity.[61] In contrast, evidence before the bailie court suggests that increasing secondary indebtedness did not result in depersonalisation. Lenience and charitability continued to characterise creditors' treatment of debtors. The character of secondary debts is revealed by the amount of time that elapsed before they were taken to court, as compared to the amount of time before creditors sued for direct debts. If secondary debts involved relationships that were more instrumental and impersonal, debts might have been called in more quickly. However, this was not always the case. Because mean and median figures are unrepresentative, figure 2.14 compares direct and secondary debts by clusters of credit time. Secondary debts were about 10 per cent more likely to be called in within the first six months of a debt's lifetime. However, over a quarter of both secondary and direct debts remained outstanding for two years or more.

Figure 2.14. Comparison of credit time for direct and secondary debts, calculated by time elapsed between date of first transaction and initiation of court case.

Credit time	Direct Debts	Secondary Debts
1-6 mos.	22%	32%
6-12 mos.	22%	18%
12-18 mos.	18%	13%
18-24 mos.	8%	10%
> 2 years	26%	26%

Sources: As in figure 2.2.

The increase in secondary debts might be indicative of the growth of a secondary credit market. Debts in the form of bills or promissory notes in the bailie court never accrued interest, but through the practice of discounting, secondary debts might have generated profit. Just as Smail found that the practice of discounting in the English textile industry developed in the third quarter of the eighteenth century, the increase in secondary debts in Edinburgh grew substantially between 1750 and

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[61] Bruce H. Mann, *Neighbors and Strangers: Law and Community in Early Connecticut* (Chapel Hill, 1987).

1770.[62] Discounting involved the introduction of a third party into a credit exchange. This third party would buy a debt from a creditor at a discount, either with the intent of reselling it at a profit, or of collecting the full debt from the debtor, thus profiting in the difference between the full debt and the discounted price. By engaging in such a practice, a creditor accepted a reduction in profit in exchange for a reduction in risk and the ability to liquidise the debt.[63] While structures of secondary indebtedness provided individuals with a means of coping with the limits of the credit market, buying secondary debts should not only be conceptualised in financial terms, as aspects of mitigating risk and increasing profits. The practice of buying up debts was also embedded in structures of social power. The activity could be used to ruin a person financially, or to put pressure on a debtor. One litigant complained that a group of creditors 'dayly used their utmost to ruin his credit by purchasing and buying up his debts, torturing and tormenting him with groundless lawsutes, by all which they are guilty of abuse'.[64]

Figure 2.15. Relationship of pursuer occupation to debts pursued in bailie court.

Year	Total number of cases	% cases for debts directly related to occupation	% cases for debt distinct or not related to occupation	% cases for debts both related and not related
1730	249	61.85	10.84	27.31
1750	104	65.38	21.15	13.46
1770	108	63.89	10.19	25.93

Sources: As in figure 2.2.

If secondary debts served the needs of tradesmen and consumers by making debts easier to pass from person to person, it is surprising that the increase in secondary debts in court was not accompanied by increased specialisation in trade. Throughout the period, the practice of trading in a variety of goods helped to sustain reciprocal credit relationships in a cashless economy. Individuals did not confine themselves to selling goods directly related to their occupations. Figure 2.15

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[62] John Smail, 'The Culture of Credit in Eighteenth-Century Commerce: The English Textile Industry', *Enterprise and Society*, 4 (2003), 306.
[63] For the practice of discounting in eighteenth-century commerce, see John J. Mccusker, *Money and Exchange in Europe and America, 1600-1775: A Handbook* (London, 1978), 21n; Smail, 'Culture of Credit', 306-308.
[64] NAS, *Thomson v Guild*, 1738, CC8/6/276.

compares plaintiff occupations with the debts they pursued other than rent or lodging (which can not be linked to occupation). Around 40 per cent of the causes sued for involved trade in goods unrelated to a pursuer's occupation. The occupational spread of individuals trading in this way varied, and appears to have been done both as a necessity and as a business strategy. Some tradesmen acted almost as pawn-brokers, accepting a variety of goods in exchange for their wares, then selling these goods on at a profit. Others appear to have held their wealth in material objects, selling them on when they needed credit. The most common goods exchanged unrelated to plaintiff occupations were shoes, clothing, silver, china, tea, and coffee, all small consumer goods easily valued and disposed of. The continuing practice of trading in a variety of goods through the period of study reveals the continuing limitations of the credit system. Many tradesmen were forced to accept goods as a form of payment, engaging in what amounted to a sophisticated form of bartering.

One of the most common services combined with specialist trade was money lending. Of 64 incidents of borrowed money, 38 involved the exchange of other goods, usually small goods on account. Lending money usually occurred in conjunction with other credit relationships and was extended from pre-established credit lines, especially between brewers and innkeepers and their customers, and landlords and their lodgers. Money lending was frequent within other relationships of trust, such as between employers and employees or family members. In 1770, John Cockburn, a stabler, sued his apprentice for money lent to 'pay the court on his behalf'.[65] Money lending could also serve as a way of securing future custom. Tradesmen used the provision of 'extra' credit or small cash loans as gifts that created obligations on the part of the receiver. In 1730 Thomas Trotter gave James Tully credit 'upon the condition that he would continue to be his customer'. When Tully left Trotter with an unpaid debt and took his business elsewhere, the case made its way to court.[66] Finally, it could be a means of charity, of helping neighbours and friends when in need. John Picken testified in 1770 that he had lent Mrs Leggate money 'to supply her in necessity'.[67]

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[65] ECA, *Cockburn v Tait*, 1770. Box 144, bundle 372.
[66] ECA, *Trotter v Tully*, 1730. Box 120, bundle 304.
[67] ECA, *Picken v Leggate*, 1770. Box 145, bundle 370.

The structures of credit revealed in bailie court cases suggest that people in eighteenth-century Edinburgh were bound by necessity into networks of indebtedness and mutual dependency. Debts were long term, they were reciprocal and they accumulated over time. In these characteristics, they closely resembled the credit networks of an earlier period described by Muldrew. Some changes in the structure of credit are also evident. Over the course of the period of study, debts became slightly larger and the period of time tolerated before they were called in decreased. Increasing numbers of secondary debts came to court, suggesting a partial detachment of credit from face-to-face relations. Networks of credit became more complex and more extensive. However, the patterns of credit identified should not obscure the dissimilarities evident between many relationships. These variations were the most important feature of credit. Disparities in the amounts of credit granted, the amount of time indebtedness was endured, and in the arrangements that different parties came to suggest that the nature and extent of credit was not determined by individual thresholds that creditors were unwilling to surpass. Credit is more accurately seen as a process of negotiation between individuals based on trust. Debts were pursued in court only when that trust broke down.

IV. Judging credit: the components of trust

In lending credit, tradesmen and craftsmen took risks. Drawing on information they had available, they made judgements about their debtors' abilities and willingness to repay. The decision to extend credit involved a risk that the debtor could not reciprocate. Within Edinburgh's credit market, trust served as a solution to this problem of risk.[68] Structures and networks of credit were held together by trust, and tradesmen worked mostly without the help of institutions to mediate this trust. The court system was marginally effective and could serve as a source of credit enforcement, but it did not guarantee credit to the extent that individuals could engage in system trust. Creditors thus relied on particularised trust in the individuals with whom they transacted business. The importance of trust between individuals was reflected in the language that litigants used in court. Creditors employed the

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[68] Niklas Luhmann, 'Familiarity, Confidence and Trust', in Diego Gambetta, ed., *Trust: Making and Breaking Cooperative Relations* (Oxford, 1988), 95.

terms trust and credit interchangeably, and described providing credit as 'intrusting' their customers with goods.[69] David Richardson 'intrusted' Robert Wilson with parcel of buttons and Mr Taitt 'intrusted' one Mr Ross with a set of buckles.[70] The failure to pay was described in different cases a 'very gross breach of trust', a 'breach of trust and unfaithfulness', or a 'notorious breach of trust'.[71]

Case papers from the bailie court provide anecdotal evidence that can be used to consider the foundations of this trust in terms of the information that creditors relied upon when making judgements about whether to extend credit. This information can be used to test theories of change over time during the eighteenth century. In early modern England, Muldrew emphasised the construction of trust in social terms. Credit was synonymous with 'a reputation for fair and honest dealing', and the reputation of a household and its members 'became the currency for lending and borrowing'.[72] Subsequent studies have even suggested that personal reputation was more important than individual wealth as the basis for credibility. According to Pearsall, 'a man with fewer resources, possessing the character of working hard and being trustworthy, could outstrip in credit men with greater financial reserves'.[73] During the eighteenth century, Finn described a transition from trust to character, wherein 'determinations of individual creditworthiness in England only rarely reflected precise knowledge of individual wealth'.[74] This shift was a result of a change in the type of information that was available to creditors. Instead of direct, interpersonal contact and a depth of knowledge about an individual's circumstances and behaviour, judgements based on character involved reading outward signs of appearance. The bailie court case papers complicate this trajectory, suggesting that direct and detailed personal knowledge remained central to trust, but that nature of information that creditors relied upon differed in significant ways from Muldrew's depiction.

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[69] ECA, *Leslie v Prats,* 1770. Box 144, Bundle 372.
[70] ECA, *Richardson v Wilson*, 1750. Box 119, bundle 302.
[71] ECA, *Johnston v Pitcairn*,1750. Box 122, bundle 312; *Hill and Spouse v Cook*, 1750. Box 120, bundle 304; *Winram v Steven*, 1770. Box 144, bundle 371.
[72] Muldrew, *Economy*, 148-149.
[73] Sarah M. S. Pearsall, *Atlantic Families: Lives and Letters in the Later Eighteenth Century* (Oxford, 2008), 116.
[74] Finn, *Character*, 21.

For many of the creditors who came to court, trust had been embedded in face-to-face contact, personal acquaintance and familiarity. The most reliable means of judging credit was direct, interpersonal contact with the person who was to be trusted. [75] For some, this acquaintance was framed in geographical terms, such as being resident of the same neighbourhood. The smith James Hill was persuaded to trust James Cook, a stabler because 'he had a fixed residence here'.[76] Place of residence might serve as a point of trust because proximity positioned a person in the same community as a creditor, providing the familiarity that often served as the basis for trust.[77] Geographic proximity could guarantee direct frequent contact with a debtor, allowing a creditor to monitor that person's behaviour and to exert pressure for payment if necessary. For others, familiarity was achieved through association in family networks. In 1770 the merchant John Walker sued to recover money lent to Mrs Orrock, who he described as his 'near relation'. Walker engaged Orrock occasionally to sell his wares, trusting her with parcels of goods. He also gave her money 'as she had occasion for it, either to pay the part of the debt of the company or to assist her in carrying on her business in a separate shop'.[78] Other tradesmen testified that they trusted individuals because of their family association with known customers. Margaret Johnston was able to obtain credit with the flesher Alexander Greig because the trusted vintner John Miller, whose daughter was married to Johnstone's son, attested that 'she should faithfully pay what was due by her for furnishing made by the pursuer of this nature'.[79]

Personal acquaintance remained important even when credit between parties was geographically and socially removed. Tradesmen used permanent and intensive ties to anchor those that were temporary and extensive. Tradesmen secured lines of credit to unknown or untrustworthy individuals through known customers, who provided 'proxy' access to consumer goods. In 1730, Louise Aitchison sued John Scott for ale furnished to Mrs Donaldson on his account. Donaldson then sold the ale

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[75] Muldrew, *Economy*, 151.
[76] ECA, *Hill v Cook*, 1750. Box 120, bundle 304.
[77] For the relationship between trust and familiarity, see Luhmann, 'Familiarity, Confidence and Trust', 95.
[78] ECA, *Walker v Orrock*, 1770. Box 145, bundle 374.
[79] ECA, *Greig v Johnston,* 1770. Box 144, bundle 372.

on to Thomas Mar, a local wigmaker.[80] In 1750 the advocate Robert Blackwood sued James Haly for rent and use of his credit, amounting to nearly £13.[81] In 1769, Edward Turner, a chapman 'having occasion for some small money employed William Corbett, son to Mr Corbett Chelsea pensioner in Edinburgh to borrow from Elizabeth Rogers two pounds two shillings sterling which she accordingly gave him, for his the said Edwards behoof'.[82] Edwards, through a social network, was thus able to obtain credit from an individual three degrees removed from his own personal acquaintance. For those trading with other cities, face-to-face contact with local intermediaries remained an important component of trust. James Rattray and his spouse, for example, used the credit of Charles Innes, a local linen draper, to have cloth printed in London 'on his accout and risque… to a reputable house'. [83] Intermediaries acted in this way as a form of service or perhaps to increase their social capital. Innes testified that he 'was not to make a farthing by sending it but did it merely to oblige or serve the pursuer'. [84]

Calculations of who to trust were based on long-term relationships, and tradesmen often chose longevity over short-time profits. Agnes Smith, a glazier's wife, approached John Vans, the owner of a house occupied by Marion Aitken, Smith offering to take over the lease and pay a higher rent than Aitken. But Vans agreed with Aitken to 'let her sit a year upon payment of a great rent she have been so long my tenant'.[85] Vans chose to engage with the person he had a long-term relationship with rather than person whose tenancy would be more financially profitable. The decision may have been an act of kindness, and it may have seemed less risky to extent credit to someone he knew well.

Trust was also based on a reputation for honesty and good business. Credit relations described in the bailie court often broke down due to perceptions of dishonest dealing or unfair prices. For example, John Taylor took his creditor to court because he believed the goods he purchased were 'altogether spoilt and damnified'. For Andrew Rochead, the perceived unfairness of a bill caused him to

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[80] ECA, *Aitchison v Scott*, 1730. Box 85, Bundle 211; *Brown and Spouse v Mar*, 1730. Box 85, Bundle 211.
[81] ECA, *Blackwood v Haly*, 1750. Box 119, bundle 302.
[82] NAS, Edinburgh Tollbooth registers. Register of Elizabeth Rogers, July 17, 1769. HH11/28.
[83] ECA, *Rattray v Innes*, 1770. Box 145, bundle 374.
[84] Ibid.
[85] NAS, CC8/6/2. Quoted in Houston, *Social Change* 43.

lose trust. John Ramsay found that account presented to him was 'exhorbitant and unreasonable.'[86] A reputation for solvency was also important, which can be read as the inverse of a reputation for insolvency. About 10 per cent of the defenders appearing in the bailie court were pursued in court multiple times (Figure 2.16). A debt process against an individual could signal to other creditors that a person was in financial trouble or untrustworthy, resulting in multiple cases in court as they developed a reputation for insolvency.

Figure 2.16. Defenders appearing in court multiple times.

Number of times a defender is brought to court	Number of individuals
1	896
2	73
3	19
4	6
5	2
6	4
7	1
8	1

Sources: As in figure 2.2.

In evaluating credit, notions of honesty, fairness and good business seem to have played only a partial role in creditors' thinking. Credibility was based on evaluations of individual worth that also depended on physical wealth. In court, plaintiffs demonstrated repeatedly that they had a clear idea of the property their debtors owned and how much it was worth. The merchant John Aitken told the court that his debtor, Marjorie Heriot, had 'many valuable objects such as a gold watch and other things of great value' that would allow her to pay off the debt.[87] William Foulis claimed that his debtor had a 'stock of moveables and household plenishings'.[88] Creditors even knew how much specie their debtors possessed. William Stevenson's creditor knew that he has 'a well furnished house in town and money resting to him, and further that his wife acknowledged to severall persons that she had 12 guineas

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[86] ECA, *Boswall v Rochead*, 1730. Box 85, Bundle 211*; Ramsay v Nairn*, 1730. Box 86, Bundle 213.
[87] ECA, *Heriot v Aitken*, 1770. Box 285, bundle 41.
[88] ECA, *Scott v Foulis*, 1730. Box 285, Bundle 40.

lying by her'.[89] Others knew about the income that their debtors derived from business and trade. The gardener James Thorburn trusted that his customers would be good for their debt because they were 'in a good way of living' from the income they derived, 'he by his business and she by keeping entertaining borders'.[90]

Based on these evaluations, some creditors took steps to secure the wealth of the debtors. Pledging, often understood as a ritual intended to seal an obligation by appealing to a debtor's honour, was one form of security. As a form of gifting, Mauss wrote that the pledge 'is not only a binding obligation, but also binds the honour, authority of the one who hands it over'.[91] Thus in 1730 Elizabeth Aitchieson, in obtaining credit from James Veitch, 'laid down three shillings of it to the complainer upon the table and offered of plaid in pledge for the rest thereof'.[92] Pledging was used to seal a variety of financial transactions, from sales made on credit to agreements about wages. When Elizabeth Horsburgh took on Richard Birnie as a servant, they agreed on a wage 'upon which agreement the defender delivered the pursuer one shillings scots of earnest in presence of witnesses'.[93] Performed in front of witnesses, the ritual in both cases bound the honour of the debtors to uphold their obligations.

As it was described in the bailie court, pledging served a dual purpose. Not only was it a form of social obligation, but as a practice similar to modern-day collateral, pledging served as a means of obtaining objects of comparable value to the credit being lent. These objects could then be resold if a debtor failed to pay. Thus, in obtaining a cash loan of £1 10s., Mary Stewart pledged a black coat, a little old feather bed and a old table, three old chairs, and a pair of old coarse sheets as security.[94] In 1770, Mary Shaw took furnishings from George Andrew's room as security until he could pay the rent.[95] The value of the goods pledged often far exceeded the value of the debt contracted. For a debt of £2 10s., one creditor took 'in her custody ane tea kettle worth five shillings sterling an tea pot and crown being

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[89] ECA, *Stevenson v Montgomery,* 1730. Box 285, bundle 40.
[90] ECA, *Thornburn v Laing*, 1730. Box 285, Bundle 40.
[91] Marcel Mauss, *The Gift: Forms and Functions of Exchange in Archaic Societies* (London, 1954), 62.
[92] ECA, *Veitch v Aitchieson*, 1730. Box 86, Bundle 214.
[93] ECA, *Birnie v Horsburgh*, 1730. Box 86, Bundle 213.
[94] ECA, *Haliburton v Stewart*, 1730. Box 86, Bundle 214.
[95] ECA, *Andrew v Shaw*, 1770. Box 144, Bundle 373.

hard metal three tea cups and fair saucers of chiney worth three and six pound with ane white tea box with fishing tackle and books worth ten shillings sterling'.[96] Creditors even took goods belonging to their debtors in order to settle obligations, revealing the grey boundaries between ownership, obligation and theft. Thus in 1770 Norman McLeod was taken to court for selling the clothes of his lodger, who he claimed owed him arrears in rent. Later that year, James Seton attempted to sell the furnishings from the house of Margaret Miln, who happened to be both his landlord and his debtor.[97] Given the ranks of people involved in bailie court cases, this strategy was clearly employed not only with the poor and credit-less, for whom pawning served as a known means of access to the consumer economy,[98] but with a variety of middling consumers.

In extending credit, creditors considered their knowledge of the obligations due to debtors as well as their physical wealth. Thus when seeking payment, if a debtor did not have the physical assets to pay up, creditors often had a good idea of whom to approach to collect on the debt. Those with obligations to an individual whose credit had become questionable might find themselves pursued by multiple creditors. William Hamilton, a writer, was pursued by several creditors of James Wright, a tailor, to whom he owed £3 1s. 7d. Hamilton claimed that he was 'daily harrassed at the instance of sundry persons pretended creditors of the said James Wright who have interfered him from making payment thereto… especially a grocer on Minto Street and a person calling himself James Ralton, agent for the said James Wright'.[99] Individuals had a clear idea of who was indebted to whom and for how much. In 1769 Lillias Drummond was able to entice William Alexander out of his house in order to steal from him by telling him that one of his debtors 'was come to town and was in a house up streets'.[100] Awareness of others' debts and obligations had to be common enough for this type of ploy to be believable.

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[96] ECA, *Moffat v Nicholson*, 1730. Box 85, Bundle 211.
[97] ECA, *McLeod v Debtors*, 1770, Box 144, Bundle 373; *Miln v Seton*, 1770, Box 144, Bundle 373.
[98] Laurence Fontaine, 'The Circulation of Luxury Goods in Eighteenth-Century Paris: Social Redistribution and an Alternative Currency', in Maxine Berg and Elizabeth Eger, eds., *Luxury in the Eighteenth Century: Debates, Desires and Delectable Goods* (Basingstoke, 2003), 95; Sanderson, 'Nearly New: The Second-Hand Clothing Trade in Eighteenth Century Edinburgh', 41-42.
[99] NAS, Sheriff Court Ordinary Processes, *Hamilton v Wright*, 1794, SC39/17/437.
[100] NAS, Tolbooth Warding and Liberation Books, Lillias Drummond, 2 January, 1769. HH11/28.

Engaging in credit contracts was often about establishing liability. Even the use of family networks and intermediaries in establishing credit relations was not just about probing an individual's reputation for fair and honest dealing, but about identifying family members and proxies who might be held legally or socially accountable if a debtor defaulted. This was especially the case for credit extended to married or dependent women, as laws of coverture made male heads of house liable for their debts. John Sheills, a merchant, gave a woman a kettle and cloth on credit because of her association with George Zeigler as his 'wife's mother who stays in family with them'. When the woman defaulted, Sheills was able to hold Zeigler, a well-to-do lawyer, accountable.[101] Others established personal security in a more formalised way, obliging those who were known to be credible to act as 'cautioners' or guarantors for those who were not. Increasing numbers of cases were brought against individuals acting as guarantors. In 1770, Duncan Clerk brought a case against William Bannerman to collect £1 7s. in rent due by Elizabeth MacMillan for which the defendant acted as security.[102] The wigmaker John Phin allowed Mr Johnstone to run up an account of shaving over the course of seven months because he was the son of Captain Alexander Stevenson, to whom Phin already gave credit.[103]

Trust in eighteenth-century Edinburgh was based on a culture of evaluation that emphasised debtors' physical abilities to pay. Court records, given their nature, might likely over-emphasise issues of liability, but the specific knowledge that creditors were repeatedly able to demonstrate about their debtors' physical worth cannot be ignored. This system of evaluation constituted a marked shift from the culture of credit described by Muldrew. In seventeenth-century England, notions of social and economic worth were not easily disaggregated. Trust or credit was based on a reputation for honesty, and in judging this honesty, there was no distinction between economically rational transactions and other social transactions.[104] As chapter five will show, the economic importance of social transactions did not disappear, but they sat alongside evaluations of physical wealth. Not only did people

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[101] ECA, *Sheills v Zeigler*, 1770. Box 144, bundle 371.
[102] ECA, *Clerk v Bannerman*, 1770. Box 144, Bundle 371.
[103] ECA, *Stevenson v Phin*, 1730. Box 86, Bundle 214.
[104] Muldrew, *Economy*, 129, 148.

observe one another's social behaviour, making judgements about their moral and ethical qualities, but they keenly observed each other's debts, property and income. For some people, these social and financial evaluations could be unpicked. Those who had the ability to pay because they owned valuable property, had a regular income or could claim a skilled occupation, made them trustworthy. The tendency of skilled artisans and tradesmen to extend credit to other skilled artisans and tradesmen, as reflected in patterns of litigation, is another facet of this development.

V. Conclusion

From the perspective of the small tradesmen who brought their debts to the bailie court, the eighteenth century was certainly not the moment of a 'great transformation' in credit relations, nor in the commercial mentalities that governed their day-to-day participation in commerce. With respect to the middling men and women who participated in bailie court litigation, credit practices looked the same in most respects as they had a century earlier in England. Tolerance for long periods of credit and high levels of debt characterised credit relations. Reciprocal exchange and transactions based on credit tied individuals in Edinburgh together into complicated webs of obligation. The interconnected nature of credit became visible in the bailie court when one person defaulted, often implicating the credit of a network of individuals. From the perspective of bailie court litigation, the shift from reputation to character had not yet played out amongst middling tradesmen in eighteenth-century Edinburgh. When making decisions about whether to trust an individual with credit, creditors continued to rely on personal or community knowledge of a debtor's circumstances throughout the period of study.

While the eighteenth century did not offer a great transformation, it did provide the setting for some small changes. In terms of the structure of credit networks, credit time shortened slightly and obligations became larger. Secondary debts increased, meaning that indebtedness began to jump the bounds of face-to-face credit negotiation. However, terms of credit continued to vary widely, depending on the personal negotiations between creditor and debtor. Neighbourliness, charity and social evaluation continued to factor into credit relations. However, evaluations of

physical wealth and obligations were also important, as well as efforts to establish liability, showing the beginnings of a distinction between social and economic worth.

The culture of evaluation that developed in eighteenth-century Edinburgh can be linked directly to its institutional context. Despite the Scots' propensity to use their burgh court system in greater numbers than their English neighbours, the increasingly cumbersome and labyrinthine system of courts in Edinburgh made contracts difficult to enforce. The long process required to force debtors to pay and the increasing expense of litigation meant that creditors devised a number of individual solutions to establish, facilitate and enforce their obligations. One of these solutions involved an emphasis on accountability. Holding a debtor's goods until a debt was paid, or involving a third party in a liability ensured that an obligation would be met. This act did not necessarily signify a lack of trust, but perhaps rather an acknowledgement that in a volatile economy, even the most trustworthy person could become insolvent. Another individual solution was to address the limitations of interpersonal credit, particularly the ways in which credit as a form of wealth was not easily transferred. Edinburgh tradesmen and craftsmen thus devised methods of passing debts from one person to another, as indicated by the increasing number of secondary debts appearing in court, and the growing complexity of credit networks.

While this system seems embedded in a local, legal context, it is quite possible that this culture extended beyond Edinburgh, and that it was not specific to Scotland. Even Daniel Defoe, who wrote on a wider British context and whose words have often been invoked to emphasise the importance of honesty, good business and other social components of trust, wrote in 1729, 'it is a great mistake to say, personal credit is given upon the honour and faith of the debtor'. Issues of liability and of enforcing debts were central to Defoe's thinking. In deciding whether to deal with an individual, a tradesman needed to ask 'not whether he be *honest,* but whether he is *able*… If he is able, I'll venture; for I know how to make him willing'.[105] Without institutions to facilitate trust, institutionalised 'general' trust in the system was not yet possible. In the growing urban milieu, the possibilities for the community enforcement of ethical behaviour were not as they had been in the small communities described by Muldrew. Evaluations of wealth and of a debtor's ability

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[105] Daniel Defoe, *Some objections humbly offered to the consideration of the Hon. House of Commons, relating to the present intended relief of prisoners* (London, 1729), p. 23.

to repay provided a solution to these urban challenges. By considering cases from urban Scotland, conceived in a unique legal context, the possibilities of a more varied culture of credit emerge.

Variations in creditor behaviour, in which some secured and enforced debts by establishing liabilities, and others appealed to notions of neighbourliness and charity, show that the culture of credit was not totalising. For tradesmen and artisans, the market was a site of contested behaviour, and the courtroom provided a setting for confrontations between custom and contract. Though the Edinburgh civil court system seems complex and incomprehensible to the modern eye, contemporaries knew how to skilfully manipulate it to enforce what they saw as appropriate behaviour. Some ruthlessly enforced contracts, using the court as Defoe suggested, to make their debtors 'willing'. Others used the system enforce long terms of credit. David Murray protested that his debtor, Alexander Menzies, lodged petitions against his claim in way 'calculated to delay the time and stave off the pursuers demand'.[106] Another claimed that his debtor used the system of litigation to prolong payment, and 'would not settle at all tho he knew and acknowledged the debt to be due'.[107] The evidence brought before the bailie court suggests that credit was long term and reciprocal, and it tied middling individuals into relationships based on contract. But the culture of credit also accommodated different attitudes, behaviours and ambitions.

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[106] ECA, *Murray v Menzies*, 1770. Box 144, Bundle 373.
[107] ECA, *Garrat v Ross*, 1770. Box 144, Bundle 371.

Chapter 3: Credit Networks and Trust in Philadelphia

In colonial Philadelphia, as in Edinburgh, indebtedness was a feature of everyday life. Credit accounted for a major proportion of colonists' net worth and it served as the means of exchange in day-to-day commerce due to shortages of specie. Studies drawing on probate inventories have shown that the majority of individual wealth was held in the form of obligations. In the middle colonies, claims against debtors constituted 86 per cent of the financial assets held by individuals at death, including inventoried moveable goods. Being a creditor went hand in hand with being a debtor, and inventories at death show that the obligations owed by and to deceased individuals often sat in precarious balance. Individual liabilities amounted to about 70 per cent of assets. Transferring this wealth, which existed mostly in the form of credits and debts on account, from person to person, was a problem. Portable, physical wealth formed the minority of most people's estates. Cash, the most portable form of wealth, constituted only 12 per cent on average of individual assets. As Alice Hanson Jones has shown, indebtedness was a feature of life throughout the American colonies. However, it appears that levels of individual debt were even higher in cities than in rural areas, suggesting that credit was a particularly prominent feature of urban life.[1]

These statistics, showing that credit accounted for a major portion of urban colonists' net worth, and that it formed the means of day-to-day trade, had implications not only for early American trade and for politics.[2] They also had an impact upon the social fabric of the colonial port city. Before 1774, no savings institutions existed in the American colonies. Credit was granted on a person-to-person basis, and assets and liabilities were spread throughout the population, without a clear 'debtor class' or 'creditor class'.[3] Indebtedness was something experienced by nearly everyone, and as this chapter will show, webs of financial relationships facilitated access to the consumer economy, tying individuals in the city together. This chapter explores these webs in more detail, from the perspective of a

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[1] Alice Hanson Jones, *Wealth of a Nation to Be: The American Colonies on the Eve of Revolution* (New York, 1980), 128, 138, 147.
[2] Terry Bouton, *Taming Democracy: 'The People,' the Founders, and the Troubled Ending of the American Revolution* (Oxford, 2007), 88-104.
[3] Jones, *Wealth*, 153.

selection of middling artisans and tradesmen who sat at the centre of credit networks, extending small amounts of credit to retail customers. It considers the influence that aspects of Philadelphia's environment, including religious and ethnic plurality and the city's institutional context, played in the construction of these webs, and how trust was established between tradesman and customer. By comparing the structures of credit that emerge in Philadelphia to those identified in Edinburgh, it considers the degree to which the practices of middling tradesmen were universal within a British Atlantic urban context.

While credit practices in Edinburgh were reconstructed using court records, Philadelphia lacks comparative legal sources. This chapter instead relies on the account books of five tradesmen.[4] These books collectively detail their credit relationships with over 900 customers and fellow tradesmen in the period 1718 to 1770, and much of the data that emerges from them can be compared to court records. Account books provide similar information about economic transactions, including the duration, extent and structures of credit, when and why reckoning took place, and why individuals trusted others with their credit. But perhaps more importantly, the use of account books expands the range of sources used to study credit in this thesis. Account books provide an alternative glimpse at local credit relations. While court records show moments of crisis, account books describe normal day-to-day trade. Whereas court records offer snapshots of single credit relations, account books reveal the complete and extensive activities of one person or family, including both successful and failed credit transactions. Furthermore, account books offer a different view of several of the themes addressed in chapter two, including secondary debts, networks, and mediated relations, contributing to a more complex understanding of these themes. When linked with probate and tax records, account books are especially useful in highlighting the networks of familiarity that overlapped with credit.

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[4] American Philosophical Society (hereafter APS), John Head Account Book, 1718-1753. George Vaux Papers; Historical Society of Pennsylvania (hereafter HSP), Stephen Paschall Ledger A/B 1736-1742, Ledger B 1752-1765, Ledger D 1764-1765. Paschall and Hollingsworth Collection, Phi 474; HSP, Joseph Graisbury Ledger, 1759-1774. Reed and Forde Collection, Phi 541; HSP, Joseph Jacobs Ledger, 1760-1765. HSP, Jacobs Family Papers, Phi 884; APS, James Burd ledgers and correspondence, 1747-1752, Burd-Shippen Papers, Mss.B.B892

By using account books, the chapter draws on a source that was a common feature of contemporary credit. Account books were an integral feature of trade during the eighteenth century. They held a central position in daily financial transactions, facilitating the exchange of credit in economies with a scarcity of money, 'giving barter flexibility'.[5] They served as legal evidence, and were requisitioned by the courts in cases of bankruptcy and debt as forms of proof.[6] They also were a form of social practice intended to demonstrate honesty and fair dealing. Laurence Fontaine described accounting in early modern France as part of a process of 'representing oneself as a methodical and forward thinking individual'.[7] For historians, account books have been interpreted in several ways. The emergence of double entry bookkeeping has been seen as central to the transition to capitalism by providing businessmen with the ability to calculate profit.[8] In colonial America, account books and ledgers have been used to assess the extent of the shortage of specie and to observe volumes of trade. Social historians of early America have considered account books of limited use because they only describe formal transactions evaluated on money of account, when in reality individuals engaged in a variety of formal and informal economic transactions.[9] However, account books can be useful as sources that illuminate the composition of credit and social networks.

The five account books selected for this study were chosen because they represent Philadelphia's religious and ethnic plurality and because they allow for reflection on the extent and nature of credit across a range of trades. They also cover a span of some 60 years, making it possible to consider how credit practices changed over time. John Head was a joiner active in Philadelphia from 1718 to 1754. He specialised in furniture, retailing a variety of items from luxury goods such as clock cases to more humble items such as coffins. An English immigrant who arrived in

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[5] William T. Baxter, 'Oservations of Money, Barter and Bookkeeping', *Accounting Historians Journal*, 31 (2004), 130-132.

[6] Nancy C. Cox, *The Complete Tradesman: A Study of Retailing, 1550-1820* (Aldershot, 2000), 153; Bruce H. Mann, *Republic of Debtors: Bankruptcy in the Age of American Independence* (Cambridge, MA, 2002), 10.

[7] Laurence Fontaine, 'Antonio and Shylock: Credit and Trust in France, 1680-1780', *EcHR*, 14 (2001), 55.

[8] Max Weber, Guenther Roth, and Claus Wittich, *Economy and Society: An Outline of Interpretive Sociology* (New York, 1968), 91.

[9] Daniel Vickers, 'Errors Expected: The Culture of Credit in Rural New England, 1750-1800', *EcHR*, 63 (2010), 1036.

Philadelphia in 1717, he was a prominent member of the local Quaker community.[10] Stephen Paschall, also a Quaker, was born in Philadelphia to a maltster and established himself in business in 1735. He manufactured, sold and repaired a wide variety of ironmongery and cutlery. In 1747 he expanded his business and built a furnace for making steel at the corner of Walnut and Eighth Street.[11] His business records detail his activities until 1765. Joseph Graisbury was a tailor who worked in Philadelphia from 1759 to 1773, outfitting the city's wealthiest inhabitants in the latest fashions.[12] Of German descent, he spent most of his life in Philadelphia and was a member of the Anglican Christchurch. Joseph Jacobs was a saddler active between 1760 and 1765. He was born in Philadelphia to John Jacobs, a surveyor. His brothers also pursued commercial careers, one a weaver and another a merchant.[13] James Burd, a Scottish immigrant who arrived in Philadelphia in 1747, worked as a shopkeeper and retailed a variety of consumer goods between 1747 and 1752.

In an unpredictable colonial economy where fortunes quickly rose and fell, four of the five tradesmen were unusually successful, attaining a 'comfortable independence' that placed them in the middle tier of urban society, and achieving status as respected members of their respective trades.[14] John Head's work was considered some of the best quality colonial furniture locally available, and he sold items to prominent and elite Philadelphians. The income he derived from his trade allowed him to invest in property that he rented out for profit. He died wealthy enough to bequeath a house in Philadelphia to each of his four daughters.[15] His family remained on a path of upward social and economic mobility, and his son would become one of the wealthiest merchants at time of the Revolution.[16] Paschall was the sole owner of his business, and became a well-known and prosperous manufacturer. Attesting to his reputation, some competitors sold imported sickles stamped 'S Paschall'. He was active in Philadelphia's intellectual life, and was a

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[10] Jay Stiefel, 'Philadelphia Cabinetmaking and Commerce, 1718-1753: The Account Book of John Head, Joiner', *American Philosophical Society Library Bulletin*, 1 (2001), 8.

[11] Whitfield J. Bell, *Patriot-Improvers: Biographical Sketches of Members of the American Philosophical Society* (Philadelphia, 1997), 187 v. II.

[12] Billy G. Smith, 'The Material Lives of Laboring Philadelphians, 1750 to 1800', *WMQ*, 38 (1981), 163.

[13] HSP, Joseph Jacobs Ledger; Jacob Family Papers, Phi 884.

[14] Daniel Vickers, 'Competency and Competition, Economic Culture in Early America', *WMQ*, 47 (1990), 3.

[15] Philadelphia City Archives (hereafter PCA), John Head Will. Will book K, p. 208.

[16] Stiefel, 'Philadelphia Cabinetmaking', 4-6.

member of the American Philosophical Society.[17] Joseph Graisbury earned about £180 Pennsylvania Currency annually, a salary approximately four times that of the common labourer and large enough to support comfortably seven children and a slave.[18] In 1756 he belonged to the wealthiest half of Philadelphia's population, a position he maintained until his death 40 years later.[19]

Despite their accumulation of wealth, these four tradesmen did not represent the trajectory of tradesman to merchant to gentleman that historians have so often assumed that contemporaries aspired to.[20] All four continued to work with their hands throughout their lives. Though they were relatively successful, their status as artisans would keep them well below Philadelphia's merchant community in terms of rank.[21] Only Burd's trading career ended in failure. After over-extending his finances and investing in an unsuccessful shipping venture, Burd was forced to declare bankruptcy and fled to the Pennsylvania frontier. However, his career did not end in failure. Through family and patronage networks, he was able to reinvent himself and went on to become a colonel in the French and Indian War. While the experiences of Head, Paschall, Graisbury, Jacobs and Burd might not represent the 'typical' Philadelphia artisan or small tradesman, their records are useful because they sat at the centre of credit networks.

All five tradesmen kept track of their credit networks by using systems of accounting. However, despite claims that by the second half of the eighteenth century, most shopkeepers in large cities had sophisticated bookkeeping skills, the accounting skills of the tradesmen considered here were largely rudimentary and their standards of exactitude lax.[22] Their account books do not present the type of clean and perfect accounting that instruction manuals and *vade mecums* advocated

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[17] Bell, *Patriot-Improvers*, 187 v.II.

[18] J. A. Henretta, 'Families and Farms: Mentalité in Pre-Industrial America', *WMQ*, 35 (1978), 164; Smith, 'Material Lives', 163.

[19] Hannah Benner Roach, 'Taxables in the City of Philadelphia, 1756', *Pennsylvania Geneological Magazine*, 22 (1961), 3-41; Billy G. Smith, The *"Lower Sort": Philadelphia's Laboring People, 1750-1800* (Ithaca, N.Y.; London, 1990), 21. PCA, Joseph Graisbury Will, Will book X, pp. 506-7.

[20] See for example, James T. Lemon, *The Best Poor Man's Country: A Geographical Study of Early Southeastern Pennsylvania* (Baltimore, 1972).

[21] Thomas M. Doerflinger, *A Vigorous Spirit of Enterprise: Merchants and Economic Development in Revolutionary Philadelphia* (Chapel Hill, 1986), 37.

[22] Cox, *Complete Tradesman*, 149.

for the middling classes.[23] The tradesmen recorded different types of information in their books, and the methods and accuracy of their counting practices varied. Each of the account books examined in this chapter thus looked different. While Jacobs kept an orderly and carefully ruled book, allowing him to practice double entry accounting, Head's book seemed more haphazard and chaotic. A different page was devoted to each of his customers, and on these pages debts and credits were mixed. Some entries were partial and scattered throughout a book, making them difficult to follow and analyse. In one typical example, he noted that having written a customer's credit 'in a pees of paper and not having room properly on the other side was the reason I moved it to page 130'.[24] A jumble of other papers, including bills, scribbled notes and inventories were tucked into the pages. Tradesmen like Head not only used their account books to record calculations of monetary obligation, but they also often made notes in the margins reflecting their uncertainties, anxieties and thoughts. At times these reflections are more useful than the debts and credits recorded. Thus, more than records of prices, profits and losses, and examples of varying levels of numeracy, the account books reflect the complexity of economic processes, the differing attitudes and expectations of those who used them, and tradesmen's conceptualisations of obligation and value.

Account books present an extraordinary amount of quantitative data. In order to facilitate their analysis and account for their inconsistencies and variations, the consistent information recorded in four of the five accounts (those of Burd, Head, Paschall and Graisbury) was entered into a database. This database recorded, where available, the dates credit was granted and the amount extended to each customer, the goods and services provided on credit, the amounts, methods and timings of payments, and the presence of any third parties in their credit relationships. Like the bailie court records, database analysis facilitated name matching in order to trace the relationships between individuals within a network. It also allowed patterns to emerge in each tradesman's credit practices, which could be compared with the others. Jacobs' account entries were inconsistent and incomplete, and thus were not

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[23] Konstantin Dierks, 'Middle-Class Formation in Eighteenth-Century North America', in Simon Middleton and Billy G. Smith, eds., *Class Matters: Early North America and the Atlantic World* (Philadelphia, 2008), 99-108.

[24] APS, John Head Account Book, account with Sary Griscomb, 5 Oct, 1723.

entered into a database. However, he recorded more information about his customers than the other tradesmen, and his book has been used independently to consider what types of information he considered important when deciding whether to trust individuals with his credit.

Unlike court records, account books give very little detail about the individuals whose credit they describe, and occupation, age or residential location are only rarely hinted at. However, this problem can be partially rectified with record linkage. The lists of names in the account books were checked against Philadelphia tax lists and probate material, both of which provide considerably more information about the individuals they list.[25] Tax lists give information about occupation, residential location by city ward, and a property assessment. Probate records vary considerably, but in their most complete state they provide information about occupation, location of residence, family members, the value of an individual's estate, and the credits and debts of the deceased. Due to the discrepancies in each tradesman's accounting practices and the patchy availability of documents for record linkage, the five account books were not subjected to the same type of analysis. Burd, Paschall and Graisbury's account books were linked with Philadelphia tax lists from 1756 and 1772. Because no extant tax lists exist for the period in which Head was active in business, his account book was instead linked to probate material. Record linkage only located a portion of the total number of each tradesman's network; 39 per cent Burd's customers, 19 per cent of Graisbury's customers, 38 per cent of Paschall's customers, and 48 per cent of Head's customers were identified. The information gleaned through record linkage provides a glimpse of networks based on status, occupation and wealth, though given the minority of customers located, the relative importance of these different features cannot be assessed.

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[25] Probate records, including wills and inventories, are held by PCA. The 1756 tax list was published by Roach, 'Taxables', 3-41. PCA holds a transcript of the Assessment of the 1772 Provincial Tax for the City and County of Philadelphia. The author wishes to thank Billy G. Smith for providing database versions of the tax records.

I. Patterns of credit

At first glance, the account books suggest a world of credit in Philadelphia that was similar to that of Edinburgh. Tradesmen engaged in long term and generally reciprocal credit relationships with their customers. Lengths of credit appear to have been even longer than in Edinburgh, perhaps a reflection of the sources consulted as much as an indication of different practices in the two cities. The duration of credit practices in court records may have been unusually short, having been terminated prematurely by some sort of crisis. While in Edinburgh, credit time between most individuals ranged between one and two years, figure 3.1 suggests that with the exception of Burd, in Philadelphia a period of well over 20 months passed between the extension credit and the final payment. Payments were often made in instalments, and tradesmen waited for exceptionally long periods for initial payments to be made or for reciprocal transactions to begin. In Paschall and Head's account books, only about a quarter of customers made some sort of payment within the first year. In many cases they were left waiting even longer. In 60 per cent of Paschall's accounts, the first payments were made after one year. First payments in Head's accounts were made after one year in 35 per cent of cases, and after three years in over 20 per cent of cases. However, interpretation of these figures must take into account that in many exchange relationships, the artisans in question began as debtors. For example, Head was indebted to nearly a quarter of his customers before they acquired goods from him. This demonstrates the reciprocal nature of credit transactions, a feature that applied to both the Edinburgh and Philadelphia contexts.

As in Edinburgh, all four tradesmen were tolerant of high levels of debt, granting credits of between £9 and £22 Pennsylvania Currency (figure 3.2), the equivalent of about two to five month's wages for an average labourer at mid-century.[26] Most of these debts accumulated over time through multiple credit transactions. Graisbury allowed debts to accumulate to an average of £12.2 and for a period of less than two years, a figure that fits roughly with the average cost of

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[26] Smith, 'Material Lives', 184. All subsequent monetary figures in this chapter are stated in Pennsylvania Currency. Due to fluctuating exchange rates, these figures have not been converted into Pounds sterling.

clothing a family, which was about £8.5 per annum in the 1760s.[27] In Head's case, customers received credit on anything from one to 30 items. However, there was little correlation between the total debt accumulated and the number of credit transactions. Though John Lloyd received credit from Head 25 times, his total debt amounted to only £1 10s. Lloyd's purchases were for small quantities of inexpensive goods such as soap, lime and wooden planks. The largest amounts of credit granted by Head were generally for single items of luxury furniture. Thus, John Clifton's substantial debt of over £17 was accumulated in only three transactions, for a desk and two bedsteads. As in Edinburgh, multiple transactions were balanced with multiple payments, so that a person's indebtedness to a tradesman at any given point in time was generally much lower than the total amount of debt accumulated. For example, while Head granted an average of £12 of credit total to each person, customers were indebted to him for only £2.24 on average at any given time.

Figure 3.1. Average duration of credit relationships described in tradesmen account books.
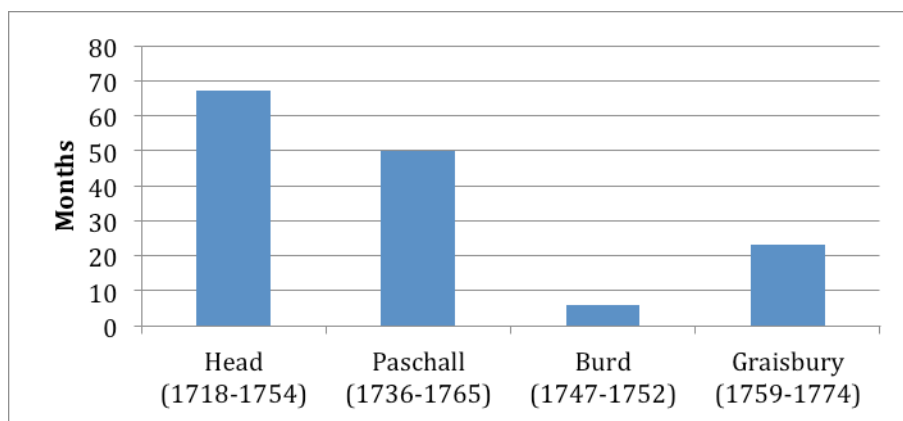
Sources: APS, Head Account Book, 1718-1753; HSP, Paschall Ledger A/B 1736-1742, Ledger B 1752-1765, Ledger D 1764-1765; HSP, Graisbury Ledger, 1759-1774; APS, Burd ledgers, 1747-1752.

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[27] Smith, *Lower Sort*, 232.

Figure 3.2. Average total debts accumulated by customers in tradesmen account books.
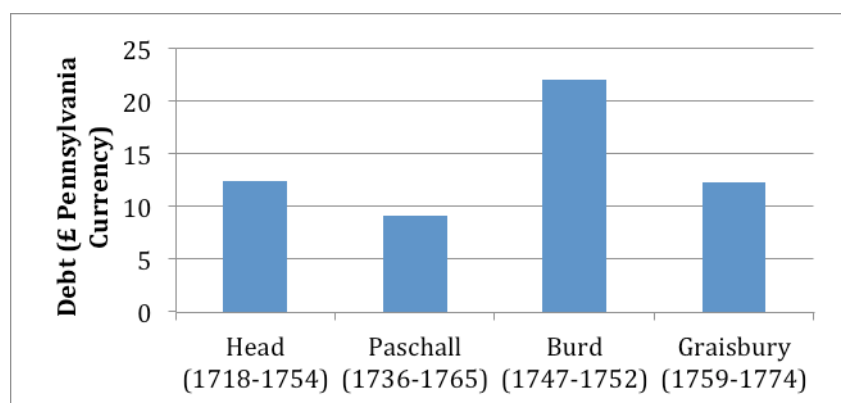
Sources: As in figure 3.1.

Account books suggest that the majority of exchange relationships connected individuals of similar rank and status, a feature in which credit practices in Philadelphia resembled those in other parts of colonial America.[30] All four tradesmen appear to have preferred dealing with others like themselves, that is, those with skilled occupations and at least semi-independent status. Table 3.3 describes the credit networks of the four tradesmen according to customer occupation.[31] Variations in the occupations featuring prominently in each tradesman's network were a result of the occupation and products sold by each artisan. Paschall sold goods especially to occupations requiring metal tools and blades, such as the medical and building trades. Graisbury engaged in credit relations with high numbers of artisans involved in the production of textile and leather goods, with whom he traded materials related to his occupation.

Despite some variations in occupation, in all four accounts, the high and low ends of the social spectrum, gentlemen and labourers, featured infrequently as recipients of credit. The artisans and tradesmen who received credit filled a wide social space between labourers and the upper-class elite. The levels of wealth in each tradesman's network, as represented in tax records, confirm that most customers earned wages suitable to those of skilled occupations, allowing them an independent existence. Table 3.4 shows that most of Burd, Paschall, and Graisbury's customers

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[30] Vickers, 'Errors Expected', 1037.
[31] Similar categories have been used as Edinburgh, with some variations to reflect local economic conditions.

were clustered between the £10 to £40 assessment brackets. These levels clearly placed them in the middling tiers of society in terms of wealth.[32] Thus like bailie court cases, the account books describe the trading relationships of individuals who may have been competing, but who were likely not engaged in relationships based on disparities of power. However, because account books show the full extent of each individual tradesman's credit network, this source suggests more forcefully that tradesmen chose to trust those who were similar to themselves with their credit.

Figure 3.3. Occupations of tradesmen's customers.

Occupation of customers	Burd % customers	Paschall % customers	Graisbury % customers	Head % customers
alcohol production	1.77	3.24	2.00	2.13
barber/wigmaker	2.65	5.40	0.00	4.26
building trades	4.42	12.95	10.00	12.77
captain	10.62	11.87	2.00	0.00
clothing/footware trades	9.73	2.16	28.00	17.02
food production/sales	1.77	1.08	2.00	0.00
gentleman	0.88	2.16	4.00	8.51
innkeeper	1.77	7.55	0.00	4.26
labourer/mariner	6.19	3.24	2.00	0.00
medical trade	2.65	26.98	0.00	0.00
merchant	22.12	1.08	24.00	14.89
metal trades	0.88	0.00	10.00	0.00
printing/publishing	0.00	2.16	0.00	0.00
professional	1.77	1.08	6.00	0.00
servant/apprentice	0.88	26.98	0.00	0.00
shopkeeper	22.12	0.00	4.00	8.51
transport	0.00	6.48	0.00	0.00
woman	5.31	3.24	0.00	0.00
wood trades	2.65	2.16	6.00	6.38
yeoman	1.77	0.00	0.00	21.28

Sources: As figure 3.1.

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[32] G. B. Nash, 'Urban Wealth and Poverty in Pre-Revolutionary America', *Journal of Interdisciplinary History*, 6 (1976), 545-584; Gary B. Nash, *The Urban Crucible: Social Change, Political Consciousness, and the Origins of the American Revolution* (Cambridge, MA, 1979), 16-17, 395-397.

Figure 3.4. Tax assessments of customers in the account books of Graisbury, Paschall and Burd.

Tax Assessment (£ Pennsyvania Currency)	No. customers		
	Graisbury	Paschall	Burd
<10	9	4	3
10-19	23	30	19
20-29	12	17	10
30-39	0	18	14
40-49	2	5	8
50-59	3	6	8
60-69	2	5	6
70-79	3	0	4
80-89	1	2	1
90-99	3	3	3
>100	7	5	1
Total	**65**	**95**	**77**

Sources: HSP, Paschall Ledger B 1752-1765; HSP, Graisbury Ledger, 1759-1774; APS, Burd ledgers, 1747-1752.

Figure 3.5. Duration of credit relationships in tradesmen accounts, from date of first item of credit extended to date of final payment.

Credit time	Percentage of customers			
	Head	Paschall	Burd	Graisbury
< 6 months	9.76	9.64	53.57	34.79
6 mos -1 year	7.32	8.43	42.86	27.83
1-2 years	12.20	19.28	3.57	2.32
2-3 years	14.63	16.87	0.00	0.00
> 3 years	56.10	45.78	0.00	0.00

Sources: As in figure 3.1.

Figure 3.6. Total debts accumulated by customers in tradesmen accounts, represented in clusters.

Total debt accumulated	Percentage of customers			
	Head	**Paschall**	**Burd**	**Graisbury**
<£1	4.17	27.47	5.80	1.04
£1-2	10.42	9.01	10.87	5.21
£2-5	18.75	24.03	20.65	25.00
£5-10	31.25	16.74	22.46	19.79
£10-20	22.92	11.16	22.83	16.67
£20-30	6.25	3.43	7.97	7.29
>£30	6.25	8.15	9.42	25.00

Sources: As figure 3.1.

A closer look at the account books shows that beneath the surface of generally long term and extensive credit relations, like Edinburgh there was much variation in individual credit practice. Average debts and lengths of credit time only partially reveal the nature of credit relationships, and averages can be misleading. In reality, the credit relationships that tradesmen engaged in varied substantially from person to person, reflecting differences across occupations and changes over time as Philadelphia's economy fluctuated. Furthermore, practices within each tradesman's network were not always consistent, reflecting different levels of trust, the needs of customers, and the abilities of each tradesman to extend credit at particular times.

Figures 3.5 and 3.6 show the variations in terms of credit that existed across each tradesman's accounts. Clustering around certain amounts and durations of credit clearly suggest the differences in credit practice between the four tradesmen. Of all the tradesmen, Head extended the largest amounts of credit, with significant percentages of customers receiving between five and 20 pounds. A few debts were paid off within six months, but over half lasted for more than three years. His debts were also consciously reciprocal. He exchanged his furniture for goods and services, receiving in payment everything from milk to blankets to old clocks to labour. The reciprocal exchange of goods would carry on for some time before two parties had a 'reckoning'. The exchange might carry on until one party no longer required the

services of the other, or for as long as both parties felt they could trust each other. Though average lengths of credit were long, reciprocal exchange varied substantially from customer to customer and could last from one month to several years. After six years of exchange of furniture for bricks with Abraham Cox, yeoman, Head noted in his account book that 'Cox brought his book and reckoned, and the balance due to me was one pound'.[34] With Sarah Griscomb, Head waited 18 years before reckoning, and was found to owe her nine shillings, which he paid in cash. Head began exchanging goods on credit with William Clare in 1722, but it was not until 1739 that Head 'agreed with him to cross our books'. These examples reveal the importance of trust in credit relationships, not merely in receiving eventual payment, but also in the accurate record-keeping of both parties.

Paschall and Graisbury provided less credit to their customers. For Paschall, the largest category of debt was for under one pound, whereas for Burd, large numbers of debts were for between two to five pounds or for over 30 pounds, likely reflecting his engagement in both retail and wholesale markets. Differences in the amounts and extent of credit also were due to the nature of the goods that each tradesman sold. Head sold luxury furniture, and customers generally purchased single items that were highly valuable. In contrast, the other tradesmen sold wares that were worth less and represented smaller outlays of expenditure on the part of their customers that could be more easily and more quickly paid off. For Paschall, a scythe or sickle was worth only a few shillings, and customers tended to purchase small quantities. Graisbury's credit terms varied widely from customer to customer. He sold goods to a range of individuals, from the Philadelphia elite who purchased several fashionable items made of imported fabric, to the more humble apprentice, who came to him for a single pair of work breeches. The amounts of credit that Graisbury granted thus ranged from 3s. to £88, with credit time ranging from a few days to 12 years.

Changes in tradesmen's credit practices over the course of their lifecycles must also be taken into account. All four tradesmen were entrepreneurs who changed and expanded their businesses. There was a clear division in Paschall's credit practices between his first decade of his business and the period after he established

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[34] APS, Head Account book. 11 Dec, 1725.

the furnace in 1747 (Figure 3.7). After this point, his production increased and he began to sell outside of Pennsylvania. Instead of retailing his goods directly with consumers, who purchased single items, Paschall began to sell his products on the wholesale market, sending large quantities of sickles to retailers in other colonies to whom he paid a commission. With this change in business practice, the average credit extended to customers increased from £5 to £11. The length of credit granted also increased from three and a half to four and a half years. Similarly, as Burd's business grew and expanded, he began taking increased risks with the amount of credit he lent. In 1748, Burd granted an average of £14 pounds per customer. By 1749, the average had increased to £18 14s., and by 1750 he was granting an average of £27 to each customer. The increase in average amounts of credit granted must be tempered by the effects of inflation, which raised commodity prices in Philadelphia by about 50 per cent between 1745 and 1775. However, the bulk of this increase occurred after the period that Burd's accounts were active.[35]

Differences in the nature and extent of credit were often related to the diversity of each artisan's business. Though all four artisans advertised themselves as suppliers of a particular kind of product, like the tradesmen in Edinburgh they ran very diversified businesses (Figure 3.8). They sold customers combinations of finished products and services specific to their occupations, other consumer goods, and raw materials. Head's business was the most diversified. Though he is best known as a supplier of luxury furniture, in fact furniture and finished products accounted for only about two thirds of Head's sales. He also sold raw materials such as boards and lime, as well as a variety of consumer products including sugar, molasses, and leather goods. Many of these goods were received as payment for furniture, then retailed at a profit. For example, bushels of lime provided in exchange for a chest of drawers in 1722 were received at a value of 1s. per bushel. Head then resold the lime at 1s. 2d. per bushel, generating a small profit.[36] The same pattern is visible in his account book with sugar, molasses and rum. For multiple items of furniture made for the silversmith Simon Edgel, Head was paid with items of silver including plates, porringers and salt cellars, which he later sold to other customers.[37]

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[35] Nash, 'Urban Wealth', 572, 580.
[36] APS, Head account book, accounts with Henry Thompson, William Rackstraw.
[37] Stiefel, 'Philadelphia Cabinetmaking', 28.

Figure 3.7. Average credit granted by Paschall to customers over time, as presented in his account book, 1736-1770.

Time period	Average credit (£ Pennsylvania currency)
1737-1746	5.30
1747-1756	11.10
1757-1765	11.77

Sources: HSP, Paschall ledgers AB, B, D.

Figure 3.8. Diversity of trade amongst artisans as calculated by percentage of account book transactions in which products appear.[38]

	Finished products	Consumer products not specific to occupation	Raw Materials	Cash
Head	67	24	20	0
Paschall	78	23	5	16
Graisbury	85	9	0	9

Sources: APS, Head Account Book, 1718-1753; HSP, Paschall Ledger A/B 1736-1742, Ledger B 1752-1765, Ledger D 1764-1765; HSP, Graisbury Ledger, 1759-1774.

Like Head, Paschall's business was diverse, though less so. Finished ironmongery products and mending amounted to three quarters of his business, while selling other consumer goods and lending cash accounted for the remainder. Paschall sometimes received goods in payment for his ironmongery, which he in turn retailed to other customers. But in re-selling certain products, especially large quantities of hay, Paschall can also be seen as a kind of middle-man who capitalised on his diverse connections. Paschall's trade in agricultural tools connected him to farmers in rural Pennsylvania, while his trade in various other cutting instruments gave him a customer base in Philadelphia. Paschall accepted hay as a payment for his ironmongery, then arranged for delivery of the loads of hay to customers in Philadelphia. In so doing, he was not only making a small profit, but also moving his

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[38] Calculations of diversity of trade have not been carried out for Burd, as his occupation as a shopkeeper naturally involved retailing a variety of goods.

debts from the countryside to the city, perhaps mitigating his risks by keeping them closer to home.[39]

Activities like lending cash are a feature only of the later account books. Paschall's account book shows that he was especially active in lending cash as compared to the others. He lent to 16 per cent of his customers, and in small amounts ranging from a few shillings to a couple of pounds. In another form of lending, he paid cash to third parties for his customers. Lending money was always combined with the sale of his ironmongery, and it was lent primarily to long- term customers. Paschall never charged interest on the cash he lent. However, this does not mean that money lending did not generate income. Lending might have been a way of securing future custom by strengthening bonds of mutual obligation, almost as an act of gifting. Lending could also serve a form of charity or neighbourliness in a cash-scarce economy. If Paschall had more cash in hand than the average Philadelphian, lending could be a way of helping neighbours, friends or family. The language employed in his account book supports this notion. In 1739, Paschall wrote that he 'relieved' one his customers through a cash loan.[40]

Of the artisans, Graisbury's business was the least diverse. Over 80 per cent of his accounts included finished tailored products. Unlike the other tradesmen, whose accounts usually included combinations of finished products, consumer products and raw materials, nearly all of Graisbury's accounts involved the sale of only tailored products. Graisbury's more specialised business was a direct result of the payments he received from customers. The other tradesmen received combinations of cash and goods that they had to resell, converting them into value that was more useful. In contrast, over half of Graisbury's accounts were paid exclusively in cash and the remainder were paid in goods. Unlike the other tradesmen, Graisbury kept the goods for his household instead of accepting them as a form of value and trading them on. For example, a debt contracted by the silversmith William Ball was paid in silver buckles for Graisbury's son and a silver chain and band for his wife.[41] In other cases, Graisbury was paid in raw materials that he

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[39] Economic crises appear to have caused defaults in the countryside first. See Bouton, *Taming Democracy*.

[40] HSP, Stephen Paschall Ledger AB, account with John Crosby, May, 1737, 40.

[41] HSP, Graisbury ledger, 67.

converted into finished products. In 1766, John Cadwallider paid off a debt for tailored goods and borrowed cash in linen and buttons.[42]

Considered together, the account books of the artisans, which span a period of 50 years, suggest a changing credit market. Over time, trade became more specialised. Consumer products not related to the artisan's trade accounted for a quarter of sales in Head's account book in the 1720s, and only 9 per cent of sales in Graisbury's account book in the 1760s. The development of more specialised trade paralleled a general decline in the duration of credit. These shifts suggest some larger changes in the credit market, which coincided with Philadelphia's demographic growth and changing economy. The Philadelphia that Head encountered was a much smaller place with a less mature consumer economy than the city in which the other tradesmen did business. Trade specialisation occurred alongside an increasing diversity of trades in the city.[43] Head dealt in diverse goods out of necessity, accepting a variety of products as payment and reselling them if he had no use for them. The long duration of credit was also a necessity and a reflection of problems of liquidity. Most wealth was tied up in the form of debts and obligations, making the ability of one individual to pay another difficult. The changes noted in account books might suggest that liquidity was becoming less of a problem, allowing customers to pay off their debts more quickly and accumulate less credit over time.

If economic developments allowed the duration of credit lent on account to decrease, they did not aid in the collection of unpaid debts, which became an increasing problem for the tradesmen of the later colonial period. Default was a common and endemic problem throughout the period of study, but was exacerbated by rising prices and unemployment in the years preceding the American Revolution.[44] Paschall noted in 1763 that William Bennet, who owed him £4 4s. for sickles had 'failed and gone from his aboad'.[45] Joshua Richie, who owed him £3, died insolvent.[46] Figure 3.9 shows levels of uneven account balances in the accounts of three tradesmen, suggesting that unpaid debts remained a problem through the

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[42] Ibid., 90.

[43] Gary B. Nash, *Race, Class, and Politics: Essays on American Colonial and Revolutionary Society* (Urbana, Ill, 1986), 19.

[44] Gary Nash, 'Poverty and Poor Relief in Pre-Revolutionary Philadelphia', *WMQ*, 33 (1976), 20-21; Smith, 'Material Lives', 172-174, 176.

[45] HSP, Paschall ledger B, 131.

[46] HSP, Paschall ledger C, 43.

period of study. Just under 10 per cent of balances were negative in Head's account book, and usually these were small, ranging from between 3 and 13 per cent of each customer's total debt. For Paschall, nearly 35 per cent of accounts were left with a negative balance, and these involved more substantial sums. Nearly half of all customers with negative balances had left at least half of the total account unpaid. The proportion of Graisbury's accounts that ended in negative balance was similar to Paschall, accounting for about one third of his accounts. But in 62 per cent of these cases, customers had paid off at least 90 per cent of their debts. Thus though negative balances were common for Graisbury, they amounted to very little in terms of their value.

Negative balances and unpaid debts appeared to be a feature of artisans' relations with their own creditors. Paschall, for example, only paid off part of his account with George Wood in the form of axes, steeling, and debts paid directly to Wood's creditors, leaving nearly 40 per cent of his debt to Wood unaccounted for. Similarly, a balance of one shilling, about two percent of the original debt, was left unpaid for an account of sand with Silas Parvin. Figure 3.9 suggests when both positive and negative balances are combined, unbalanced accounts were increasingly common within credit networks. Not only did the numbers of unpaid accounts increase, but the levels of debt that remained unpaid became more substantial.

Figure 3.9. Frequency of balanced and unbalanced accounts noted in tradesmen account books.

	Percentage of Accounts		
Account balance	**Head**	**Paschall**	**Graisbury**
Even or balanced accounts	64.58	58.21	42.64
Positive balance	27.08	7.46	24.03
Negative balance	8.33	34.33	33.33
Total of unbalanced accounts (positive and negative)	35.41	41.79	57.36

Sources: As in figure 3.8.

High numbers of unbalanced accounts were in part a reflection of poor accounting skills throughout the period. Accounting was an imperfect science, and

keeping perfect accounts was a skill that few artisans possessed as well as an activity that most did not have the time to accomplish. In some ways, accounting was not intended to calculate precise obligations, but to appear open and honest in one's business practices.[48] Account books provided only partial records of transactions. They operated alongside memory and social obligation in the calculation of value and debt. Joseph Jacobs was sometimes unsure of what he was owed. In the margins of one account he wrote 'I am not sure whether that cask of nails was paid for or not'.[49] In another, he appeared unsure of the value of goods he had received. On one page, he noted having been given saddles on credit worth 'I suppose the amount of about 14 or 15/'.[50] Jacobs' notes suggest that while reckoning, parties depended on memories of transactions in determining their financial obligations. Accounts might be written up some time after transactions occurred, making accuracy a problem. Trust in the people with whom one traded to be honest in their recollection of transactions was therefore essential.

The toleration of negative accounts also suggests something of the mentalities associated with exchange. Tradesmen may have conceptualised value in ways that appear loose to the modern eye, taking into account not only the value of goods exchanged, but the value of the relationships that underpinned them. The obligations noted in the account books took place alongside other social and non-monetary exchanges, which had an impact upon on notions of obligation and reciprocity and fostered lenient behaviour.[51] Exchange might take place in the pursuit of respect, reputation, or friendship.[52] Cultivating these relationships of regard by acting leniently, in which credit acted as a kind of gift, could be in the best interests of a creditor. Negative balances might hide other types of gains, such as a boost to a tradesman's reputation or the acquisition of other customers. It is known that tradespeople put up with unusually long periods of debt, or even unpaid debts, amongst elite or high profile customers if supplying those customers could help raise their own profiles. Crowston's study of the eighteenth-century Parisian shopkeeper

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[48] Craig Muldrew, *The Economy of Obligation: The Culture of Credit and Social Relations in Early Modern England* (Basingstoke, 1998), 62-64.
[49] HSP, Jacobs Ledger, 170.
[50] Ibid., 123.
[51] Vickers, 'Errors Expected', 1032-1057.
[52] A. Offer, 'Between the Gift and the Market: The Economy of Regard', *Economic History Review*, 50 (1997), 472.

Rose Bertin, for example, suggested that she tolerated substantial unpaid debts by the Queen because her status as the Queen's official fashion merchant was 'the most important aspect of Bertin's reputation'.[53]

On a more practical level, unpaid balances might also reflect the limitations of the credit market, especially the enduring difficulties of collecting payments and enforcing obligations. As in Edinburgh, the time it took for customers to pay did not always reflect the originally agreed terms of credit or desires of a tradesman. Often creditors had to press customers for payment. When Joseph Graisbury felt that payment was due, he delivered his customers a bill. For Graisbury, a bill was a statement of account similar to an invoice. Delivering a bill meant extracting the charges for goods delivered or services rendered from his account book, and presenting customers with a summary of their debts in writing. Because he noted this practice in his account book, it is possible to determine the lag between when a payment was due, and when a payment was actually made. While Graisbury's average debtor paid his or her obligations in 23 months, Graisbury delivered bills after an average of 13 months. However, the time that elapsed between contracting a debt and the delivery of a bill varied substantially from customer to customer. While some were delivered bills within less than a month, others had debts outstanding for over three years. There appears to be no correlation between the size of a debt and the amount of time before a bill was delivered. It thus seems likely that terms of credit were determined more by individual circumstances and the extent to which Graisbury felt he could trust a debtor than by the size of their obligation.

Tradesmen used a variety of means to extract payment from their customers, though account books only hint at these strategies. Graisbury's strategy of delivering bills seems to have been reasonably effective. Half of customers who were delivered a bill made payments in less than one month. Another third of customers paid within one and six months. Other tradesmen relied on social pressure. Consumers understood that their credit hinged on maintaining reputations for honest payment. Tradesmen had to trust that customers could be relied upon to rectify the mistakes that were inevitably made in accounting. In one case, Jacobs proved not to be so lucky. In his account book he noted that the saddler Benjamin Thomas owed one

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[53] Clare Haru Crowston, 'The Queen and Her 'Minister of Fashion': Gender, Credit and Politics in Pre-Revolutionary France', *Gender and History*, 14 (2002), 100-101, 105.

pound 'which happened by a mistake in reconing and he being informed of it immediately promised to pay it but never did'.[54]

If economic exchange broke down, creditors had few options. Some looked to litigation, though this strategy appears not to have been favoured by most Philadelphian tradesmen. References to litigation in the *Pennsylvania Gazette* suggest that recourse to the law was considered dishonourable. In 1728, Philadelphians read a story about a young hosier who did not go before a magistrate to collect on a debt, 'which might taint his reputation'. In 1729, the paper reported that ''tis very remarkable and worth observation by all, that during this late scarcity of money several gentlemen of the law have prevented many actions being brought against honest traders (to their everlasting honour be it spoken) and that the number of writs on the docket have been considerably less of late than in distant times when money was more plenty'.[55] Though tradesmen would likely have been amongst the heaviest users of the court, account books made few references to litigation and these appeared only in unusual circumstances.[56] John Head noted using the court only once, after the death of his customer John Lamb in 1750. In compensation for three quarters of a year's house rent, Head noted that he 'seased his goods and wareen apparel Caried them by a porter to vandue and Alexander Forbes sold them for his commishens'.[57] Joseph Jacobs also noted using the court only once, to pursue a debt of £151 against a customer in Maryland.[58] It seems that tradesmen relied on the court to regulate debts when face-to-face negotiation was impossible, either due to death or long distance.

In negotiating local obligations, creditors might have avoided the court out of fear of the impact that pressing too hard for payment would have on their own reputations.[59] Forbearance was regarded as good business practice, especially when

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[54] HSP, Jacobs ledger, 52.
[55] *Pennsylvania Gazette*, 2 November, 1728; Ibid., 3 May, 1729.
[56] Studies of litigation in Rhode Island show that artisans brought 60% of debt cases to the civil court. Naomi Lamoreaux, 'Rethinking the Transition to Capitalism in the Early American Northeast', *JAH*, 90 (2003), 447.
[57] Head account book, account with John Lamb, 82.
[58] HSP, Miscellaneous Commercial Documents, *Jacobs v Wright*, Am 08545 v. 1, p 67. 28 Nov, 1761.
[59] Bruce H. Mann, *Neighbors and Strangers: Law and Community in Early Connecticut* (Chapel Hill, 1987).

debtors from one's own community were involved.[60] Others turned to local means of dispute resolution. In Atlantic port cities, many turned to merchants for arbitration, avoiding the high costs and delays associated with court litigation.[61] In 1750, Benjamin Franklin advised a tradesman involved in a dispute to turn to arbitration rather than law. He wrote 'I imagine that little is to be expected from a juncture of law…it will be expensive, tedious and the event uncertain. It seems a proper case to be referr'd to merchants… I could name some persons of judgement in such affairs and men of integrity'.[62] Merchants were regarded as good arbitrators because of their accounting skills, and perhaps because of local social biases. While arbitrations did not have the force of law behind them, they did have force of the trading community, which was perhaps more powerful. Tradesmen and merchants felt compelled to comply with the outcomes of arbitration.[63] For long distance traders, arbitration could be more effective than a court case, because a court's jurisdiction might be limited to a particular community.

As in Edinburgh, problems with liquidity and the enforcement and collection of debts could be solved by the use of secondary credit. However, the nature of this credit as described in the account books appeared to be quite different than in Edinburgh. Instead of passing bills of exchange and endorsing debts to third parties, secondary indebtedness within the account books generally took the form of mediated access to goods and proxy payments. Those who did not have the reputations to receive credit depended on a variety of associates to provide them with access to consumer goods. Others who had credit brought in third parties to pay their debts in order to cancel out reciprocal obligations.

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[60] Deborah Rosen, *Courts and Commerce: Gender, Law and the Market Economy in Colonial New York* (Columbus, OH, 1997), 47-51.
[61] Lamoreaux, 'Rethinking the Transition', 448.
[62] APS, Letter from Benjamin Franklin to unknown, c 1750. Hay Calendar, Letters from Franklin. Mss.B.F85, XLVI (i), p. 25.
[63] Lamoreaux, 'Rethinking the Transition', 448.

Figure 3.10. Degrees of credit represented in account books.

Percentage of Transactions

	Head	Paschall	Graisbury
Direct Debts	40	69	70
Two degrees removed	52	29	23
Three degrees removed	8	2	7

Source: As figure 3.8.

The extent to which the credit transactions detailed in account books brought in or depended on third parties is difficult to assess. Account books probably downplay these practices, because the person whose credit was at stake was the most important and often the only individual involved in a transaction who a tradesman would record. Those accounts that do indicate mediated access to consumer credit suggest that in very few cases were secondary debts more than two degrees removed from creditor to debtor. Credit relations thus retained more of a face-to-face character than in Edinburgh. Account books would also suggest that unlike in Edinburgh, where secondary debts increased, individuals in Philadelphia became less reliant on secondary debts over time (Figure 3.10).

Proxy consumption implicated all sorts of individuals in the accounts of tradesmen. For those who relied upon third parties to purchase goods, family and kin networks formed the first line of mediated access to credit. Women who were unable to contract their own debts under laws of coverture were the most common proxy consumers. They acquired items using the credit of husbands, brothers or fathers. Thus John Frank assumed the debt for pillows delivered to his daughter in 1765 by Graisbury.[64] Joseph Griffie's account with Paschall was paid in part by 'sundries bought of his wife in the market'.[65] Common law allowed married women the right to purchase certain goods without their husbands' express consent.[66] The names and purchases of female proxy consumers whose kin relationships remain unclear tumble

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[64] HSP, Graisbury ledger, 16.
[65] HSP, Paschall ledger B, 65.
[66] Ellen Hartigan-O'connor, *The Ties That Buy: Women and Commerce in Revolutionary America* (Philadelphia, 2009), 137; Margaret R. Hunt, *The Middling Sort: Commerce, Gender, and the Family in England, 1680-1780* (London, 1996), 137; Marylynn Salmon, *Women and the Law of Property in Early America* (Chapel Hill; London, 1986).

off the pages of account books; shoes for Caroline, stays for Betsy and a necklace for Rachel.[67]

Though female mediated access to consumer networks through family has often been emphasised, the account books suggest that male consumers depended on mediated family credit as well. Age and place in the lifecycle appear to have been important aspects of creditability, and young men sometimes had to rely on the credit of others. Sons were especially prominent as proxy consumers. William Swan, a chairmaker, accepted a debt of sickles delivered to his son by Paschall. Francis Bercher, James Curtain, Joseph Evanor and George Hutton all allowed their sons to use their accounts for purchases of clothing from Graisbury.[68] Sons purchased on the accounts of their mothers. Isaac Blake's mother assumed the debt when he purchased a chocolate mill from Paschall.[69] Men offered proxy credit to brothers, uncles and cousins and male family members acted cooperatively to clear each other's debts. In 1767, Adam Akor extended his credit with Graisbury to his brother in law.[70] Graisbury received cloth from Phillip Kinsey as payment for his brother James.[71] Sam Ashmead paid for his purchases with a bond delivered by his father.[72] The tradesmen's own family credit arrangements shed light on some of these male family credit networks. The Paschall brothers paid each other's debts and accepted each other's credit, acting as a family credit unit though they ran separate businesses. Enoch Morgan paid his debt to Stephen Paschall in shoes delivered to Stephen's brother Benjamin. Jonathan Fisher paid off his debt with an obligation due to him by Stephen's brother Jonathan.[73]

Other dependent members of a household also relied on mediated family credit. Servants and employees often had access to their masters' credit. On Calibe Atmore's account, his 'young man William' purchased a coat from Graisbury.[74] Richard Lenn, an apprentice, had a new vest made on the account of his master,

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[67] HSP, Paschall ledger B, 110; Graisbury ledger, 52.
[68] HSP, Graisbury ledger, 154, 163, 98, 125; Paschall ledger B, 175.
[69] HSP, Paschall ledger A, 27.
[70] HSP, Graisbury ledger, 137.
[71] Ibid., 41.
[72] HSP, Paschall ledger C, 12.
[73] HSP, Paschall ledger AB, 26.
[74] HSP, Graisbury ledger, 95.

Nathaniel Curren.[75] Using masters' accounts was not only a way to gain access to credit, but it was also a form of payment. Graisbury's accounts show he frequently paid his servants and apprentices by assuming their debts with other tradesmen. In 1769, he paid off several innkeepers to whom his servant Michael Higgins had become indebted.[76] Being associated with a family through servitude or apprenticeship could also give individuals the familiarity or legitimacy they needed to gain their own credit later in life. Paschall granted 12s. of credit to Michael Hollis to buy a truss in 1764. Paschall was acquainted with Hollis because he had 'served his time with brewer Jones', another longstanding customer.[77]

Customers with credit used third parties to make payments. After extending credit of their own, they asked debtors to pay off their own debts. Tradesmen acted as financial intermediaries, allowing one customer to pay for the purchases of another. For Nathan Lyon's debt for sickles, Paschall received cash 'from a Dutch man'.[78] Others paid with orders on third parties, placing the duty of eventually collecting the debt on the tradesperson. William Green, a house carpenter, paid his account with Graisbury with 'a discount with Hubbard and Dellwood'.[79] Others paid with goods delivered. When in 1743 the tanner John Jones purchased a clock and case from John Head, he paid with a saddle, bridle and leather delivered by third parties. Thus in his payment, Jones cancelled one of Head's debts with a third party, as well as two of his own.[80]

Customers of tradesmen made proxy payments for each other. Customers were often connected to each other by financial obligation, and they used tradesmen to clear their debts. Sometimes they passed debts around, shifting them to each other's accounts. When Timothy Matlock and Ruben Haines engaged in a credit arrangement, they asked Paschall to clear the debt by shifting Haines' debt with Paschall to Matlack's account.[81] James Sutherwaite paid his debt for tailor goods to Graisbury in beaver hats delivered to several of Graisbury's other customers.[82] As in

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[75] Ibid., 157.
[76] Ibid., 65.
[77] HSP, Paschall ledger C, 20.
[78] HSP, Paschall ledger B, 41.
[79] HSP, Graisbury ledger, 103.
[80] APS, Head account book, 35.
[81] HSP, Paschall ledger A, 30.
[82] HSP, Graisbury ledger, 78.

Edinburgh, tradesmen most likely acted as credit clearing-houses out of necessity. Book debts filled the gap in paper notes, allowing debts to become liquid and allowing account books to serve as a replacement for specie.[83] While payment by third parties occurred in all account books, this activity was most prominent in Head's business records. Over half of the transactions in Head's book involved payment through a third party, and in most cases, that third party was another customer. It is possible that Head's wealth or status allowed him to assume others' debts in greater numbers, and he was providing a sort of community service. It is also possible that buying up debts was a business strategy and a form of generating income.

Proxy payments helped consumers successfully to avoid default. George Wood's debt of 2s. with Paschall, which had remained outstanding for 27 months, was 'answered' by Moses Mappin. When Paschall called in Thomas Marshall's debt of £2 3s., consisting of skeets and a vendue account that Paschall had paid off, the debt was paid by 'cash allowed by William Afflick'.[84] Joseph Graisbury noted in his account book that John Wood's debt was 'forgiven' after he received partial payment from one of Wood's family members.[85] The language used to describe these debts suggests that they were not reciprocal debts made liquid and cleared through Paschall's accounts. Rather, through social obligations such neighbourliness, charity or friendship, intermediaries stepped in to help debtors meet their financial obligations.

The structures of credit recorded in account books suggest something of the ways in which exchanges based on credit overlapped with social relations and constituted a form of social exchange. Granting and obtaining credit, acquiring goods and paying for them were products of relationships and networks rather than individuals. Credit tied communities of individuals together. These social dynamics were a direct result of credit structures. Problems of liquidity and high levels of default appeared endemic throughout the colonial period. Tradesmen tolerated high levels of indebtedness and relatively long periods of repayment. Given these high

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[83] David T. Flynn, 'The Duration of Book Credit in Colonial New England', *Historical Methods*, 38 (2005), 168-177.
[84] HSP, Paschall ledger AB, p. 35, ledger A, 97.
[85] HSP, Graisbury ledger, 262.

rates of risk and the few methods of recourse available if a debtor defaulted, tradesmen had to be careful about who to trust with their credit. Their accounts suggest that they were indeed selective. The extensive use of proxies shows that while a relatively small group of individuals received credit, a much larger group of people consumed each tradesman's products.

II. Networks of trust

Account books hint at a few of the ways in which trust was established. As in Edinburgh, social rituals were used to seal obligations. While full repayment could take years, customers often made initial payments after a short period of time. Laying money down 'in earnest' in front of witnesses sealed bargains and established trust.[86] In 1757, Paschall accepted an order from Cornelius Cart for a pair of steel yards. In order to seal the bargain, Paschall noted in his daybook, 'he has left as earnest 13/6'.[87] When Betty Harmer entered Burd's shop in September 1748, hoping to purchase some small items to resell, she laid down the sum of 16s., upon which she was granted £4 of credit. Harmer purchased worsted caps, ribbons, and necklaces, which she paid off in six months.[88] Credit ratings were not static, but changed over time. The amount of credit offered to individual customers increased and decreased as their circumstances changed. John Head's account book reveals that he granted small amounts of credit at first, then extended more after customers proved themselves trustworthy and able to pay. Burd employed a similar strategy. In January 1748, Thomas Woods was granted £9 of credit for a variety of goods. He paid off the debt five months later, and on the same day Burd granted £5 more credit for a dozen razors and two pieces of check.[89]

In contrast to the Edinburgh court records, account books give very little detail about the customers to whom tradesmen extended credit. However, unlike most tradesmen, the saddler Joseph Jacobs scribbled notes into the margins of his ledger, in which he recorded information about his customers. These notes provide

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[86] Muldrew, *Economy*, 106.
[87] HSP, Paschall daybook, 9 June, 1757.
[88] APS, Burd Day Ledger, 87.
[89] Ibid., 13.

some insight into the types of information he found important, and perhaps why he trusted these individuals in the first place.

The locations of debtors were often frequently recorded, especially if they resided outside of Philadelphia. John Wilson was noted as being 'of Maryland' and John Taylor 'of Philadelphia'. Occupations were noted for those residing within Philadelphia, such as 'Benjamin Thomas the Saddler', perhaps alluding to their membership within the commercial community. Occupations could work as a mnemonic device where there was more than one person of the same name known to the tradesman. They also might also have been important because they had connotations of skill, independence, and rank. Nash has noted that there was a clear hierarchy of trades in colonial towns, and that the success of individuals could often be read by the trades they followed.[90] Jacobs' notes also confirm the importance of familiarity in extending trust. Association with individuals he already knew and trusted served as a point of creditability. Association could take several forms, including employer and employee relations, household and family relations, or friendships. John Wilson was noted as being 'Brother to my apprentice' and Arthur Donaldson 'John Evans' old servant'. One woman, identified as the sister of Joseph Phipps' wife, was given a cash loan. It seems that association with the right people could even compensate for poor behaviour or other personal qualities. Though John Taylor was noted as being 'a drunken man', he was given credit as 'Esq Taylor's son'.[91]

When record linkage is applied to account books, using probate material, the importance of networks of familiarity becomes even clearer. Probate documents listed large numbers of people with relations to the deceased, including those who owed debts, those who stood to inherit property, and individuals who had administrative duties in relation to a person's estate. By comparing these lists with the lists of individuals who received credit in account books, the relationships between members of a tradesman's network, or the network's density, become evident. Figure 3.11 shows the results of record linkage of Head's account book with probate material. In a sample of 92 wills and inventories located for Head's customers, 59 of these documents or 64 per cent of the total mentioned other

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[90] Nash, *Urban Crucible*, 17.
[91] HSP, Jacobs ledger, 29, 31, 101, 182.

members of Head's credit network. This percentage seems remarkably high given that probate material only reveals relationships that were legally contractual, leaving transparent the many associational and informal relations that connected individuals within a community. The results of record linkage suggest that Head's credit network was dense and involved all sorts of obligations not only between Head and his customers, but also between different customers themselves. Furthermore, though probate only described those people who were contractually bound to the deceased, these individuals were often described in some detail, for example as kin, neighbours or business partners. Considering both their contractual and other relationships, it is clear that various types of association knit Head's credit network together. Relationships based on kinship, including cousins, aunts and uncles, provided the most prominent bond between customers. Many also had economic relationships, for example as business partners or as creditors or debtors to each other, while a few specifically mentioned relations of neighbourliness. These relationships persisted beyond the end of life, with network members appearing frequently in each other's wills, appointed as executors or witnesses.

Figure 3.11. Relationships between individuals in John Head's account book, as indicated by probate records.

Relationship	Number of individuals
economic/business	14
kin	40
neighbour	2
administrative	22
Total	59

Sources: APS, Head Account Book, 1718-1753; PCA, Probate wills and inventories.

The account books of Paschall, Graisbury and Burd have been linked with tax records in addition to probate material. Like the notes in the margins of Jacob's account book, these materials suggests that for all four tradesmen, trust was achieved by embedding credit relationships in networks of familiarity. Networks formed a kind of assurance in an unpredictable economy. All five tradesmen engaged in wide and complex networks in which familiar people rather than strangers took centre

stage, and in which economic relationships had to be tempered by personal loyalties and obligations. Paschall, Graisbury, Burd and Head embedded their commercial activities in networks based especially on family, religion and occupation. Even if tradesmen had to eventually moved beyond these pre-fabricated networks in order to be successful, and if these networks were not always reliable,[92] the account books show that their importance cannot be discounted.

Family and kin, 'those relatives by blood and marriage on whom one could make claims', played an important, though slightly different role for each tradesman. As Tadmor has demonstrated, the language of kinship was flexible.[93] Family ties could thus encompass relationships of a different nature, and family could be invoked to support credit in different ways. The process of immigration and the length of time each tradesman's family had been in Philadelphia influenced the depth and structure of each man's family ties. Though the process of immigration made for colonial societies with disproportionate numbers of single men, tradesmen could continue to rely on kinship ties from the old world. As Cressy has shown, English people migrating to America kept in contact with relatives in the old country and continued to make claims on distant relations.[94] Family networks could also be closely bound with neighbourhood ties.[95] Physical proximity implied a family's ability to help satisfy tradesmen's practical, day-to-day needs. The accounts books of the five tradesmen demonstrate a range of ways in which some of these family relationships could intersect with credit.

Paschall was a second-generation Philadelphian, and his family ties were more deeply connected to the local region than the other tradesmen. Paschall's experience demonstrates the importance of family networks as a starting point for business but suggests that over time, these family networks could become less important. His father was in trade as a maltster and had an important network of established customers. When the young Stephen established himself as an ironmonger in 1735, he drew upon his father's network of credit, using his family's

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[92] Sheryllynne Haggerty, *The British Atlantic Trading Community, 1760-1810: Men, Women, and the Distribution of Goods* (Leiden, 2006), 135-137.
[93] Naomi Tadmor, *Family and Friends in Eighteenth-Century England: Household, Kinship, and Patronage* (Cambridge, 2001), 122.
[94] D. Cressy, 'Kinship and Kin Interaction in Early-Modern England', *P&P*, (1986), 44-49.
[95] Jeremy Boulton, *Neighbourhood and Society: A London Suburb in the Seventeenth Century* (Cambridge, 1987), 260.

status and secure ties as a source of reputation. During the early years of his business, family customers accounted for one third of Paschall's network. The two Paschall family businesses shared close ties, such as credit arrangements with customers. For example, in 1736 Stephen accepted payment from a customer in the form of an account due to that individual by his father. Over time, as the quality of Stephen's work became more widely recognised and his customer network grew, these family connections would play a less prominent role in his customer base.[96]

As recent and single immigrants to Philadelphia, Head and Burd had family relations that were more geographically distant. There is little evidence that their own families provided substantial or significant numbers of customers. For both, family ties between customers were more prominent than between tradesman and customer. Record linkage with probate material shows that of the sample of 92 customers identified, at least 40 individuals, or 42 per cent, of Head's customers were related to each other. The same type of linkage shows 48 per cent of Burd's identified debtors as members of the same family. Kinship might have been significant as part of the information flow around their networks of credit, helping to establish the respective reputations of creditor and debtor. Not only did a customer need to trust the quality of a tradesman's goods and the fairness of his prices, but the tradesman needed to trust that the customer would be good for the debt. Family members might have served as a form of advertising, recommending tradesmen to one another. They also acted as a kind of insurance. Burd and Head must have felt more comfortable extending credit to individuals whose family reputations were already familiar. Trading with several family members could also be an advantage because families might be looked to for payment of a debt if one family member defaulted.[97] As in Edinburgh, families were looked to as sources that could be liable for debts. Individuals mobilised kin and friends for support and relief, and to underpin relations of trust.[98] Burd's account book in particular shows that family members frequently paid each other's debts. In May 1749 when Samuel Donaldson was unable to pay off a credit of £9 12s., his brother answered the obligation.[99]

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[96] For his improved reputation over time, see Bell, *Patriot-Improvers*, 187 v.II.
[97] APS, Burd Daybook. For example in May 1749, Samuel Donaldson was unable to pay off a debt of 9 pounds, which his brother paid.
[98] Tadmor, *Family and Friends*, 189-191.
[99] APS, Burd Day Ledger, 60.

For Burd, family networks extended both locally and internationally. Though his own family provided an insignificant source of customers, it played a crucial role in helping him establish himself as an independent tradesman. Burd's family in Edinburgh possessed the wealth and connections to provide him with training and credit necessary to engage in a career as a shopkeeper. He also provided services to his family, for example taking on his brother John as an apprentice in 1750.[100] Burd's kinship network can be conceptualised to include not only ties with his own family and ties between the families of customers, but also bonds with the family of his wife, Sarah Shippen. Burd married Sarah one year after his arrival in Philadelphia, and in doing so he allied himself with one of Pennsylvania's proprietary and most powerful families. For middling tradesmen like Burd, access to money, people and credit could be an important factor in choosing a wife.[101] Including cousins, aunts and uncles, Burd engaged in business with at least eleven of Sarah's family members. He also found business connections and support through Sarah's father, Edward Shippen, a merchant involved in the fur trade. In 1750, Burd was shipping chests of deer skins to London.[102] When his mercantile business later failed, Edward Shippen would provide financial support by moving Burd's family to the frontier and providing him with employment.

Religious communities provided trading networks for Philadelphians, and these were especially strong amongst Quakers. The account book of Stephen Paschall, his father Thomas Paschall, John Head, and the Philadelphia silversmith Joseph Richardson reveal that members of the Society of Friends made up significant portions of their customer base (Figure 3.12). Of Stephen and Thomas Paschall's known customers, at least half were members of the Society of Friends. John Head and Joseph Richardson drew even higher numbers of customers from the Society, at 61 per cent and 73 per cent respectively. For these individuals, the Quaker community provided a network of familiarity. Visiting patterns amongst Quaker women contributed to the flow of information around a tradesman's commercial network. Furthermore, the close-knit nature of the Quaker community was reinforced

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[100] APS, John Burd Indenture to James Burd in Philadelphia, 13 Jan, 1749-50. Burd Shippen Papers, Series I.
[101] Haggerty, *British Atlantic*, 138.
[102] APS, Invoice of Goods shipped to London, 20 July, 1750. Burd Shippen Papers, misc docs.

through kinship ties. Through emphasis on marriage between members of the religious community, individuals were tied by both blood and belief.[103]

Figure 3.12. Quaker Networks represented in tradesmen accounts.

Tradesman	Percentage of known customers identifiable as Quaker
Stephen Paschall	50%
Thomas Paschall	50%
John Head	61%
Joseph Richardson	73%

Sources: APS, Head Account Book, 1718-1753; HSP, Paschall Ledger A/B 1736-1742, Ledger B 1752-1765, Ledger D 1764-1765; HSP, Joseph Richardson Account Book, 1744-48; SCA, Minutes of the Philadelphia Monthly Meetings, 1740-1770.

For tradesmen, the Quaker community was also a community of regulation that could be relied upon to enforce of economic obligations and moral behaviour. Upholding bargains and contracts was a point of religious importance. The Quaker *Discipline*, a book of rules agreed upon by the community, told its members that to 'keep not their promises or engagements in their dealings' or to 'not pay or satisfy their just debts according to the time agreed on' was 'a reproach to truth, and a manefest injury and injustice'.[104] As Friends engaged in the expanding economy, *Discipline* notes expressed increasing concern over the commercial behaviour of others. The availability of credit was especially feared. In 1710, Friends were warned 'not to launch out beyond their abilities, especially upon such credit as truth may have given them with their brethren'.[105] The risks associated with venturing into overseas trade made the community weary that its members might not be able to pay their obligations. The minutes of a religious meeting in 1724 expressed concern that 'too many under our profession have launched forth into things of this world, beyond their substance and capacities to discharge a good conscience in the performance of their promises and contracts'.[106]

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[103] Nancy Tomes, 'The Quaker Connection: Visiting Patterns among Women in the Philadelphia Society of Friends, 1750-1800', in Michael Zuckerman, ed., *Friends and Neighbors: Group Life in America's First Plural Society* (Philadelphia, 1982), 190.
[104] SCA, *Book of Discipline*, 1717, 11.
[105] Ibid., 1762, 240.
[106] Ibid., 242.

Through Quaker monthly meetings, the community exercised some control of individual Friends' economic lives. Alongside theft, fornication, gambling and other moral transgressions, meetings disciplined members for going into debt, neglecting their businesses, engaging in business beyond their means, and failing to support their families. In Philadelphia, the regulation of debts alone accounted for about 6 per cent of the business addressed by monthly meetings.[107] Economic transgressions were punished in public ways. If a man was determined guilty, he had the option to offer an apology to the meeting and be forgiven. Refusal to comply with the recommendations of the meeting could result in disownment. Thus when Ralph Loftus, a mariner, was found unable to satisfy his creditors and refused to turn his business matters over to the Friends appointed by the meeting, he and his wife were disowned and deemed 'as persons disregarding the unity of their Friends and the good order of our discipline'.[108] Disownment was a very public act. The meeting published a paper describing a person's transgression and posted it on the door of the meeting house and in the public marketplace.[109] The stakes for keeping a just debt were thus especially high for Friends. Indebtedness could result not only in financial ruin, but in being socially ostracised.

Monthly meetings also regulated the behaviour of creditors towards their debtors. Quaker rules prohibited members from taking 'worldly affairs' between brethren to a court of law.[110] In 1717, the monthly meeting heard a complaint by Joshua Lawrence that he had been taken to court over a debt by William Fishbourne. The meeting chastised Fishbourne for turning to the courts, but found Lawrence 'chargeable with the just debt due to William Fishbourne, which he ought to pay'.[111] Monthly meetings enforced the obligation of charity.[112] Debtors who failed due to unforeseen circumstances were to be forgiven. As the *Discipline* told its readers, 'if any fall short in his temporal affairs by some unseen and unavoidable accidents and shall offer his all to his creditors… let such have compassion among you, as an

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[107] Jack D. Marietta, *The Reformation of American Quakerism, 1748-1783* (Philadelphia, 1984), 26.
[108] SCA, Philadelphia monthly meeting minutes, Feb 1747.
[109] Marietta, *Reformation*, 9.
[110] SCA, *Discipline* 1716.
[111] SCA, Philadelphia monthly meeting minutes, 29 Jan and 29 Feb, 1717.
[112] Frederick Barnes Tolles, *Meeting House and Counting House: The Quaker Merchants of Colonial Philadelphia, 1682-1763* (New York, 1963), 73.

object of Christian Charity, and help him as a brother'.[113] For Quaker tradesmen, the monthly meeting served as a source of arbitration. Monthly meetings had elaborate procedures to solve problems without resort to law, involving five distinct steps that included personal negotiations, hearings, and arbitration by disinterested Friends.[114] It is impossible to determine how many Quaker disputes ended up in the city courts because detailed records do not survive, but an examination of the nearby Quaker town of Burlington, New Jersey, suggests that they did not, though there were a number of suits in which defendants were Quaker.[115]

While religion served as a point of credibility for some, ethnicity was equally as important to others, a theme that will be discussed in more detail in chapter seven. For Burd, as a newcomer to Philadelphia who had to build up the community connections on which most tradesmen relied, ethnicity served as a point of trust between Burd and his customers. 71 individuals (about 40 per cent) of Burd's credit network can be identified by surname as being of Scottish origin.[116] Ethnic and associational networks overlapped. Of those individuals indentified as Scottish, eighteen were fellow members of the St Andrews Society, a Scottish voluntary association of which Burd was a founding member.

Occupation served as the basis for yet another network of credit. In colonial Philadelphia, tradesmen and craftsmen organised themselves into cooperative communities. Cooperative communities performed many of the same services provided by guilds or trade incorporations in British cities, including exchanging tools, mutual aid, and loaning money. They were taken up formally by associations such as the Taylors' Company in 1771, the Cordwainers' Fire Company in 1760 and Carpenters' Company in 1763, as well as by more informal trade networks.[117] Merchants, for example, banded together to insure each other against shipping losses. The Philadelphia book trades developed a unique form of mutual insurance. Publishers bought shares in each other's publishing ventures and committed

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[113] SCA, *Discipline* 1762, 107.

[114] Tolles, *Meeting House*, 75.

[115] H. Clay Reed and George Miller, *The Burlington Court Book: A Record of Quaker Jurisprudence in West New Jersey, 1680-1709* (Washington DC, 1944), pp. 11-12.

[116] George Fraser Black, *The Surnames of Scotland: Their Origin, Meaning, and History* (Edinburgh, 1993).

[117] Ian M. G. Quimby, 'The Cordwainers Protest: A Crisis in Labor Relations', *Winterthur Portfolio*, 3 (1967), 86.

themselves in advance to purchasing copies of colleagues' books. Through these practices, the publishing community spread the risk of unsold inventories.[118]

Stephen Paschall engaged in cooperative relationships, including production and the provision of services, with a number of individuals who were also in the metal trades, including silversmiths, blacksmiths and ironmongers. With Samuel Soumain, a silversmith, Paschall exchanged services to produce and mend swords for customers. Paschall billed Soumain for mending, grinding and sharpening sword edges, and in exchange he sent swords to Soumain for their silverwork.[119] Cooperation included unusually long terms of credit. Soumaine had debts outstanding for 155 months, whereas Paschall's average credit time was 56 months. Paschall also acted as a supplier of iron to local gunsmiths, supplying them with small quantities and again giving generous terms of credit.

Like Paschall, Graisbury had cooperative relationships with a number of individuals involved in the textile and clothing trades. Members of the trade cleared debts for each other, converting bills and obligations into raw material. Graisbury's account book by nature emphasises the risks he took on behalf of others, but as a tradesman of wealth and status, he was in a position to provide services for his associates. In 1768 he supplied a local cordwainer, Joseph Gavan, with leather worth £8 10s. required for his trade. Gavan was given 24 months to repay the debt, and in payment Graisbury accepted bills on four individuals for shoes delivered. Clearing consumer debts for other tradesmen was risky but profitable for Graisbury. While rates of interest were not specified in his account book, he usually received more in payment than the credit he had granted. Gavan paid Graisbury an additional four shillings, meaning than he made nearly five per cent profit.[120] Members of the clothing trade might stand as credit intermediaries between one another and consumers. When a customer of Jacob Duchee, a hatter, required tailor work, Duchee acted as the creditor, accepting the customer's debt under his own name.[121]

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[118] Rosalind Remer, *Printers and Men of Capital: Philadelphia Book Publishers in the New Republic* (Philadelphia, 1996), 55.
[119] HSP, Paschall ledger B, 35.
[120] HSP, Graisbury ledger, 118.
[121] Ibid., 82.

III. Conclusion

Despite the many differences between Edinburgh and Philadelphia in terms of their legal, institutional and social contexts, this exploration of the practices of tradesmen and artisans in Philadelphia has identified many similarities with Edinburgh in terms of a culture of credit. Social networks in both cities based on kinship and occupational association played central roles in forging credit ties. The social bonds that tradesmen had with their customers served as points of trust. Though networks of association in both cities had similar functions, Philadelphia's different social composition, primarily in terms of ethnic and religious diversity, made for new and distinctive credit networks. Account books and probate inventories reveal that religion and ethnicity became important components of credit. As in Edinburgh, these networks may well have related to issues of accountability. Though account books provide little insight into how tradesmen used the legal system to enforce their debts, it is clear that family and friends cleared debts through proxy payment when customer default became likely.

The structures of credit in both cities suggest that interactions within the marketplace were not depersonalised. Tradesmen in Philadelphia granted long terms of credit to their customers, they tolerated high levels of debt that accumulated over time, and they engaged in reciprocal exchange. These reciprocal debts influenced the relationships that members of both urban communities had with one another. Consumers and tradesmen in both cities participated in an interconnected marketplace, and this interconnectedness was only intensified over time, through the increase in secondary debts in Edinburgh and through proxy credit in Philadelphia. While general patterns of the nature and extent of credit are visible, in both cities terms of credit varied greatly from person to person, based on the specific relationship that a tradesman had with each customer, and the varying levels of trust.

Perhaps more important than identifying similarities in credit practice between the two cities, this examination of account books has provided an additional perspective on the businesses of urban artisans and tradesmen, filling some of the gaps left by court records. Account books revealed just how extensive the credit networks of tradesmen could be. Graisbury opened accounts with between 35 and 70

new customers every year. Given that each of these accounts lasted for an average of just under two years, it becomes clear that his credit network might consist of upwards of 100 to 150 people at any given time. The structure of each tradesman's network could vary, but they extended credit to similarly large networks of individuals. Paschall for example, extended credit to between 10 and 30 individuals every year, but maintained credit relations over a longer period of time. Because they show the credit networks of tradesmen over a period of several years, and in some cases several decades, account books have revealed the ways in which an individual's credit practices changed.

By attending to the extent of each tradesman's network, this chapter has highlighted some of choices that tradesmen made when extending credit in greater detail and in comparative perspective. Account books suggests more forcefully than can court records that tradesmen chose to extend credit to those who were similar to themselves in terms of occupation and wealth. Rank or middling status clearly served as a point of trust. A holistic view of credit networks also indicates the extent of default and unpaid debts that tradesmen tolerated, which remained high over the period. While court records tend to emphasise issues of liability and enforcement, account books suggest that unpaid debts were accepted, if not out of motives of charity, then out of necessity because enforcement was so difficult.

Account books provide more detail on some of themes explored through court records. Secondary debts, for example, are revealed through the practices of proxy credit, in which the accounts of known and trusted customers were used by those who did not have their own credit. This practice highlights the complex and extensive nature of credit networks. Account books also add a level of detail to the role that families played in middling business. Family and kinship could encompass a number of different types of relationships, both local and long distance, and both between tradesmen and their own families as well as between the families of customers. As in Edinburgh, account books and their place in the Philadelphia economy add to the variations and contradictions that were part of middling cultures of credit. It is clear that credit networks in Philadelphia not only facilitated accommodation and access, but that they could also involve exclusion and competition. While neighbours and friends were afforded lenience in their credit

relations, within an economy of familiarity, strangers might find it hard to get by. Increasing levels of poverty and destitution in Philadelphia through the colonial period attest to this point.[122]

Problems of liquidity affected the credit practices of tradesmen in both cities, but court records and account books describe the solutions to this problem differently. In Edinburgh, an increase in secondary debts facilitated a more flexible credit system. Philadelphia account books rarely revealed debts more than two degrees removed from the original creditors, but they show that individuals used a variety of complex strategies to pay off each other's debts and mediated access to goods on credit. Increasing specialisation in trade shown in the account books suggests that problems of liquidity were somehow being solved. Over time, tradesmen had less of an incentive to accept goods that they might resell as forms of payment. Thus in 1718, John Head traded his furniture in exchange for a variety of goods that he then retailed, while 40 years later, Joseph Graisbury was able to trade almost exclusively in specialised textile work. One of the solutions that facilitated increasing specialisation, as well as some of the structural changes described in account books and court records, was the invention of new forms of paper credit. The role that these instruments of exchange had upon structures of financial and social credit is the subject of the next chapter.

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[122] Smith, 'Material Lives', 163-202.

Chapter 4. Credit and the Instruments of Trade

As chapters two and three revealed, long terms of credit and reciprocal obligations were the norm for Philadelphia and Edinburgh tradesmen. Structures of credit were also changing. Chains of debt became longer and the frequency of secondary debts increased, removing obligations from the people who originally contracted them. While structures of credit became more complex, levels of litigation decreased. The development of money had a place in these changing structures of credit. Money, or instruments of credit, were devices that abstracted value. They supported changes in structures of credit by helping individuals record, keep track of and transfer their credits and debts.[1] Instruments of credit included account books, bonds, paper money, bills, trade tokens and nick sticks. Some of these instruments were new, while others were older but came to be used more widely during this period. They worked alongside oral communication, promises and memory, and were a constituent feature of the material experience of day-to-day trade based on credit.

The use of credit instruments merits investigation because money acted as a tool that mediated the credit relationships between individuals. Credit instruments hold an important place in narratives of modernisation and the cultural transitions of the eighteenth-century market. Monetisation introduced new ways of thinking into market culture. Economic theorists have interpreted the invention of paper money and the ascent of the cash nexus as evidence of the rise of economic individualism. Adam Smith's *Wealth of Nations* described a rapid transition from barter to market activity based on the exchange of cash, in which money became the primary tool of commerce.[2] This development had implications for the social nature of commercial exchange, primarily the rise of self-interest as the primary motivation for economic engagement. As Smith wrote in 1776, 'it is not from the benevolence of the butcher, the brewer, or the baker that we expect our dinner, but from their regard to their own interest'.[3]

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[1] John Smail has found that in the textile industry, new and more sophisticated forms of accounting led to changes in credit practice. See John Smail, 'The Culture of Credit in Eighteenth-Century Commerce: The English Textile Industry', *Enterprise and Society*, 4 (2003), 306.
[2] Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations* (London, 1776), 36.
[3] Ibid., 17.

Following Smith's lead, many historians have interpreted the development of instruments of credit as reflective of a changing culture of commerce in which economic contracts replaced economic relationships. As cash supplanted barter and promissory notes began to circulate beyond the confines of face-to-face society, an 'instrumental impersonality' emerged in the marketplace. Legally binding instruments, such as bonds, facilitated long distance credit relationships between unknown parties.[4] In particular, cash has been read as an impersonal instrument of payment that 'slipped the bounds of individual reputation'.[5] However, the use of cash had an ambivalent effect on individual participation in the marketplace. It had the ability to remove neighbourliness, charity and the possibility of lenience from economic relationships. According to Gordon Wood, paper money 'had a corrosive effect on traditional patronage dependencies because it could be detached from the long chains of credit that bound the community together'.[6] On the other hand, it promised independence to those who were not free to contract using their own credit. By offering impersonality and uniformity to market exchange, cash had the potential to ensure that participation in the consumer economy did not depend on one's gender, race or social status.

A close reading of the use of credit instruments provides insight into the influence that financial institutions, as providers of mediated paper credit, had upon these social processes. The use of certain instruments had the potential to change credit relationships by introducing mediating third parties into exchanges. When customers paid tradesmen using paper money issued by the state or bills issued by a bank, the relationship of trust effectively shifted from tradesman and customer to customer and bank. Institutional mediation could result in a system of generalised rather than particularised trust.

In contrast to the theoretical potential of instruments of credit, the ways in which contemporaries actually used them tell complex and often contradictory stories. Sociological theorists and historians are beginning to attend to these stories,

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[4] Bruce H. Mann, *Neighbors and Strangers: Law and Community in Early Connecticut* (Chapel Hill, 1987), 43.

[5] Stephen Mihm, *A Nation of Counterfeiters: Capitalists, Con Men, and the Making of the United States* (Cambridge, MA, 2007), 12.

[6] Ellen Hartigan-O'connor, *The Ties That Buy: Women and Commerce in Revolutionary America* (Philadelphia, 2009), 110; Gordon S. Wood, *The Radicalism of the American Revolution* (New York, 1991), 141.

using them to rethink the meanings of money. Viviana Zelizer has traced the efforts of individuals in the modern era to personalise generic forms of money and has argued that the cash nexus did not homogenise and flatten social ties. Drawing on theories of embeddedness, Hartigan-O'Connor suggested that in the colonial American city, 'the same kinds of ties that made daily use of credit possible bound cash itself to personal considerations'.[7] Deborah Valenze has traced money's 'propensity to become involved in relations between people' in early modern England, encouraging fluid boundaries between the categories of persons and things.[8] While these studies have usefully expanded our understandings of the social meanings of money, they have left open several gaps. First, they have conceptualised 'money' in fairly narrow terms, focusing on specie, bills of exchange and cash; when in fact a plethora of other instruments, often fashioned by their users, were employed to mediate credit. Second, they focus only on how instruments were used, paying very little attention to the materiality of the instruments themselves and how visual imagery contributed to their symbolic value. Finally, studies of paper credit have tended to focus on geographically dispersed merchant communities, assuming that local credit was mediated in more 'traditional' ways. According to Natasha Glaisyer, 'much credit, particularly sales and service credit, was negotiated orally and in a relatively local context, but merchants generated various forms of paper credit'.[9]

Drawing on bailie court records, account books and material cultural evidence of credit instruments, this chapter explores the impact that changing technologies of money production and accounting had upon credit practices.[10] It will consider both how instruments of trade influenced structures of economic credit, and the impact that money had on changing economic relationships in Edinburgh and colonial Philadelphia. It will explore how different kinds of money were used and thought about, and what money reveals about social relationships in the urban

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[7] Hartigan-O'Connor, *Ties*, 102; Viviana A. Rotman Zelizer, *The Social Meaning of Money* (New York, 1994).

[8] Deborah M. Valenze, *The Social Life of Money in the English Past* (Cambridge, 2006), 2, 3, 12, 28.

[9] Natasha Glaisyer, 'Calculating Credibility: Print Culture, Trust and Economic Figures in Early Eighteenth-Century England', *EcHR*, 60 (2007), 686.

[10] Edinburgh City Archives (hereafter ECA), Bailie Court Processes, 1730, 1750, 1770; American Philosophical Society (hereafter APS), John Head Account Book, 1718-1753. George Vaux Papers; Historical Society of Pennsylvania (hereafter HSP), Stephen Paschall Ledger A/B 1736-1742, Ledger B 1752-1765, Ledger D 1764-1765. Paschall and Hollingsworth Collection, Phi 474; HSP, Joseph Graisbury Ledger, 1759-1774. Reed and Forde Collection, Phi 541; R. Dalton and S. H. Hamer, *The Provincial Token-Coinage of the 18th Century Illustrated* (Cold Spring, MN, 1990), 120-129.

environment. Account books and court records suggest that the nature of some instruments have been fundamentally misunderstood. The instruments explored in this chapter, including paper currency, coin, trade tokens, bills, and nick sticks, do not comprise an exhaustive list of the instruments available to contemporaries. However, they were some of the tools most commonly used in everyday exchange, and an exploration of their use expands upon previous studies addressing the social meaning of money. The chapter argues that these tools did not facilitate a less personal economy, but rather that they remained embedded in relationships based on social reputation. As a midway point between custom and contract, a variety of impersonal instruments were used in highly personal ways.

I. Instruments of trade

Dealing with money, that is coping with changing technologies and multiple currencies, was part of an Atlantic experience. The use of different kinds of money provided an obvious link between those who traded locally and a wider network of commerce that extended across the ocean. Money has been referred to as 'the sinews of empire' and 'the great instrument of commerce'. As McCusker wrote, 'if we are to understand the Atlantic world of the colonial period, we must understand money and its exchange'.[11] Not only was British legal tender in circulation in Edinburgh and Philadelphia, but contemporaries also used a number of foreign currencies. With six European colonial powers and sixty to seventy American colonies, each with its own currency, issues of exchange and coping with different types of money were not only the province of large merchants, but part of the experience of day-to-day exchange for ordinary people. Those in Edinburgh traded in Irish, Dutch and clipped English coins. Probate inventories from Philadelphia listed Spanish, Portuguese, French, Dutch and English coins as well as various colonial currencies. When the Pennsylvania storekeeper Alexander Edwards made an inventory of his money, it included English shillings, Spanish dollars, pistols, New Jersey and Pennsylvania currencies. Counterfeit coins also circulated in both communities. As the Edinburgh solicitor Charles Erskine wrote,

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[11] John J. Mccusker, *Money and Exchange in Europe and America, 1600-1775: A Handbook* (London, 1978), 1.

> The scarcity of cooper coin in this part of the kingdom gave a currency to any things that had the least resemblance of a half penny, which encouraged several ill disposed persons to set forward a trade of counterfiting here, and importing from Ireland great quantitys of half pence of very base stuff, so that no other is to be seen in this place.[13]

Tradesmen in both cities had to be familiar with, and be able to deal in, a number of different international currencies as well as be able recognise the difference between real and counterfeit money. These skills might have put those with little education at a disadvantage. Capitalising on this problem, *vade mecums* and 'ready reckoners' aimed at tradesmen devoted significant attention to dealing with foreign coins.[14]

Credit instruments in both cities were used because of a shortage of specie, and the acuteness of this shortage tied the Scottish and American experiences together. Due to deficits in trade, coin flowed out of the American economy to England in order to pay for finished goods.[15] Shortages of coin were a problem in England, but the American colonies faced a 'perennial insufficiency of the circulating medium of exchange in their societies' that was more severe than in Europe.[16] The letter books of merchants in Philadelphia constantly complained of scarcities of cash. General downturns in the economy stripped the Philadelphia trading area of hard money and made it impossible for retailers to collect debts and make payments to suppliers.[17] Hard money was traded as a commodity and commanded a premium.[18] Scotland experienced similar problems as trade with England drew specie out of the country. Adam Smith estimated that in 1770, the Scottish money supply was two million pounds, of which specie constituted not more than a half million pounds.[19] Further evidence suggests that estimates of the amount of specie in existence might bear little relation to the amount in circulation. Those

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[13] Nicholas Holmes, *Scottish Coins, a History of Small Change in Scotland* (Edinburgh, 1998), 76.

[14] See for example, George Fisher, *The Instructor; or Young Man's Best Companion* (Edinburgh, 1763).

[15] Roger Weiss, 'The Issue of Paper Money in the American Colonies, 1720-1774', *The Journal of Economic History*, 20 (1970), 771.

[16] McCusker, *Money and Exchange*, 117.

[17] Thomas M. Doerflinger, *A Vigorous Spirit of Enterprise: Merchants and Economic Development in Revolutionary Philadelphia* (Chapel Hill, 1986), 95.

[18] Philip L Mossman, *Money of the American Colonies and Confederation, a Numismatic, Economic and Historical Correlation* (New York, 1993), 203.

[19] Sydney Checkland, *Scottish Banking, a History, 1695-1973* (Glasgow, 1975), 238.

who had coins tended to hoard them as one of the more secure forms of savings.[20] Jewellers, silversmiths and goldsmiths melted down coins because metal was more valuable made into goods than held as specie.[21] Edwards' account showed how he physically compartmentalised his money, keeping different credit instruments in different places within his house. Typically, most credits and debts were cleared in accounts, with no symbolic credit instrument changing hands. Bonds, bills, and 'cash' were received and exchanged quickly rather than accumulated, with no mention of where they were kept. Edwards kept coins as well as American and Spanish dollars less accessible 'in the drawer of the burrow table up stair in my lodging room'. His records indicate that when he needed to withdraw money from the table, he took the paper notes first, holding onto the metal currency and removing coins only once in the six years covered by the account book. [22]

In both cities, the shortage of specie was especially a problem of small change. Individuals lacked an instrument to facilitate day-to-day commerce. The English mint consistently undervalued silver during the eighteenth century, meaning that small coins made of silver were melted down and exported to the European continent or to India.[23] Neither Scotland nor the American colonies had the right to mint their own coin. In Scotland after the Union of 1707, the coinage of Great Britain was standardised and the mint in Edinburgh ceased to produce and supply the local economy with coin. Scottish gold and silver was called in, melted down, and exchanged for new coins, but base metal coins were not. Scottish coppers coins worth very small values, such as 'bawbees' worth an English halfpenny, and 'turners' and 'bodles', worth one-sixth of an English penny, were now officially worthless but continued to circulate in the local economy. The British government struck halfpennies and farthings between 1729 and 1754, but in numbers too few to meet the Scottish demand for small change. Though the master of the Scottish Mint

[20] Holmes, *Scottish Coins*, 77.
[21] Mihm, *Counterfeiters*, 26.
[22] HSP, Alexander Edwards Account Book, 1766-1772. Irving McKesson Collection, Phi 1542, Box 2.
[23] John Hanson, 'Money in the Colonial American Economy: An Extension', *Economic Inquiry*, 17 (1979), 282.

made several proposals between 1756 and 1782 to mint copper coins in Scotland, these proposals were never carried through.[24]

In Philadelphia, local tradesmen faced a similar shortage of low-denomination coins. In 1742, 75 Philadelphia merchants published a list of their offering prices for specie, which revealed the denominations of the most commonly circulating coins in the city. Of ten coins listed, the lowest was worth 7s. 6d. sterling, which was the equivalent of about three day's wages for an unskilled labourer. The highest valued coin was worth £5 15s. sterling, the equivalent of the average per capita income.[25] Comparatively, England did not experience the same shortage. In London, large quantities of copper currency prompted butchers, bakers and grocers in 1754 to appeal to the English government, complaining that they were burdened with large numbers of unwanted coppers.[26]

In the absence of sufficient supplies of coin, the more remote communities in the Atlantic world, like Scotland and the American colonies, devised alternative methods of establishing money supply. Commodity money provided one solution. In the seventeenth century, American colonial governments passed acts designating diverse goods, including wampum, tobacco, iron nails, oats, pork and animal pelts as forms of official currency.[27] Paper currency provided another, and the American colonies are often regarded as having led Europe in the establishment of paper currency. In 1690, the Massachusetts colony began issuing 'bills of credit', becoming effectively the first government in the Western world to issue public notes.[28] Pennsylvania was the ninth colony to authorise paper currency, issuing its first notes on April 2, 1723. Between 1723 and 1785, 37 more issues would follow. The paper currencies of the colonies met with varying levels of success. By mid-century, the paper currency of Massachusetts depreciated to one fifth of its original value. Pennsylvania's paper currency, which was supported by a land bank, was comparatively more stable and ardently defended by Benjamin Franklin for its

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[24] Holmes, *Scottish Coins*, 74-76.
[25] Hanson, 'Money', 283.
[26] Mossman, *Money of the American Colonies*, 203.
[27] Valenze, *Social Life*, 44-47.
[28] Richard G. Doty, *America's Money, America's Story: A Chronicle of American Numismatic History* (Atlanta, 2008), 29-32.

positive impact on trade.[29] Though Scottish banks began producing notes around the same period, for most of the eighteenth century the smallest banknote available was £1, a sum far too great to be useful in everyday transactions.[30]

In the absence of adequate solutions provided by the state, the private sector devised alternatives.[31] In Maryland, one merchant announced in 1761 that

> As I daily suffer much inconvenience in my Business for Want of small Change, which indeed is a universal Complain of almost everybody in any Sort of Business, I intend… to Print… a Parcel of small Notes, from Three Pence to Two Shillings and Six pence each, to pass Current at the same Rate as the Money under the Inspecting Law, and to be Exchanged by me… for good Spanish Dollars at Seven Shillings and Six pence each Dollar.[32]

Joseph Ogden, a Philadelphia innkeeper and the operator of Middle Ferry, emitted paper notes in 1777 that were redeemable at his establishments.[33]

Trade tokens provided another private alternative. Issued mainly in halfpenny, penny and farthing denominations by a range of businesses small and large, they provided a partial remedy to the problem of small change. Tokens appeared in large numbers during the late seventeenth century to replace the copper coins issued under James I and Charles I. Between 1649 and 1672, they were issued by an estimated 6,575 business in England.[35] During the eighteenth century they again came into common use, facilitating consumer spending during a shortage of specie. There was no law prohibiting their use because they were not issued to displace British coins, nor did they guarantee a metallic value equal to standard coinage.[36] Tokens were made of base metals such as lead, tin or pewter. They were often manufactured away from the place of their issue because minting them required

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[29] Benjamin Franklin, *A Modest Enquiry into the Nature and Necessity of a Paper Currency* (Philadelphia, 1729).

[30] Richard Saville, *Bank of Scotland: A History, 1695-1995* (Edinburgh, 1996), 263-264.

[31] For an example of private alternatives in England, see George A. Selgin, *Good Money: Birmingham Button Makers, the Royal Mint, and the Beginnings of Modern Coinage, 1775-1821* (Oakland, CA, 2008).

[32] Quoted in Hanson, 'Money', 282.

[33] HSP, Joseph Ogden Account Book, 1769-1799. Misc Journals Collection.

[35] T.S. Willan, *The Inland Trade: Studies in English Internal Trade in the Sixteenth and Seventeenth Centuries* (Manchester, 1976), 84.

[36] 'Dundee Copper Coins', *Dundee Advertiser*. 22 December, 1897.

the skills of specialised craftsmen and a source of metal. As a result, Birmingham and Connecticut became centres where this specialist craft took place.[37]

The sheer numbers of tokens issued in Scotland suggests that they were widely in use. One contemporary estimated in 1796 that there were 700 varieties of copper tokens available to consumers.[38] Another suggested that, by 1797, companies and individuals in Scotland had spent as much as £300,000 on issuing tokens.[39] The quantity of tokens issued by individual businesses varied greatly. For example, the Burntisland Vitriol Company issued three hundredweights (about 150 kilograms) of tokens, while the merchants Thomas and Alexander Hutchison in Edinburgh issued ten tons of halfpenny tokens.[40]

II. The social meanings of money

Working within a sea of state-issued foreign currencies and private alternatives, contemporaries saw money as 'divided into two sorts, imaginary and real'.[41] Money had a dual meaning: it was both a unit of measurement that allowed different objects involved in a transaction to be compared on a common scale of value, and it was a physical means of exchange. In physical terms, real money meant specie; the coins minted from copper, silver and gold that had intrinsic value. Imaginary money referred to the myriad of instruments that physically represented value and were used to facilitate exchange during the eighteenth century. Promissory notes, bonds, bills of exchange, tokens, and paper money were essentially worthless pieces of paper that were vested with meaning by their users. Over time, they came to symbolise not only economic value, but also the social worth and skill of the individuals who used them.

Given the shortage of specie in Scotland and America, ready money could not be the means of exchange in most commercial transactions. But in the minds of contemporary individuals, its use was closely bound with issues of trust and personal

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[37] Daniel Freidus, 'The History and Die Varieties of Higley Coppers', in Richard G. Doty, ed., *The Token: America's Other Money* (New York, 1995), 2-17; Selgin, *Good Money*.
[38] *Scots Magazine*, 1796, quoted in 'Dundee Copper Coins', *Dundee Advertiser*, 22 December, 1897.
[39] George Dalgleish, 'Two Robert Adam Buildings Illustrated on Edinburgh Trade Tokens', *BOED*, 1 (1992), 28.
[40] Dalton and Hamer, *Provincial Token-Coinage*, iii, v.
[41] Alexander Justice and Samuel Ricard, *A General Treatise of Monies and Exchange* (London, 1707), 1. Quoted in McCusker, *Money and Exchange*, 3.

reputation and therefore its meaning and significance requires some attention. Individuals used ready money in different ways and its use was often shaped by an individual's income and social position. The varying uses of ready money resulted in conflicting attitudes about this instrument.

Some contemporaries looked favourably on ready money. Tradesmen were desperate for it and offered discounts to those who could pay in coin. The pages of newspapers in Philadelphia and Edinburgh were filled with the advertisements of merchants and shopkeepers offering fashion, quality and cheapness for ready money only. In Edinburgh, some customers capitalised on tradesmen's need for cash and used promises of payment in ready money as a bargaining tool to get cheaper prices. In 1750, James Ker complained to the bailie court that Mrs Allan, a baker's wife, had bargained a price for wheat on the promise that she would pay ready money. Ker, 'on the faith of his getting ready money for the same', brought the wheat to the defenders shop. But instead of paying in cash, Mrs Allan put a promissory note in his hands and 'induced him or rather forced him to take it in the terms that it is payable the first of June last'.[43] Ker's need for cash and the discount he offered were apparently significant enough to justify suing when the medium of payment he received was not what he expected.

In other ways, the use of ready money carried negative social weight as using it was also associated with not being able to gain trust. Transients, women, outsiders and the poor often made payments with ready money because they lacked credit. In 1750, James Hill and his spouse, who retailed earthenware in Edinburgh, had to send £4 3s. in coin to a merchant in Newcastle who did not trust their reputation. Ready money offered security to those who accepted it as payment. Unlike forms of credit, metal currency had intrinsic rather than symbolic value. In other words, the value lay in the object itself rather than in the relationship of trust that underpinned it. However, while specie might be more secure for a creditor, for a debtor it could involve certain risks. If it had to be transported, a payment in ready money could be less secure because it was subject to theft. Hill and his wife entrusted James Cook, a local stabler who travelled frequently between Edinburgh and Newcastle, with their

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[43] ECA, Bailie court processes, *Ker v. Haigs*, 1750. Box 120, bundle 304.

payment. When Cook failed to deliver, Hill and spouse not only lost the money, but 'their commission was stopt and their credits suffered as well as their trade'.[44]

Some individuals used ready money strategically to build up trust and eventually gain credit. Early modern credit ratings were not static but could change over time along with a person's circumstances and social status. For individuals like James Hill in Edinburgh, regular payments in ready money could help build credit and generate trust with a supplier. Similarly John Head's Philadelphia account book reveals that several of his customers made small purchases with ready money before he granted them credit. He granted others very limited credit at first, then extended more after they proved themselves trustworthy and able to pay.[45] James Burd's account book shows the use of cash as part of a social ritual used to establish trust. Laying down money 'in earnest', only a small amount and often in front of witnesses, was a symbolic act used to seal a bargain and show that a person was good for the debt.[46] His acceptance of cash symbolised the lack of relationships of trust with customers. When Burd opened his shop doors in 1747, he advertised in the *Pennsylvania Gazette* that at his store on Front Street he sold goods 'very cheap, for READY MONEY ONLY'.[47] Burd was trying to attract customers to his retail shop who might buy small quantities of goods in exchange for coin, thus allowing him to minimise his risks.

Popular ballads also reveal a relationship between coin and mistrust. One song from Scotland, *Ready Money and No Trust*, told the story of a traveller who, upon arriving in a town, searched for an acquaintance in order to obtain food and lodging. Without local acquaintances or a 'friend', no-one would trust him with credit, forcing him to rely on ready money:

> Aloud I did for a friend call,
> for things I wanted many,
> But nothing I could have at all
> without the ready money.

Upon returning to the same town with cash, his social experience differed drastically:

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[44] ECA, *Hill and Spouse v Cook*, 1750. Box 120, bundle 304.
[45] APS, Head Account Book, 1718-1753.
[46] APS, Burd Day Ledger, 87; Craig Muldrew, *The Economy of Obligation: The Culture of Credit and Social Relations in Early Modern England* (Basingstoke, 1998), 106.
[47] *Pennsylvania Gazette*, 1 Oct, 1747.

> They call'd me an honest man,
> when I had paid them every penny,
> The landlord said he would with me join,
> When he saw my ready money.[48]

For the traveller, a reputation for honesty was built by paying in full. However, one cannot help but notice the negative tone of the song, which conveyed almost a sense of nostalgia. According to the song, written in 1780, the relationship between friendship, trust and money was becoming muddled. Whereas association once formed the basis of credibility, here wealth served as the basis of association.

Bailie court evidence and account books suggest that craftsmen and tradesmen in both cities might not see their relationships with cash-paying customers as long term. Tradesmen kept careful records of their transactions and accounts, but often did not note customers who depended on an exchange of ready money. Walter Scott, a merchant in Edinburgh who described his bookkeeping practices before the bailie court, stated, 'in sales for ready money the buyers are not named in the book but only the goods entered as sold for ready money.'[49] Likewise, James Burd kept a cash page in his ledger. There, he noted goods sold for cash but did not record the names of customers who purchased them. Abraham Smith, designated an indweller in Edinburgh, described that when making purchases from a particular tradesman he 'always paid in ready money and without any receipt'.[50] Keeping track of accounts and bargains was not an activity conceptualised in purely quantitative terms. Account books served as descriptions of assets, which might be the result of both economic and social transactions.[51] The choice not to record a cash transaction is significant, suggesting that a tradesman anticipated no continued relationship with that customer.

Despite the attitudes about the use of cash described in court depositions, newspaper advertisements, and popular literature, the social impact of cash was limited because it was rarely used on its own. Tradesmen addressed cash and credit as opposites in their advertisements, but it is more accurate to see them as working

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[48] National Library of Scotland (hereafter NLS), *Ready Money and No Trust*, (Edinburgh, 1780). L.C.2812.(1).
[49] ECA, *Scot v. Campbell*, 1770. Box 145, bundle 374.
[50] ECA, *Murray v. Smith*, 1770. Box 144, bundle 371.
[51] Peter Earle, *The Making of the Middle-Class: Business, Society and Family Life in London, 1660-1730* (London, 1989), 114-115, 138; Muldrew, *Economy*, 64.

together.[52] Individuals relied on a combination of credit and cash to make their purchases. For most people, ready money was the ultimate means of payment after reckoning. As chapters two and three demonstrated, tradesmen in both cities engaged in reciprocal debts that often cancelled out. When parties met to reckon the balance left over on an account was generally paid using ready money. This final cash payment between parties represented only a fraction of the value of exchange between them.

The term 'cash' had a nebulous meaning and did not always refer to instruments with intrinsic value. 'Cash' could also refer to bills, bonds, promissory notes or precious metal. In 1750, Stephen Paschall received a payment from Thomas Morgan for sickles in the form of 'a cash note payable in two months after date'.[53] Probate inventories referred to 'cash in wrought silver', 'cash in plate', and 'cash notes'.[54] Cash seemed to refer not to any particular instrument, but to any medium that could circulate freely throughout the economy and whose value was recognised and agreed upon. Cash can thus be most appropriately seen as part of a developing culture of paper credit on both sides of the Atlantic; a culture that relied on a plethora of written instruments including paper currency as well as hand-written and privately issued instruments of credit such as bills, bonds and promissory notes.

Alongside paper money, trade tokens could also be passed easily from hand to hand. Trade tokens most likely circulated in their local area, where they could be redeemed in goods or cash. They might pass through several hands before being redeemed and the extent of a trade token's circulation probably depended on its issuer's reputation. Like a bill of exchange, a token was only an instrument of confidence or credit; but unlike gold or silver coin, tokens had very little intrinsic value. Therefore the issuer of a token had to be honest and able to pay up when presented with this credit instrument.

Numerous instances of token counterfeiting suggest something of the importance of issuer reputation, as well as the wide circulation of these objects. In order for individuals to engage in the act of counterfeiting, tokens had to be

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[52] Hartigan-O'Connor, *Ties*, 110.
[53] HSP, Stephen Paschall Ledger A 1736-1742. Paschall and Hollingsworth Collection, Phi 474.
[54] Philadelphia City Archives (hereafter PCA), Probate Inventory of Andrew Edge, 1748, no. 2; Probate Inventory of John Thomas, 1750, no. 203.

universally acknowledged to have monetary value. Extant counterfeits suggest that the tokens of well-known, large businesses were the usual targets. These tokens probably had a wide circulation as the reputation of the business allowed for greater levels of economic anonymity. While promissory notes and account book credit depended on personal ties, trade tokens depended not only the relationship between the parties involved in an exchange, but also on the reputation of the issuer of the token. Like bank notes, tokens were a form of credit that 'slipped the bounds of individual reputation', providing a halfway point between individual and institutional credit relations.[55]

Tokens were unique in that they were not only a means of exchange, but visual objects with symbolic meaning. As material objects, the quality of trade tokens varied. Some were masterpieces of the diesinkers art, issued in very small quantities and intended as collectors' items, not as means of exchange. Such tokens often featured architectural, industrial or commercial scenes. [56] The tokens used to facilitate commercial exchange varied from very crude lead disks stamped only with the issuer's initials, to more visually appealing copper coins advertising the businesses that issued them. Even if these objects were not intended as collectors' items, their visual appeal ensured their survival. Few contemporaries wrote about their use of tokens. After all, they were only the small change in an individual's pocket. Fortunately, hundreds of Scottish trade tokens survive in the collections of antiquaries and museums. Through these collections, their meanings can be read.[57]

As instruments of credit, trade tokens had duel functions. Not only did they serve as a means of exchange, but they also were intended to increase the credit or reputation of the issuer by advertising the business. Trade tokens must be understood within the context of the history of advertising and consumer culture. They proliferated during a period when methods of advertising were quickly developing, especially within the realm of print. After 1760, Britain saw advertisements posted in new places and handbills began to use better type, printing and layout.[58] Trade cards

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[55] Mihm, *Counterfeiters*, 12.

[56] For examples, see Dalgleish, 'Two Robert Adam Buildings', 28.

[57] Research for this section is based on the collection of tokens at the National Museum of Scotland, catalogued in Dalton and Hamer, *Provincial Token-Coinage*, 420-429.

[58] James Raven, 'Serial Advertisements in Eighteenth-Century Britain and Ireland', in Robin Myers and Michael Harris, eds., *Serials and Their Readers, 1620-1914* (Winchester, 1993), 100-120.

became important methods of persuasive and targeted advertising.[59] In terms of the sophistication of their advertising techniques, the trade token existed somewhere in between the newspaper and the trade card. Tokens expanded on newspaper advertisements, which made very limited use of visual devices.[60] Like trade cards, they skilfully combined image with text, using recognisable images to engage the consumer.[61] Though the medium and size of a token meant that its complexity was significantly more limited, Scottish trade tokens employed many of the same devices identified by historians in trade cards.

The primary purpose of trade tokens was to encourage customers to return to a business. They were disseminated especially by businesses that relied on repeat customers and sold small quantities of standardised products, such as tea. This was accomplished both because the token had a monetary value and could be exchanged for goods and because text and imagery advertised the business, making its products appear desirable to the consumer. Tokens reminded customers of where they had made a purchase and provided them with the information they would need to return. Generally the business's name, its specialty products and its location were printed on the token. One typical Edinburgh token simply read 'J. Hogg, Canonmills, Tea and Spirits' (Image 4.1, coin 1). Trade tokens also provided a method of closely focused advertising, which used customers as a means of disseminating information about the business to other potential customers. If trade tokens did in fact circulate, then a token was an effective way of advertising to a customer's credit network.

Trade tokens did much more than provide customers with basic information. They combined text and image, employing recognisable symbols intended to increase the desirability and respectability of a business. Some tokens listed goods in text to show customers the variety of goods available and advertise the business's low prices. R Sanderson's farthing token advertised that the merchant sold 'all kinds of wool and linen drapery goods haberdashery buttons & watches CHEAP' (coin 2). Similarly, John Wright, a merchant on the High Street, used his token to advise

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[59] For an account of the meaning and context of eighteenth-century trade cards, see Maxine Berg and Helen Clifford, 'Selling Consumption in the Eighteenth Century, Advertising and the Trade Card in Britain and France', *Cultural and Social History*, 4 (2007), 145-170.
[60] John Styles, 'Manufacturing, Consumption and Design', in John Brewer and Roy Porter, eds., *Consumption and the World of Goods* (London, 1993), 541.
[61] Berg and Clifford, 'Selling Consumption', 157-159.

customers that he sold 'all sorts of woollen and linen cloths breeches stuffs fancy vests hats stocking and gloves CHEAP' (coin 3).[62]

Image 4.1 Eighteenth-century Edinburgh trade tokens.

	Coin 1
	Coin 2
	Coin 3
	Coin 4
	Coin 5
	Coin 6

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[62] Dalton and Hamer, *Provincial Token-Coinage*, 426.

	Coin 7
	Coin 8

Source: Dalton and Hammer, *Provincial Token Coinage*, pp. 120-129.

Tokens appealed to the international context of consuming. Several tokens of tea and spirits merchants employed the image of a sailing ship, in order to convey the notion of exotic goods from abroad being brought back to Scotland (coin 4). The notion of the exotic was also illustrated on the tokens of Campbell's Tobacco Merchants through the image of a Turk's head (coin 5). Other coins depicted the products themselves, such as a canister of tea, or sugar loaves, appealing to the desires of consumers for the foreign and exotic goods, the consumption of which was familiar to middling families by the eighteenth century (coin 6).[63]

While tokens invoked the foreign, they also carefully grounded businesses in a local, Scottish context. Many of the extant trade tokens combined Scottish symbols with exotic images. The reverse side of Campbell's Turk's head coin contains an image of a snuffbox framed by thistles (coin 5). Several Edinburgh farthings contain the image of St. Andrew holding his cross, positioned between thistles. There are several reasons why issuers might have used national imagery. First, associating themselves with the local context might have provided legitimacy. Second, tokens have to be considered within the context of contemporary ideas about luxury and taste. Perhaps retailers were trying to distance themselves from negative meanings of imported foreign luxuries. By placing themselves in a Scottish context through imagery, they could simultaneously convey notions of British civility, taste and moderation, whilst appealing to consumer tastes for the exotic.[64]

Tokens conveyed the honesty and genuineness of their issuers. The token of James Forbes, a wine and spirit dealer, refers to its own authenticity through the

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[63] Maxine Berg, *Luxury and Pleasure in Eighteenth-Century Britain* (Oxford, 2005), 49.
[64] Ibid., 20-21.

words 'warranted genuine' (coin 7). The image of pair of scales, symbolising justice and fairness, is present on several tokens. Even the very crude token of John Braidwood, a baker, presents this image (coin 8). Indeed, of the surviving lead tokens (which generally contain only initials), the pair of scales is the only image that appears. Perhaps, this testifies to the importance of honesty in trade. While images of the variety, quality and luxury of goods for sale could contribute to a business's appeal, a reputation for honest and fair dealing was a tradesman's most valuable attribute.

Philadelphia never adopted trade tokens with the same vigour as Edinburgh, most likely because the colony issued paper money that could act as small change. This paper currency should have allowed for greater levels of individual economic anonymity, allowing credit to slip the bounds of personal reputation. However, like other instruments of credit, successful use of this medium depended upon interpersonal trust that was built on evaluations of character and reputation. Where gold and silver coin had intrinsic value, paper money was 'confidence money' that depended on the trust of those using it. As Stephen Mihm has suggested, in paper money 'value was something that materialized and became tangible when the note was exchanged, when one person put confidence in the note of another. Only then, at that instant, would an intrinsically worthless piece of paper come to mean something more'.[65]

Counterfeiting and forgery plagued the world of paper money, meaning that individuals could not necessarily trust that the notes they received were real. The notes issued in Pennsylvania were rudimentary forms of printing that could be easily copied by someone with moderate skill. Early money was even printed on the back of used newsprint.[66] Counterfeit notes circulated frequently in the American colonies and laws against forgery were difficult to enforce within the colonial legal system. Contemporary openness to the practice of counterfeiting is revealed in an advertisement that appeared in the *New York Gazette* in 1777. People going to other colonies were advised that they

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[65] Mihm, *Counterfeiters*, 10.
[66] See for example, Library Company of Philadelphia, Colonial Paper Money Collection, Am 1775 Con 5815.F.

may be supplied with any Number of counterfeited Congress-Notes, for the Price of the Paper per Ream. They are so neatly and exactly executed, that there is no risque in getting them off, it being almost impossible to discover, that they are not genuine. This has been proved by Bills to a very large amount, which have already been successfully circulated.[67]

Advertisements and merchant letters warned of counterfeit bills and described signs to look for, but dissemination of this information was problematic and counterfeit bills were difficult to catch in practice. The differences between real and false bills were often minute, and identifying counterfeits required attention, skill, and access to information warning of their circulation. One merchant letter in 1740 warned of a false bill that differed from the true 'in five particular instances':

> Upon the fore shoulder of the lyon and the unicorn, and at the foot of the flying horse in the king's arms, there is a speck or dot in the counterfeit, but not in the true. The letter I (this indented) is not like the I there, in the true bill. And part of the letter P in (payments) is below the line in the counterfeits, whereas it comes no lower than the line in the true bill.[68]

Problems of forgery meant that for most, trust lay not in a note itself, but in the person who passed a note. Previous studies of counterfeiting have shown that the 'shovers' or 'pushers' of counterfeit notes feigned reputation and character, adopting the outward trappings of respectability and appealing to their family stations to garner trust.[69] For small tradesmen, trading with paper involved considerable risk. Far from depersonalising the process of economic exchange, paper money made the relationship of trust between economic agents more important than ever.

The culture of paper credit in both cities included written credit instruments issued by ordinary individuals as well as paper currency issued by the state. These two forms of paper credit bore cultural similarities. Both were merely slips of paper, passed from person to person, that theoretically could be redeemed for specie or goods when presented to their issuer. Both revealed changes in the thinking about monetary value. Debt cases from the Edinburgh bailie court suggest that written

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[67] *NY Gazette, Weekly Mercury*. 1777. Readex, No 1329.
[68] FJ Paris to Governor Thomas, 10 Mar, 1740. *Pennsylvania Archives*, (Harrisburg, 1894), 587.
[69] Donna T. Andrew and Randall Mcgowen, *The Perreaus and Mrs. Rudd: Forgery and Betrayal in Eighteenth-Century London* (Berkeley, 2001).

instruments of credit became more common across the eighteenth century: this period is distinctive for the use of paper credit. In Muldrew's study of King's Lynn in the seventeenth century, most small transactions involved an exchange of oral credit extended in front of witnesses.[70] In 1730, the practice of sealing bargains orally and marking them with rituals seems still to have been in use in Edinburgh.[71] In contrast, the samples of cases from 1750 and 1770 reveal very few exchanges sealed orally. By the mid-eighteenth century, written promises seem to have been more highly valued than oral promises. Marking the shift from oral to written contract, promises were sealed by a man's signature rather than his word. This shift took place across a wide commercial context, unifying the practices of larger international merchants and petty tradesmen dealing locally. According to Glaisyer, 'in the world of trade, and the new world of the financial revolution, the signature was a mark of trust, a guarantee that paper credit could be relied upon'.[72] The signature acted as a personal mark of an agreement between two people, who did not necessarily know each other, that business would be conducted in a certain way. Attesting to this shift from oral to literate business, when one man in the bailie court made an oral bargain in 1750, he promised that 'his ward was a good as his write'.[73]

The shift from oral to written promises was a reflection of both culture and legal context. Court procedure in Scotland was more dependent on written forms than was the case in England. For example, evidence was usually presented in the form of written depositions that were read out loud, as opposed to oral testimony, making the ability to write and to present written accounts as a form of evidence an asset. Literate people thus chose to use the courts in higher numbers than those without writing skills.[74] However, the presentation of written evidence in court does not always mean that a written instrument had been used in the exchange. Sometimes bills were written up specifically for use in a court case. When Mrs Robertson brought Mrs Daes to court in 1730 claiming debts related to washing linens for three years, she presented the court with a bill as evidence. Daes testified that there was

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[70] Muldrew, *Economy*, 106.
[71] See for example, ECA, *Birnie v. Debtors*, 1730. Box 86, bundle 213.
[72] Glaisyer, 'Calculating Credibility', 709.
[73] ECA, *Smyth v. Crawford*, 1750. Box 119, bundle 303.
[74] R. A. Houston, *Scottish Literacy and the Scottish Identity: Illiteracy and Society in Scotland and Northern England 1600-1800* (Cambridge, 1985), 139-140.

never a regular account kept and accused Robertson of drawing up the bill specifically for use in the court case.[75] Those who could not write could still participate in the culture of paper credit by relying on the skills of family members, associates and hired professionals. George Zeigler, a Writer [solicitor], demanded payment in the court from a change-keeper for 'writing ane letter and one or two accounts'.[76] Helen Japhrey, a widow who testified that she could not write and Janet Anderson, who could only sign her initials, both presented their debtors with neatly written bills. Mrs McKnight testified that she relied on the skills of her son.[77]

For many, sealing debts on paper was a sign of respectability and a source of confidence both inside and outside the courtroom. Issuing a bill was public act of self-representation to a customer. The importance of cultivating an image of respectability for those involved in commercial pursuits is well known. For the mercantile community, self-presentation was critical because of credit; one's public persona was literally one's livelihood. For tradesmen and craftsmen, self-presentation might include shop displays, clothing and stylised behaviour such as speaking and gesture.[78] Writing, as a representation of skill, was also part of this matrix. Being able to write was still a somewhat elite skill in mid-eighteenth century Scotland. While there were widespread opportunities to learn to read, learning to write was more difficult. However, tradesmen and craftsmen in Scottish urban areas appear to have had unusually high rates of literacy within Britain.[79] For these individuals, the ability to write was not in itself the only mark of status. Handwriting was seen as an expression of the inner self and a reflection of one's character. The ability to write in a certain way served as a sign of respectability. Styles of writing or penmanship were associated with social identities and different scripts were used by

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[75] ECA, *Robertson v. Daes*, 1730. Box 86, bundle 214.

[76] ECA, *Hogg v. Zeigler*, 1750. Box 122, bundle 310.

[77] ECA, *Japhrey v. Grimlay*, 1750. Box 119, bundle 302; *Anderson v. Smiton*, 1750, Box 122, bundle 310; *Hunter v. Hamilton*, 1730. Box 86, bundle 213.

[78] Nancy C. Cox, *The Complete Tradesman: A Study of Retailing, 1550-1820* (Aldershot, 2000), 78-94; Andrew Hann and Jon Stobart, 'Sites of Consumption: The Display of Goods in Provincial Shops in Eighteenth-Century England', *Cultural and Social History*, 2 (2005), 165-187; R.H. Sweet, 'Topographies of Politeness', *TRHS*, (2002), 362, 366.

[79] Illiteracy is defined as the inability to sign one's name, a measurement which has obvious disadvantages as the ability to sign one's name did not necessarily mean that a person could write. Houston, *Scottish Literacy*, 20-22, 33, 46-47, 127. Numeracy, a very different skill than literacy, was also required for accounting. Numeracy figures do not exist in the same level of detail for eighteenth-century Scotland. For rising levels of numeracy in America, see Patricia Cline Cohen, *A Calculating People: The Spread of Numeracy in Early America* (Chicago, IL, 1982), 81-115.

different sorts of people.[80] George Bickham, in an instructive manual aimed at those in commercial pursuits, referred to a merchant's handwriting as a 'portable coin'.[81]

On a more practical level, the use of written instruments probably increased because they facilitated the liquidity of credit that was described in chapters two and three. Bills and notes were assignable, allowing them to circulate as currency. By allowing debts to be more easily passed from person to person, paper credit helped the economy function without ready money. In Philadelphia account books, the cancelling of reciprocal debts became more complex over time, as the debts of more distant parties were brought into bear on credit obligations. John Head's account book from the 1720s typically involved three parties. Payments often included orders on or goods delivered by third parties. For example in 1743 when the tanner John Jones purchased a clock case, he paid with a saddle and bridle delivered by another person. The third parties brought into transactions were typically other customers who Head knew well, and the credit arrangements were simple enough that an account book sufficed to keep track of the bargains.[82] Joseph Graisbury's account book forty years later shows that he was receiving multiple payments in the form of written 'orders' on more distance parties. In 1764, Eupham Biggs paid him with 'John Tatlow's order on Lawrence Shine'.[83] Through the use of a note, the debt was passed through four hands.

Chapter two suggested that secondary debts became more common over time, and that the most common form of secondary debt appearing in the bailie court was the passing of a promissory note or bill from hand-to-hand with each party endorsing the back. While secondary debts were possible without the use of paper, paper instruments facilitated increased degrees of separation. The paper bill, which varied from a formally printed bill of exchange to a simple IOU written on a scrap of paper, facilitated a shift in the relations between creditor and debtor, making indebtedness less direct. This shift has been interpreted as a sign of depersonalisation. As Mann suggested, if a debtor 'did not know the person to whom his obligation had been

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[80] Tamara Plakins Thornton, *Handwriting in America: A Cultural History* (New Haven, CT, 1996), 23, 213.
[81] George Bickham, *The Universal Penman* (London, 1733), 123.
[82] APS, Head Account Book, 35.
[83] HSP, Graisbury Ledger, 49.

assigned, then the ties between debtor and creditor had truly become impersonal'.[84] But bills should be more accurately seen as facilitating a transitional form of familiarity. When a bill was passed through several hands, each person who signed the back knew the individual they endorsed the bill to even if the first endorser did not know the last. Bills did not create true anonymity. Rather, they enabled chains of indebtedness and chains of trust to form.

Bills sat at the intersection between personal and institutional trust. The practice of endorsing bills constituted a kind of institution in itself. Not only did each endorser need to trust the person they endorsed a bill to, but they had to trust that the system would work. Litigation over indorsed bills offers some insight into the social processes associated with these long chains of credit. Due to the continuing importance of personal reputation in the urban economy, creditors had some degree of security because passing a bad debt reflected poorly on the endorser. A bad secondary debt might harm an endorser's reputation, preventing his or her ability to receive credit in the community. Legal contexts provided another form of security. Laws of joint liability instituted in the late seventeenth-century throughout Europe stipulated that if the ultimate debtor on a bill was unable to meet the obligation, any endorser could be held liable for the debt.[85] Thus, after raising an unsuccessful process to recover a secondary debt, Alexander Hunter took action against the person who had endorsed the bill to him, Mrs McNight. Hunter believed that in passing on a bill, 'the one gives and the other receives the bill as a good bill as it were ready money or a bank note'. Unable to collect from the person who drew the bill, Hunter believed that the laws of fair dealing necessitated that Mrs McNight make good on the obligation. As he told the court, 'if no payment is recovered by the acceptors turning insolvent after the indorsation,' suing the endorser was 'most reasonable because the creditor ought not loose by his lenity'.[86]

The choice to pass debts to certain individuals could be strategic. Creditors cooperated to extract payment from their debtors. A creditor with access to a debtor's effects or salary might agree to accept his debts from other creditors. A bill drawn on

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[84] Mann, *Neighbors*, 60.
[85] Veronica Santarosa, 'The joint liability rule and bills of exchange in eighteenth-century France', paper presented to the International Conference on Merchant Accounting and Profits in Europe and the Americas, Paris, France, 10 June, 2011.
[86] ECA, *Hunter v McNight*, 1730. Box 85, bundle 212.

John Learmond, keeper of the Netherbow port, was passed around by several people before ending up in the hands of Agnes Hamilton. When Hamilton became aware that Learmond was insolvent, she persuaded an acquaintance to take on the bill because 'he being a tacksman of the towns impost might easier get payment than another by retaining Learmonds salary in his own hand out of the towns money'.[87]

Paper instruments had the potential to revolutionise credit practice by allowing debts to stray far from the parties who originally contracted them, but they came into use slowly and partially. Older and more rudimentary credit instruments continued to be used in conjunction with newer forms of credit and accounting, according to each tradesman's particular needs. Keith Thomas' account of numeracy in early modern England suggests that by the late seventeenth century, a variety of accounting methods, such as chalking scores on a board, marking notches on a stick, gathering sticks in a bundle and keeping accounts with beans, were still in use.[88] Bailie court processes from the first half of the period of study show the continued use of the 'nick stick'. The nick stick was a notched tally stick used for reckoning. It was used especially by occupations that dealt in measured quantities of one product, such as brewers, coalers and bakers. As products were sold to a customer, marks were made on the tally stick either specifying the quantity or value of goods delivered. Tradesmen used tally sticks in individual ways. Daniel Defoe described the elaborate system devised by one country shopkeeper, who kept a set of nick sticks for each customer in separate drawers:

> Every stick had notches on one side for single pounds, on the other side for tens of pounds… and the length and breadth also had its signification, and the colour too… and his way of casting up was very remarkable; for he knew nothing of figures, but he kept six spoons in a place on purpose, near his counter, which he took out when he had occasion to cast up any sum, and laying the spoons on a row before him, he counted them thus:
> One, two, three and another; one odd spoon and t'other
> /   /   /   /   /   /
> By this he told up to six: if he ahd any occasion to tell any further he began again.[89]

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[87] ECA, *Hamilton v Learmond*, 1730. Box 85, bundle 212.
[88] Keith Thomas, 'Numeracy in Early Modern England', *TRHS*, 37 (1987), 229.
[89] Daniel Defoe, *The Complete English Tradesman in Familiar Letters: Directing Him in All the Several Parts and Progressions of Trade* (London, 1727), 312-313.

Over time, it seems that this form of accounting was being phased out. In 1770, a brewer testified that he had 'not furnished any ale by nick stick for upwards of eight years past… the pursuer as well as most of the brewers in and about this city have long ago given over furnishing ale by nickstick.'[90] When it was used, the nick stick became associated with ignorance or a lack of numeracy skills. As one English tradesman commented in 1714, the tally-stick was 'of ordinary Use in keeping Accompts with illiterate People, and serves well enough for meer Tale'.[91]

In the context of eighteenth-century family business, it might be more appropriate to see rudimentary accounting not as being phased out but as being combined with newer and more sophisticated methods of counting. Some families used nick sticks in conjunction with double-entry account books. This allowed multiple members of a household, who might have different numeracy skills, to participate in the process of accounting. The servant of a brewer testified that he 'marked on the nick stick from time to time as the ale was furnished… and the scores or marks on the pursuers nick stick were blacked with ink according to custome of marking of payments upon the nick stick. The deponent is in use to acquaint his master when the ale is delivered out and to whom and that the pursuer marks the same in his account book besides the nick stick'.[92]

Others preferred to continue using nick sticks because they supported a system that distributed the control of accounting equally between creditor and debtor. When nick sticks were used, both the customer and the tradesman usually kept a separate stick. After every transaction, a notch was cut out of both sticks. This system made for relations of mutuality and prevented errors in accounting. As one debtor testified in a dispute over accounting for ale, 'he and his wife frequently desired the pursuer to furnish the ale by a nick stick to prevent mistakes'. When his creditor altered his practices and switched to an account book, the debtor felt that he had been forced 'to take the ale upon the pursuer's word and put up with his and his servants errors and mistakes in the manner now insisted on'.[93] The shift from nick

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[90] ECA, *Cleghorn v. Debtors*, 1770. Box 144, bundle 373.
[91] Thomas, 'Numeracy', 119.
[92] ECA, *Archibald Campbell v. Debtors*, 1750. Box 120, bundle 305.
[93] Ibid.

stick to account book represented a shift of power to the lender. This new form of accounting, which facilitated the easier conversion of one form of value into another, had the capacity to change terms upon which obligations were demanded.

III. Conclusion

In eighteenth-century urban society, money had contradictory meanings. It helped consumers and tradesmen in Edinburgh and Philadelphia contend with shortages of specie. A number of credit instruments, including paper money, promissory notes, and tokens helped to facilitate exchange. They were complicit in the abstraction of value, making it more easily transferable, and in the development of greater liquidity. Oral bargains were still common, but many tradesmen preferred to seal their obligations in legally binding written credit instruments, which were more easily enforceable in Scottish courts. As a semi-autonomous media of exchange, bills had the ability to mutate the nature of networks, allowing people to transfer debts to third parties. They made the relationships that underpinned credit more extensive, allowing debts to travel further from the people who contracted them. Chains of credit created a transitional form of trust. As time went on, a debtor could expect to be bound not to the person to whom he or she originally made an obligation, but to an individual two, three or four degrees removed and who was not necessarily familiar. Trade tokens also helped to facilitate a more flexible credit system by introducing a third party into a credit relationship. They facilitated the conversion of one form of value into another and dispersed the risk that was inherent in lending credit by bringing another party, the issuer of the token, into a credit relationship. As webs of credit ties evolved and became more complex, they had the capacity to make the bonds of credit more fleeting and less strictly contractual.

Though various credit instruments, including cash, bonds and account books, have often been linked in a historical context with economic individualism and with the depersonalisation of exchange, their use in local urban markets, as reflected in court litigations and account books, suggests that they did not become faceless, impersonal forms of payment. The boundaries between money and its users remained unclear throughout the period of study. For eighteenth-century tradesmen, a credit

instrument not only converted value from one form to another, but it represented the social value of an individual. Issues of status, rank, gender and skill dictated how different sorts of people used money. Individuals without credit were forced to rely on cash, whilst those with good reputations could write their promises to repay on paper. The form of payment that one used could serve as a means of self-representation. Keeping accounts and issuing bills, whilst all formal commercial activities, were also activities that helped individuals define their reputations. The use of certain forms of credit and accounting were marks of literacy, numeracy and skill. Trade tokens served as advertisements for the reputations of their issuers. They represented both monetary value and value in terms of consumer appeal. The imagery on tokens signalled the quality, price and variety of goods available at particular shops as well as the honesty, credibility and genuineness of their issuers.

The use of money did not mark the intrusion of institutions into networks of interpersonal credit. Many of the credit instruments that tradesmen relied upon were devised and issued by individuals or private firms rather than by the state or by financial institutions. Local businesses manufactured trade tokens and the bills that tradesmen passed from person to person were often nothing more than written obligations scribbled on the back of an old piece of newsprint. Where they were used, institutionally issued and impersonal forms of money did not mark depersonalisation. Their use was often predicated on custom and common practice and they did not supplant older forms of marking obligation. Older and more rudimentary methods of accounting and instruments of credit, such as nick sticks, existed alongside newer forms of money and these could be strategically combined within the context of a family business. Financial instruments also had flexible meanings that could change according to context. For some, cash was useful in order to make a faceless payment. For others, it was used to build up credit. All of these examples suggest the enduring centrality of bonds of reputation, trust and familiarity in networks of credit. As they were introduced to the market, depersonalised instruments of credit were used in personalised ways.

Chapter 5. Masculinity, Reputation and Credit

In his well-known manual for tradesmen, Daniel Defoe devoted significant attention to the importance credit. Indeed, for the average tradesman, Defoe described credit as the 'choicest ware he deals in'. Keeping in good credit generated a considerable amount of anxiety for contemporaries, and just how to do so was one of Defoe's main concerns. In one important passage, he advised his readers that

> Nothing can support credit, be it public or private, but honesty; a punctual dealing, a general probity in every transaction. He that once breaks through his honesty violates his credit—once denominate a man a knave, and you need not forbid any man to trust him.[1]

Defoe's words make clear that for eighteenth-century tradesmen, credibility and worth were not only based on individual wealth, but also on adherence to codes of appropriate behaviour. Early modern historians have recognised that credit, used interchangeably by contemporaries with the words honour and reputation, was made up of a confluence of social and economic factors ranging from honesty to chastity to family behaviour.[2] In credit-based economies, personal reputation acted as a kind of currency.

This chapter draws on cases of 'scandal' or public insult brought before the Edinburgh consistory court between 1710 and 1770 to reflect on the social constructions of honour, reputation and credit amongst middling men in an urban, commercial setting. During this period, hundreds of men and women in Edinburgh brought cases to the court because they felt that through insulting words, their credit or 'good name and reputation' had been ruined. Because reputation circulated by word of mouth and because the loss of credit had the very real ability to ruin a person's livelihood, such public insults were taken very seriously. Litigants were often able to frame the impact of insult in financial terms. The servant Janet Cowan claimed that after being called a 'cheating bitch' by a local shopkeeper, she was 'disregarded by every person as one not to be credited or imployed and so rendered

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[1] Daniel Defoe, *The Complete English Tradesman in Familiar Letters: Directing Him in All the Several Parts and Progressions of Trade* (London, 1727), 226-240.
[2] Craig Muldrew, *The Economy of Obligation: The Culture of Credit and Social Relations in Early Modern England* (Basingstoke, 1998), chapters 5-6.

destitute of bread'.[3] The wigmaker Alexander Campbell claimed that a public allegation of dishonest business had caused him to lose 'upwards of fiftie pounds sterling'.[4]

Using this source, this chapter addresses the range of personal and financial attributes that identified people as being of good credit, including honesty, good sexual behaviour, family life, occupational status and solvency. By comparing the components of male and female credit and considering whether they changed over time, it argues against narratives of depersonalisation. It suggests that for middling men, credibility was constructed in profoundly personal and gendered terms through the period of study. The chapter also employs defamation litigation to reflect upon how reputation was communicated, and whether changes in the urban environment had an impact upon the negotiation of personal credit. While the components of reputation remained consistent, the people amongst whom it was discussed and the forms and settings in which it was mediated underwent a process of change, reflecting an interiorisation of conflict as the eighteenth century progressed.

Honour and reputation are subjects that have been widely studied in the early modern period. Litigation for verbal injury, drawn especially from church courts, has proven an ample source from which to study them.[5] Historians now agree that honour mattered to all levels of society, and that no one was truly 'shameless'. Though the language and concepts of reputation were important to everyone, they had fluid and slippery meanings, and differed significantly according to rank, context

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[3] National Archives of Scotland (hereafter NAS), Consistorial Processes, *Janet Cowan v. Archibald Sheills*, CC8/6/328, 1749.

[4] NAS, *Campbell v Campbell*, 1711, CC8/6/224.

[5] Some seminal works include Fay Bound, "An Angry and Malicious Mind'? Narratives of Slander at the Church Courts of York, 1660-1760', *History Workshop Journal*, 56 (2003); Laura Gowing, 'Gender and the Language of Insult in Early-Modern London', *History Workshop Journal*, 35 (1993); Laura Gowing, 'Language, Power and the Law: Women's Slander Litigation in Early Modern London', in J. I. Kermode and Garthine Walker, eds., *Women, Crime and the Courts in Early Modern England* (London, 1994); Laura Gowing, *Domestic Dangers: Women, Words, and Sex in Early Modern London* (Oxford, 1996), chs 3-4; Steve Hindle, 'The Shaming of Margaret Knowsley: Gossip, Gender and the Experience of Authority in Early Modern England', *C&C*, 9 (1994); Martin Ingram, *Church Courts, Sex and Marriage in England, 1570-1640* (Cambridge, 1987); Tim Meldrum, 'A Women's Court in London: Defamation at the Bishop of London's Consistory Court, 1700-1745', *London Journal*, 19 (1994); James A. Sharpe, *Defamation and Sexual Slander in Early Modern England: The Church Courts at York* 1980); Robert Shoemaker, 'The Decline of Public Insult in London, 1660-1800', *P&P*, 169 (2000).

and gender.[6] However, most case studies have defined defamation, and by association honour, as something peculiar to early modern England. Indeed, only a few case studies have drawn on evidence from north of the border.[7] England seems to have witnessed a steady rise in defamation litigation in the sixteenth and seventeenth centuries, then a sharp decrease in cases by the mid eighteenth-century. J.A. Sharpe, drawing on litigation in York, suggested that the willingness to wage law in support of reputation and good name was essentially a feature of the years 1560-1730.[8] Similarly, R.A. Shoemaker found a long decline in defamation litigation in the church courts of London beginning in the seventeenth century.[9]

The bulk of recent research on honour and defamation has focused on gender, and particularly on the sexual language of insult waged against women. Drawing on church court records, it has become clear that high numbers of women acted as plaintiffs in defamation cases, and it has been asserted that for women, honour depended primarily on sexual morality, while for men, issues of honesty and trust within business were more important.[10] Further studies challenged these rather simplistic gender boundaries by suggesting that men were also vulnerable to accusations of sexual misconduct and that women's reputations did not rely solely on chastity.[11] But in making these assertions, scholars have not always been careful to heed the limitations of the court's evidence. Because of the overwhelming numbers of women in court, the records do not allow for a comparison of male and female reputations. Furthermore, English church courts were restricted to cases of a moral or spiritual nature and these seem to have been confined primarily to sexual offences. For example, if a woman was called a thief and a whore, only the word whore was

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[6] Faramerz Dabhoiwala, 'The Construction of Honour, Reputation and Status in Late Seventeenth- and Early Eighteenth-Century England', *TRHS*, 6 (1996), 201.

[7] Leah Leneman, 'Defamation in Scotland, 1750-1800', *C&C*, 15 (2000); Geoffrey Parker, 'The 'Kirk by Law Established' and the Origins of 'the Taming of Scotland': St Andrews 1559-1600', in Leah Leneman, ed., *Perspectives in Scottish Social History: Essays in Honour of Rosalind Mitchison* (Aberdeen, 1988).

[8] Sharpe, *Defamation*, 9.

[9] Shoemaker, 'Decline', 100.

[10] Susan Dwyer Amussen, *An Ordered Society: Gender and Class in Early Modern England* (Oxford, 1988), 98-104; Gowing, 'Gender and the Language of Insult '; Sharpe, *Defamation*, 28-29.

[11] Bernard Capp, 'The Double Standard Revisited: Plebeian Women and Male Sexual Reputation in Early Modern England', *P&P*, 162 (1999); Dabhoiwala, 'Construction of Honour', 208; Alexandra Shepard, *Meanings of Manhood in Early Modern England* (Oxford, 2003), 154.

actionable.[12] Additionally, gender has often been discussed in isolation from other categories of analysis such as rank and occupation, when in fact an individual's honour related to both.[13]

Scottish slander and defamation litigation provides insight into the components of male reputation in a ways that are unique within the comparative study of Edinburgh and Philadelphia, and also in relation to English court records. This source adds new dimensions to the existing historiography in important ways. Because cases of defamation in Edinburgh are drawn from a distinctive legal context, a case study using this source can build upon debates about gender and reputation and the changing nature of urban credit amongst the middling sorts in Britain. It also enhances our understandings of reputation in an era when its importance is seen to have declined, and it adds complexity to our understanding urban economic culture in a wider British context.

In considering all incidents of scandal brought before the court from 1710-70, this study is based on a sample of 113 cases that yield considerable evidence, both qualitative and quantitative, about the nature of reputation. Both pursuers' complaints and defenders' responses are used to think about honour. This approach acknowledges that in cases of defamation, the categories of victim and perpetrator were often unclear, as cases usually involved an exchange of insults. Furthermore, it takes advantage of the richness of the court documents, in which litigants often discussed in some detail their behaviour in relation to ideals of honour and respectability. The years selected for study represent a period of relative stability in the number of cases raised. Two periods of 'crisis' frame the period. Business before the court doubled in 1700-9 and 1780-1800 (Figure 5.1). That the numbers of cases remained steady, even increasing at the end of the period, stands in distinct contrast to the equivalent English courts, where the number of defamation cases fell dramatically during the eighteenth century. Public insult as a form of community censure and the use of the courts in regulating interpersonal disputes may have remained more important in Scotland than they did south of the border.

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[12] Bernard Capp, *When Gossips Meet: Women, Family, and Neighbourhood in Early Modern England* (Oxford, 2003), 252, 296-257.

[13] Alexandra Shepard, 'Honesty, Worth and Gender in Early Modern England, 1560-1640', in Henry French and Jonathan Barry, eds., *Identity and Agency in England, 1500-1800* (Basingstoke, 2004), 89.

Figure 5.1. Number of defamation cases compared to total business of the Edinburgh consistory court during the long eighteenth century.
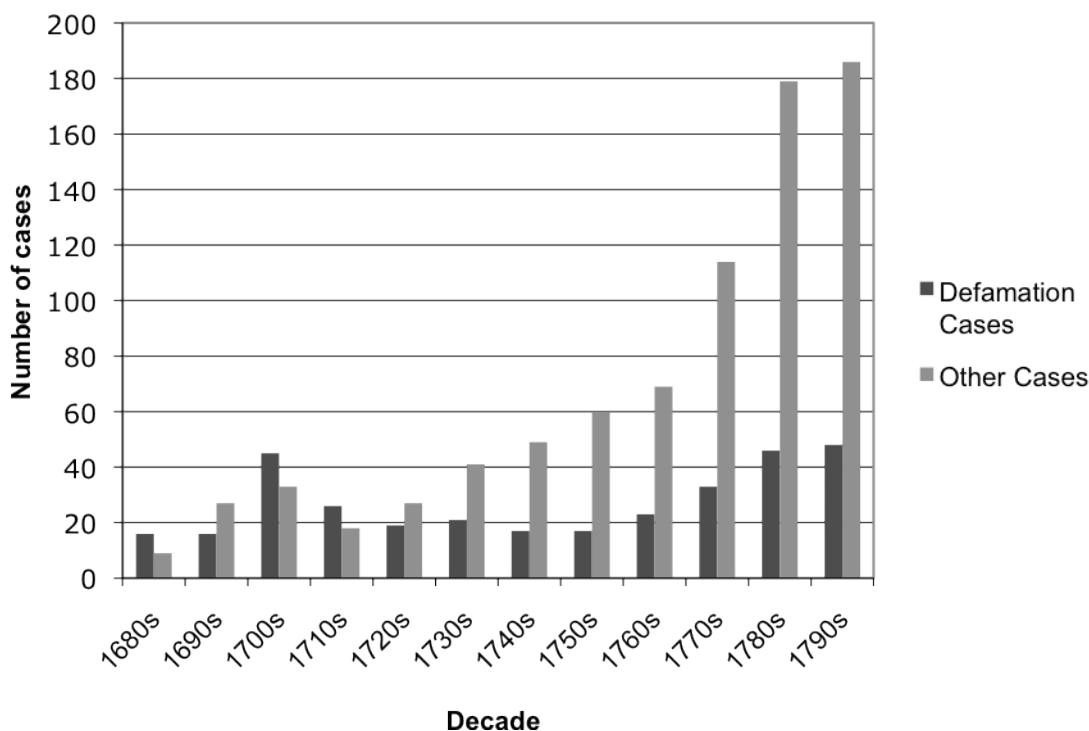
Figure 5.2 Gender composition of litigants before the consistory court, 1710-1770.

	Total Litigants	Pursuers	Defenders
Men (%)	69	67.3	70.8
Women (%)	20.4	23	17.7
Joint husband and wife (%)	10.6	9.7	11.5

The gender composition of cases was overwhelmingly male throughout the period of study (Figure 5.2). Whether due to legal parameters or individual choice, men came to court as both the insulters and the insulted in much greater numbers than their female counterparts, again in distinct contrast to the London courts.[14]

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[14] There appears to have been little legal basis for the gender composition of cases. Both single and married women could raise actions on their own behalf. Married women were required to have the

Scottish evidence therefore offers an opportunity to explore male constructions of reputation, an opportunity that Scottish historians have failed to take advantage of. Leneman positioned her work on defamation in the second half of the century in light of the English church court records, focusing on the sexual reputation of women in Scotland despite the fact that women accounted for only 22 per cent of her sample.[15]

In terms of rank and occupation, the court attracted most of its business from a narrowly defined group of lower-middling tradesmen, all of whom were involved in commercial occupations where reputation had a very material impact. Though many led lives of financial uncertainty, most had a degree of independence and could claim occupational titles within the city's tightly controlled system of trade incorporations. The self-defined occupations and designations of those who appeared in court can be divided into roughly 9 categories ranging from common labourer to gentleman. Figure 5.3 shows that the extremes of the social scale- gentlemen, labourers, and sailors- held only a minor presence in the court. The highest number of pursuers came from the ranks of merchants or shopkeepers, craftsmen, and professionals.[16] Uniquely, these ranks constituted the majority of litigants consistently throughout the period of study. In London, the middling sorts came to court to defend their reputations in lesser numbers over the course of the eighteenth century, choosing not to 'air their dirty laundry in public'.[17] In Edinburgh, merchants, craftsmen, and professionals continued to patronise the court, while the lower orders never assumed a significant presence. Only servants came to court in notable numbers, and often to defend their employability, which depended on a reputation for honesty.

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concurrence of their husbands, who appeared in court 'for their interest' but played no role in the court proceedings. See Leneman, 'Defamation', 214.

[15] Ibid.

[16] 'Pursuer' was the contemporary term used for 'plaintiff' in the court records, while 'defender' meant 'defendant'. This article will employ these terms in order to preserve the original language of the documents.

[17] Shoemaker, 'Decline', 116-117.

Figure 5.3. Occupations of litigants.

Occupation	Number of Pursuers	Number of Defenders
Crafts	40	49
Food / drink service	2	2
Gentleman	3	3
Government Official	3	3
Labourer	1	1
Merchant Shopkeeper	24	18
Professional	17	17
Servant	10	7
Apprentice	1	3
Sailor	5	3
Total	106	106

Source: As in figure 5.2.

Of course, litigation does not offer unmediated or unprejudiced access to the social behaviour of the men who came to court. Litigants described their actions carefully in ways that would make them appear most favourable to the court, probably making serious omissions, exaggerations and distortions. Depositions must therefore be read more as examples of how litigants framed their behaviour according to dominant ideals than as descriptions of social life. While incidents of public insult must have been fairly widespread, only a minority of offences were prosecuted. Patterns of litigation thus do not directly record patterns of behaviour. Furthermore, the contexts of the disputes that were brought to court, and information about what 'set off' an insult was usually lacking. Many of the insults seem to have arisen from commercial disputes, but where this information is clear, the insults waged often bore only scant relation to the larger conflict at hand. However, the insults brought to court were considered sufficiently damaging to merit litigation, and they provide an indirect guide to the components of credit that men negotiated in their daily business lives.

This chapter will begin by discussing the unique jurisdiction of the Scottish consistory court, which shaped the nature of the cases it heard and the types of people who brought their business before it. It will then consider constructions of reputation as revealed by the language of insult and the social behaviour described in the cases. Finally, though constructions of reputation remained consistent throughout

the period, the chapter will consider how the nature and forms of social credit changed over time.

I. Legal jurisdictions

The evidence left by the consistory court was a direct result of its legal jurisdiction. Scots had a choice of courts to go to if they felt damaged by insulting words. The Kirk Sessions dealt with slander of a moral or spiritual nature. Cases involving physical as well as verbal injury could be taken to the justices of the peace or burgh courts. The sherriff courts were also willing to hear cases of defamation. However, the consistory court's jurisdiction was slightly wider than the other courts, and it appears to have heard the most cases.[18]

The consistory courts were created just after the Reformation as a solution to the confusion over which cases belonged to civil courts and which belonged to the church courts.[19] The new court had the power to determine actions and causes including declarators of marriage, actions of adherence or divorce, executions of testaments, declarators of bastardy, aliment, slander and defamation, and actions for verbal injuries arising from 'hasty words'.[20] While the consistory court was technically a church court, it functioned more like a secular court. Unlike spiritual courts, it heard evidence presented by both sides and decided whether a valid legal case was made.[21] Cases opened with a libel presented by the pursuer. The defender then had an opportunity to issue a statement on his or her defence, followed by witness depositions for both sides. Longer cases might include 'eiked' or second defences and answers, petitions for both parties, and more witness depositions. For all cases, the court of session (Scotland's supreme secular court) held supervisory jurisdiction over the commissary court.[22]

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[18] Leneman, 'Defamation', 211. Unfortunately, defamation material in the sheriff court and kirk sessions is unlisted, making a study of these records unfeasible at this time. Patterns of litigation and the nature of defamation suits before these courts are therefore unknown. There are no extant case papers from the justices of the peace.

[19] Leah Leneman, *Alienated Affections: The Scottish Experience of Divorce and Separation, 1684-1830* (Edinburgh, 1998), 6.

[20] William Bell, *A Dictionary and Digest of the Law of Scotland : With Short Explanations of the Most Ordinary English Law Terms* (Edinburgh, 1838), 179.

[21] Leneman, *Alienated Affections*, 6.

[22] Stair Society, *An Introduction to Scottish Legal History* (Edinburgh, 1958), 369.

There were two essential ingredients that made slander actionable in the consistory courts: the affront, and malicious intent.[23] Court cases were structured around proving these two points. The affront referred to the occasion and nature of the insult. In order to be actionable it had to be public. In intent, slanderous words had to be spoken not just in passion or passing, but with the design of causing real damage to the recipient. Whether the slanderous expressions spoken were true seemed to have made little difference to the court. They needed only to be damaging and specific in their charge. As James Fergusson, a contemporary legal commentator described,

> Such reproaches are deemed actionable, not when they consist in general expressions, but in as far as they charge particular crimes, faults, or blemishes, which bring a man's life, his fortune, or moral character into question, to the effect of harassing his mind, or of subjecting him to patrimonial loss or damage.[24]

Because consistory courts were church courts, they were supposedly confined to dealing with cases and disputes of an ecclesiastical nature. But when compared to the English courts, they seem to have had a much wider scope. The consistory court claimed its power to rule in slander cases from the Christian law that one should 'love his neighbour', and almost any insult could be considered a breach of this law. A variety of slanderous expressions, such as cheat, knave, villain, or liar were equally as actionable as moral insults and appeared more commonly than sexual insults. The presence of other courts in both Scotland and England also contributed to the difference in apparent consistorial jurisdiction. English secular courts required individuals to prove that they had sustained actual material loss from the words spoken, making cases problematic. Because the ecclesiastical courts had no such rule, most individuals chose to take their slander cases there. In Scotland, the system of kirk sessions, for which there was no English equivalent, was primarily concerned with church discipline and drained off the cases of a more moral or spiritual nature.[25]

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[23] James Fergusson, *A Treatise on the Present State of the Consistorial Law in Scotland, with Reports of Decided Cases* (Edinburgh, 1829), 229.
[24] Ibid., 234.
[25] Leneman, 'Defamation', 210-211.

Initiating a case before the Consistories was a significant financial investment. The expenses associated with pursuing a case were at least partially responsible for limiting the court's business to middling tradesmen and craftsmen. The dues of posting a libel (the first and only necessary step in a case) cost 7s., the equivalent of one half day's wages for a wright or mason, or one day's wages for a labourer.[26] In reality, expenses of plea ranged from £1 to £41, with an average of around £3. The cost of coming to court varied depending on the duration and complexity of a case. All steps from summoning witnesses to posting defences resulted in clerks and lawyers fees. In Edinburgh, about half of cases reached a verdict, meaning that they were lengthy and fought until the end. This figure stands in contrast to London, where 14 per cent of cases from 1700-10 and seven per cent from 1735-45 went to sentence.[27] Litigants coming to the Edinburgh court had to be prepared to spend tens of pounds on a case. But for many, defending their reputations was a financial investment worth making. While the clerk noted that a judgement was made, the text of most judgements unfortunately do not survive. We do, however, have an idea of the punishments that were inflicted upon individuals who had been successfully prosecuted for slander. The court forced them to read a 'palinode' or public recantation before the kirk session.[28] Taking a case to its logical conclusion thus gave pursuers the satisfaction of seeing their defamers publicly humiliated.

II. The language of insult and the components of credit

Men and women came to the court to defend themselves against a variety of insults and verbal injuries. Slanderous words suggest that credit was composed of a combination of assessments of social, economic and moral factors. Contemporaries used a variety of terms when speaking about their reputations. Virtue, honesty and character referred to moral standing, while rank and quality referred to a person's worldly position. Credit, meaning a person's reputation for financial solvency,

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[26] NAS, *Cuthbertson v Thomson*, 1766. CC8/6/432; A. J. S. Gibson and T. C. Smout, *Prices, Food and Wages in Scotland, 1550-1780* (Cambridge, 1995), 298-299.
[27] Leneman, 'Defamation', 216.
[28] Ibid., 229.

conflated these moral, social and economic assessments.[29] Credit was achieved through behaviour and actions in public and in business as well as in the home. The credible, middling male tradesman was honest, fair dealing, sociable, provided for his family and adhered to codes of appropriate sexual behaviour. The components of credibility both overlapped with and diverged from female credibility in important ways.

Figure 5.4 shows the frequency insults brought to the consistory court according to gender. These statistics show that there was variation between the insults waged against women and men, though overlap between them suggests that male and female honour was not 'wholly incommensurable' as Laura Gowing has suggested.[30] Men were slandered with a greater range of insults than women. At least 23 different categories of insult were waged against men, while only 15 were waged against women. The biggest point of divergence between male and female honour was sexual. Only about five per cent of insults waged against men as opposed to half of insults against women were sexual in nature. However, this figure stands in stark contrast to English case studies, where insults of women were overwhelmingly sexual.[31]

There is not necessarily a correlation between the number of cases and concern for sexual reputation. While sexual insults were not normally waged against men, their reputations depended on all aspects of their character, including sexual honesty.[32] Men in the consistory court claimed that accusations of sexual misbehaviour had economic consequences. When John Ivie, a weaver, was accused of letting another lie with his wife, he claimed to have been 'exposed to the contempt of the neighbourhood' and his credit ruined.[33] For some men, sexual insults could reflect directly on their business practices. When Catherine Watson slandered the innkeeper James Douglas by saying that 'he brought in whores and whoremongers to his house and that he kept a house only for such persons', the insult reflected badly

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[29] Dabhoiwala, 'Construction of Honour', 204.
[30] Gowing, 'Gender and the Language of Insult ', 19.
[31] Gowing, *Domestic Dangers*, 62-63.
[32] Elizabeth A. Foyster, *Manhood in Early Modern England: Honour, Sex, and Marriage* (London, 1999), 86-87, 121.
[33] NAS, *Ivie v Roxburgh*, 1710. CC8/6/131.

on the morality of his business transactions.[34] Credit depended on a combination of social, moral and financial assessments, and as Muldrew has convincingly argued, there was no distinction between 'economically rational transactions and other social transactions, such as courtship, sex and patronage. What we choose to call "economic" must be treated carefully'.[35]

Figure 5.4. Gender composition of insults brought before the consistory court.
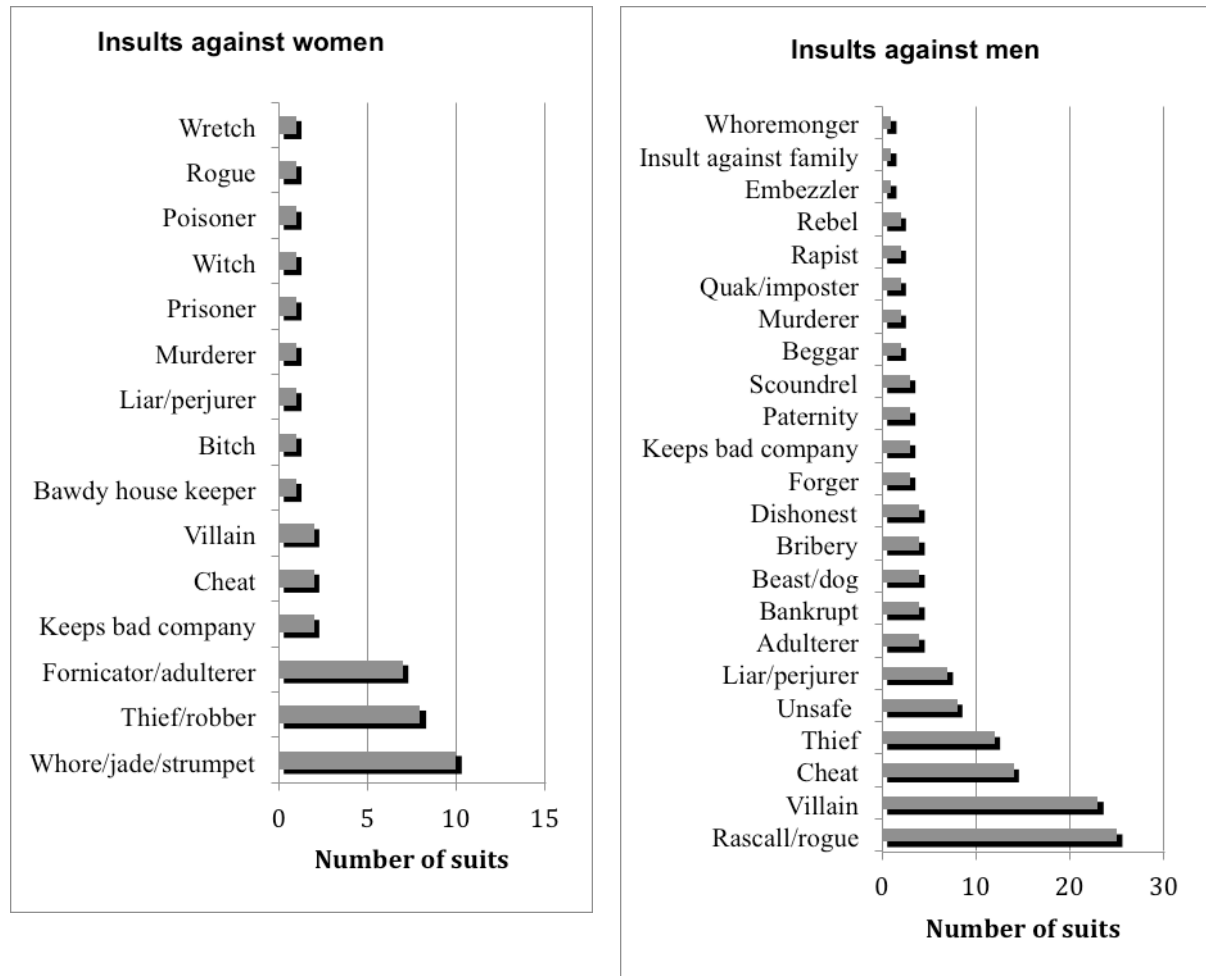
Sources: As in figure 5.2.

Both men and women experienced sexual insult, but they experienced it in different ways. For women, chastity was the primary component of reputation.

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[34] NAS, *Douglas v Watson and another*, 1711. CC8/6/74.
[35] Muldrew, *Economy*, 148.

Women's virtue, honour, and reputation were perceived through their sexuality. As one litigant claimed, 'virtue is to a young woman what honesty is to a man'.[36] Once lost, it was not recoverable.[37] As Marion Denune told the court, when James Walker spread a rumour that she gave birth out of wedlock, he destroyed her 'character of virtue and chastity, a thing of the most permenent and dangerous consequence to any young gentlewoman'.[38] Chastity was a pre-requisite for female honour. Women's honesty was judged on a variety of factors including lineage, wealth and probity, but without chastity a woman had no honour at all.[39]

Male sexual misconduct carried varied and contradictory meanings. Adultery left women open to insult, but it could give men the power to abuse. Men had more power to manipulate the meanings of their sexual misconduct, often diverting blame on to the women involved.[40] Sexual insults could also be used as a way to assert sexual mastery and control over women. Thus Alexander Smith insulted Marion Denune by saying 'he knew the complainer as much as he did his own spouse and she had kept him in a bed many times'.[41] While both Smith and Denune had committed adultery, the act reflected poorly on her honour alone. Control over women through sexual activity reflected men's social power and served as a point of competition. In one case, Constance Clerk was reported to have 'kept company' with Mr Wilson before her marriage to John Clerk. Not only was Constance defamed for her sexual misbehaviour, but a conflict over control ensued between the two men with Wilson asserting publicly, 'you have married *my* whore' [emphasis added].[42]

For men, unlike women, appropriate sexual behaviour was tied to place in the lifecycle. For young men, sexual mastery was a point of manhood. In early modern England, some felt it necessary to engage in a 'youth culture where manhood was learnt by drinking, fighting and sex'.[43] Young men might respond to these sexual pressures by bragging about their conquests in public in order to assert their

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[36] NAS, *Fall v Wilson*, 1742. CC8/6/300.
[37] Dabhoiwala, 'Construction of Honour', 207; Gowing, *Domestic Dangers*, 2.
[38] NAS, *Denune v Walker*, 1734. CC8/6/263.
[39] Dabhoiwala, 'Construction of Honour', 208.
[40] Gowing, *Domestic Dangers*, 113.
[41] NAS, *Alexander v Alexander*, 1735. CC8/6/264.
[42] NAS, *Wilson v Clark*, 1741. CC8/6/293.
[43] Anthony Fletcher, *Gender, Sex and Subordination in England, 1500-1800* (New Haven, 1995), 92-93.

maturity.[44] Behaviour in Edinburgh appears to have followed these patterns. Sexual appetite was a fundamental part of James Boswell's concept of 'masculine virtu', and his sexual activities as a young man, as described in his diaries, are well known to historians.[45] Sexual insults against women were sometimes deployed by men in order to prove their own abilities. Thus in 1766 Robert Thomson boasted to his friends in an Edinburgh ale house that 'he was taken in when drunk by Mrs Murray and laid her down and played with her on the floor of her own house'.[46] The words spoken by Thomson, a young man, were said to his friends in a common social setting and not directly to her. They may have been intended not as an insult against Murray, but rather as a way for him to brag about his own behaviour. Nevertheless, they had negative consequences for her sexual reputation.

Marriage and maturity, especially in terms of heading households and assuming positions of public authority, brought new codes of sexual behaviour for men. Boswell wrote that in order to become more 'manly', he sought to rise above the temptations of city life and 'achieve the steadiness of a man of dignity'.[47] Once they married and became heads of household, men were expected to control their sexual activities. One litigant, who had publicly accused her master of sexual abuse, testified that 'it would not have surprised her to have mett with such treatment from a young vigorous unmarried man… but she could not have expected such usage from the pursuer a grave married man and of character'. Due to the expectations of patriarchal behaviour, married men told the court that accusations of adultery were particularly damaging because of their station and marital status. According to one merchant, a sexual insult was 'highly aggravated in respect of his having a wife and children'.[48]

Cases of sexual insult against house-holding men suggest that morality was not the main issue at stake. Extramarital sex did not bring the kind of shame described in an earlier period, which was bound with humiliation and called into

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[44] Capp, 'Double Standard', 72-74; Foyster, *Manhood*, 43.
[45] Philip Carter, 'James Boswell's Manliness', in Tim Hitchcock and Michèle Cohen, eds., *English Masculinities, 1660-1800* (London, 1999), 114.
[46] NAS, *Cuthbertson v Thomson*, 1766. CC8/6/432.
[47] Carter, 'Boswell's Manliness', 116.
[48] NAS, *Caddell v Wood,* 1743. CC8/6/304.

question a man's sexual honesty, causing many to flee or to pay off their accusers.[49] Rather, married male sexual misconduct in eighteenth-century Edinburgh was looked down upon because it could destabilise the family economy. Married men were expected to provide for their dependents, and their honesty was dependent on fulfilling this obligation.[50] Bastardy could prove dangerous to the family economy, and threaten the inheritance of legitimate children. Men had a perceived social obligation, if not a legal one, to maintain illegitimate children and their mothers.[51] In 1740, James Dalrymple, a married man, brought a suit against Mary Gainer for spreading a rumour that she had been his lawful wife. According to Gainer, after having taken her on as his 'housekeeper or miss' in London, Dalrymple took her to Edinburgh where they cohabitated and she bore his children.[52] Depositions focused not on his moral actions by sleeping with two women, but his honesty and willingness to provide for dependents. Sexual misbehaviour was linked to avoiding the financial responsibilities associated with patriarchy.

The differences between male and female sexual honour were not as stark as historians have often made out. Men were not alone in facing economic consequences to adultery. For most women, sexual misbehaviour brought shame. But for some, the consequences of sexual misbehaviour were framed in economic terms. In discussing the financial circumstances of one woman who had given birth to an illegitimate child, a litigant claimed that had she not 'had the charge and burden of maintaining these children, she might certainly have had a considerable deall of money scrapt together'.[53] The burden of supporting children brought about by adultery had caused her impoverished status. Many women told the court that sexual insults ruined their occupational identities rather than complaining that they had been shamed. When the widow and merchant Margaret Young was accused of adultery,

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[49] Capp, 'Double Standard', 70-72; Foyster, *Manhood*, 80-82.
[50] Shepard, *Meanings*, 188.
[51] The legal obligations that fathers had for their illegitimate children remain unclear. The early modern Scottish legal system did not have mechanisms in place to enforce child support, however, if mothers petitioned the justices of the peace, or if they sought poor relief from the parish, these institutions might pursue the father for payment. Leneman suggests that elite men supported illegitimate children for reasons of honour, to avoid the public humiliation of being called before the kirk sessions. See Leneman, *Alienated Affections*, 180-181, 192; Rosalind Mitchison, *The Old Poor Law in Scotland: The Experience of Poverty, 1574-1845* (Edinburgh, 2000), 23-44; Margo Todd, *The Culture of Protestantism in Early Modern Scotland* (New Haven, 2002), 306-308.
[52] NAS, *Dalrymple v Cunningham*, 1740. CC8/6/288.
[53] NAS, *Lamb v Ferguson*, 1719. CC8/6/188.

she likened the effect of the insult on her to the impact it would have on a male head of household. Young claimed 'there cannot be a more wicked and malicious scandal than calumniously to accuse a married man of the enormous crime of adultery, or to accuse in the like manner a widow woman'.[54] Other cases suggest that women's sexual behaviour had direct implications on their reputations for honesty and credit in the marketplace. One litigant claimed that bearing children gave her credit. In a dispute over the price and quality of oranges, the shopkeeper Mrs Sheills told her customer that 'she was ane honest Kitty for that she had kittled so many children and the pursuer had not had the credite to kittle any'.[55]

While sexual reputation was clearly important to both female and male credit, the most common terms of insult waged against men alleged theft, villainy, cheating, knavery and dishonesty. While these were all somewhat generic terms of abuse, they also related directly to the attributes of good business. The most important attribute for a person engaged in commerce was honesty, and Daniel Defoe included a whole chapter on it in *The Complete Tradesman*. Notions of honesty underpinned about half of the slanderous words brought to court by men, and they were often invoked if a customer felt that the quality of a tradesman's products was inferior or his prices too high. In 1711, George Campbell declared at the market cross of Edinburgh that Alexander Campbell, a wig maker, was a 'damned cheat and a common cheat'. The defender claimed that he had purchased a wig for three pounds 'entirely upon the pursuer's word' that it was a 'good and sufficient and marketable ware worth that price', but it turned out to be of poor quality. When the wigmaker refused to make a 'just reparation for the fault done him', the customer retaliated with the most effective weapon in his arsenal, words ruining the complainer's reputation for just dealing.[56]

Dishonesty also underpinned insults and accusations of indebtedness and bankruptcy. Business failure in itself did not necessarily cause a loss of credit if a tradesman was perceived to have dealt openly and above ground. Value was placed on the skills of good accounting and careful record keeping. Being willing to share accounts with the appropriate parties was a component of honesty. In a business

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[54] NAS, *Young v Crockat*, 1746. CC8/6/317.
[55] NAS, *Campbell v Campbell*, 1751. CC8/6/318. To 'kittle' is to bring forth children.
[56] NAS, *Hill v Syme,* 1710. CC8/6/154.

partnership between John Reid, a printer and Alexander Donaldson, a bookseller, Donaldson called Reid a 'bankrupt thief and a villain' after suspecting that he manipulated their accounts. Allegations of dishonesty in bookkeeping fit perfectly with Muldrew and Fontaine's assertions that contemporaries saw accounting as important not so much to determine how much capital one had, but in order to maintain reputation for honesty and fair dealing. According to Fontaine, keeping accounts was part of a process of 'representing oneself as a methodical and forward thinking individual' and 'warding off the unpredictability of market forces'.[57]

Though honesty and good business were essential to male credibility, these virtues were not unique to men. Indeed, women were slandered with professional insults in only slightly lower numbers than they were sexually insulted. Thievery ranked in the top four most common insults used against both men and women. Female servants were especially vulnerable to accusations of theft, especially by their masters, and they claimed that these insults had an adverse effect on their livelihoods. When Christian Rutherford was accused of stealing a brass candlestick from her masters, she told the court that their words 'loaded her with dishonestie'.[58]

In insults based on honest business, male and female reputation clearly overlapped. But turning to insults based upon status, a point of divergence becomes clear. For commercial men, occupation and rank formed an important component of honour and credit. Insults debasing status were waged primarily against men and not women.[59] Terms of insult might include 'rascal', 'knave' and 'rogue', which insinuated lowly birth, rootlessness, menial employment or marginal status.[60] Insults degrading male status were even more powerful if they were not waged as generic terms of abuse, but referred specifically to an individual's actions or circumstances. Status-based insults could deprive men of the credit associated with independence and economic autonomy. In 1755, Elizabeth Gifford implied that her neighbour George Hog, a brewer, was of lowly status because he engaged in manual labour by

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[57] Laurence Fontaine, 'Antonio and Shylock: Credit and Trust in France, 1680-1780', *EcHR*, 14 (2001), 55; Muldrew, *Economy*, 128.
[58] NAS, *Row v Hutchison*, 1719. CC8/6/191.
[59] Shepard has found that for seventeenth century Cambridge, the primary difference between male and female honour was in the frequency of insults of debased status waged at men. See Shepard, *Meanings*, ch 6.
[60] Ibid., 175.

carrying stones.[61] To portray a middling man such as Hog as a manual labourer deprived him of the social standing derived from his occupational title.

The components of credit were complex and often contradictory, especially when it came to status. Manners and actions could appear as more important than rank in claiming respectability. Some litigants emphasised their good behaviour in the face of lowly status, while others stressed good deeds rather than their high status. When a dispute between James Reid, a brewer, and his neighbour Mrs Carmichael ended up in court, Reid invoked his past good behaviour rather than his status. He told the court that 'it is a mans manner and not his birth and station that gain the most solid applause'.[62] Theoretically, credit was a virtue that could be claimed by anyone.[63] When William Wallace was taken to court by his apprentice, James Gilkie, for accusing him publicly theft, Wallace emphasised his good deeds rather than his higher station as a writer [solicitor] as a point of respectability. Wallace invoked his charitable behaviour towards Gilkie, telling the court of how he 'took pity upon him' and hired him as a servant, then took him on as an apprentice. By stressing his good deeds towards the complainer, Wallace framed Gilkie's actions in taking him to court as ungrateful.[64]

Masculine credit was not only established through public activity such as business and good deeds, but also through appropriate patriarchal engagement with family and home. Prescriptive texts of the period articulated men's relationships with the home through a model of oeconomy, which emphasised authority, management of the family and economic provision.[65] Studies have suggested that such prescriptions were both unattainable for most men and that they were contested by counter-codes of conduct.[66] Even if they cannot describe everyday practice, these ideals formed potent categories for evaluating men's credit both within the courtroom and in the marketplace.

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[61] NAS, *Gifford v Hogg*, 1755. CC8/6/354.
[62] NAS, *Macdonald v Reid*, 1764. CC8/6/414.
[63] Muldrew, *Economy*, 151.
[64] NAS, *Gilkie v Wallace*, 1760. CC8/6/381.
[65] Foyster, *Manhood*, 65; Karen Harvey, 'Men Making Home: Masculinity and Domesticity in Eighteenth-Century Britain', *Gender & History*, 21 (2009), 532-534; Alexandra Shepard, 'Manhood, Credit and Patriarchy in Early Modern England', *P&P*, 167 (2000), 75-77.
[66] Shepard, 'Manhood', 98-99, 102-103.

Several men prosecuted insults insinuating that they were unable to provide for their families through good business. Business failure and bankruptcy were framed in gendered terms that linked failure in trade with failure at home. In 1760, Mungo Scott accused John Murray, a widower, of having caused the death of his late wife 'by keeping from her the real necessaries of life'.[67] Murray was involved in several disputes over debt and eventually failed in business. In his insult, Scott linked Murray's business failures with the inability to provide adequately for his family. In a similar case, Roderick Pedison's servant took him to court saying that she had stolen gold from his house. The servant claimed that the gold was taken to defray the cost of liquors and cordials purchased by her for Pedison's dying wife. Pedison took offence to the notion that his late wife would have depended on her servant for provision, calling the statement 'ane absurd reflection on the defender, seeing it is well known, his deceased spouse was sufficiently provided by him, of what was necessary for her, under her sickness, and was under no necessity of being supplied by the pursuer'.[68]

A patriarch was expected to exert control over his dependents and to act as the moral authority of the household.[69] Some men prosecuted insults suggesting that they used their power to coerce dependents into dishonourable or even criminal behaviour. In 1764, Neil Beatton said that Hector McLean, a writer 'was a forgerer, villain, cheat and rascal and taught his own servant to be so'.[70] In another case, the smith Robert Anderson was accused not only of resetting stolen goods, but of going to a workhouse 'under cloud of night and seducing and inticing his servant to steal goods'.[71] Insults such as these ran deeper than calling a man a forger or a thief. They questioned the moral fibre of the men in question as patriarchs, suggesting that they were unfit to wield the power, influence and honour they had gained as independent heads of household.

Men came to court more often than women because they were the heads of household and the legal proprietors of goods. These legal and financial roles meant

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[67] NAS, *Dickson v Webster*, 1750. CC8/6/380.
[68] NAS, *Lochead v Pedeson*, 1711. CC8/6/158.
[69] Foyster, *Manhood*, 4-5; John Tosh, *A Man's Place: Masculinity and the Middle-Class Home in Victorian England* (New Haven, 1999), 3.
[70] NAS, *McLean v Beatton*, 1764. CC8/6/413.
[71] NAS, *Anderson v Bull*, 1767. CC8/6/441.

that in the credit economy, men were the most important members of a household who needed to show trustworthiness.[72] However, their tendency to appear in court alone can give the false impression that their reputations were constructed independently of their families. If, as Muldrew suggests, the family was the unit of credit, then the family should also be considered the unit of reputation.[73] It is important that we recognise male and female honour not only as overlapping or divergent, but as interdependent within the context of the family economy. In reality, the reputations of individuals linked through kinship were bound together. Litigants testified that the insults waged against them had consequences for their families. When Marion Dunune was accused of fornication, the insult resulted in the 'discredit and injury of her mother and other relations'.[74] Drawing on the ties of family honour, other defamers insulted parents and children alike. Alexander Johnston called Helen Anderson a witch and 'her sons the sons of a witch'.[75] In 1742 Robert Wilson said the writer David Fall was dishonest and called his daughters 'two light tailed bitches'.[76]

The honour of husbands and wives was closely intertwined, and the court records suggest that they took an active role in upholding and defending each other's reputations. Women defended their husbands through informal means such as gossip. In 1718 a dispute was taken to court by Andrew Thomson, a founder, against David Darling, a smith, disputing an unpaid balance due to Thomson by Darling. The wives of both parties were involved in the dispute. Thomson's wife declared in the high street and the public market in Edinburgh that Darling had 'mansworn' them certain sums of money, and Darling's wife defended her husband's honesty.[77] The active role that women played in their husbands' honour supports Garthine Walker's assertion that though women lacked 'the occupational and institutional identity that provided the highly visible locus for male honour', their roles within household

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[72] Muldrew, *Economy*, 157.
[73] Ibid.
[74] NAS, *Denune v Walker*, 1734. CC8/6/263.
[75] NAS, *Anderson v Johnston,* 1720. CC8/6/194.
[76] NAS, *Fall v Wilson*, 1742. CC8/6/300.
[77] NAS, *Darling v Thomson*, 1718. CC8/6/184. Manswearing was perjury of the act of swearing falsely, either within or outside a legal context.

economies 'gave them a sense of social identity, self worth, and neighbourhood status', all of which had a relation to honour.[78]

Male honour and reputation were derived not only from a man's own actions, but from the behaviour of other members of his household. These members included wives and children as well as other dependents. Naomi Tadmor has shown that servants, apprentices and lodgers were considered 'family' and that their behaviour was interpreted as 'familial actions'.[79] Men thus brought insults made against their wives before the court. In 1711, Robert MacLellan said that Anna Byres 'was twice mensworn already and would do it again, and would she have all his as well as her own, the devil be in her then'. Byres' husband took the case to court. As a young merchant, accusations of perjury against his family could impact his own reputation for honest dealing.[80] The importance of family honour also informs how men responded to the dishonourable behaviour of dependents, by dismissing them, distancing them, or even prosecuting them at court. Several actions of scandal were brought against men in positions of patriarchal authority who had attempted to distance themselves publicly from dishonourable dependants through gossip or insult. Some masters dismissed servants upon finding them engaged in theft or sexual misbehaviour. In 1720, when the servant Helen Whyte was found to be pregnant, her master turned her out and scandalised her by making the event public.[81] In 1716, the writer Thomas Russell made public that his servant had stolen a shovel and corn from another man's barn and dismissed him from service. She later sued him for ruining her credit.[82]

Family credit spread beyond members of a household to span generations. Credit and reputation could be inherited, and litigants invoked family lineage to show their character. Dishonour could also be inherited. In one case a family fought a defamation case to recover the honour of their deceased father, George Fall. Fall, a writer, had raised a case in 1742 against a merchant for saying that 'there was not an honest drop of blood or an honest inch in all his body'. Fall died before the

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[78] Garthine Walker, 'Expanding the Boundaries of Female Honour in Early Modern England', *TRHS*, 6 (1996), 236.

[79] Foyster, *Manhood*, 87; Naomi Tadmor, 'The Concept of the Household-Family in Eighteenth-Century England', *P&P*, 151 (1996), 111-140.

[80] NAS, *Byres v Ogilvie*, 1717. CC8/6/176.

[81] NAS, *Sheriff v Rolland*, 1720. CC8/6/196.

[82] NAS, *Steill v Russell*, 1716. CC8/6/174.

proceedings came to an end. A year later, his son picked up the case. Because it had not been resolved, Fall's children felt that the dishonour associated with scandal had been transferred to them. They asked the court to have action continued under their names. In so doing, they felt that they were 'acting a right part in supporting and maintaining the reputation of their deceast father, for surely if to honour our parents be a command to suffer them to be dishonoured must be criminal'.[83]

If family based insults were generational and felt to be relevant over long periods of time, others were linked to particular moments and political contexts. After the Jacobite Rebellions, two men brought accusations of being a rebel to court. In 1755, David Cuthbert, an officer of the excise in Edinburgh wrote a libel about John Campbell, a supervisor of the excise, accusing the pursuer of having 'acted as part against the government during the time of the late rebellion'.[84] In 1758, Robert Lawder brought Robert Traill, a mason, to court for calling him a rebel dog and threatening that 'he would endeavour to have the complainer tryed as a rebel'.[85] The two cases show the impact of the insult at a particular point in time. For Cutherbert, being a rebel was one of the most potent insults that could be waged against a government official. It had a direct effect on his work and resulted in an enquiry before the Commissioner of Excise. In Lawder's case, the accusation of rebellion was waged as a part of a string of insults. Traill also called Lawder a forger, an oppressor and accused him of failing to pay for work wrought. Rebellion had nothing to do with the actual conflict at hand, but by the mid 1750s, being called a rebel had a wide cultural currency.

III. Honour and public behaviour

The language of insult employed by men and women sheds light on many of the components of credit and reputation that were considered important by middling commercial men. But when considered in isolation, this language paints a limited picture of reputation. In publicly slighting each other, they drew from an arsenal of abusive language, employing the insults that they felt would be most potent and

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[83] NAS, *Fall v Wilson*, 1742. CC8/6/300.
[84] NAS, *Campbell v Cuthbert*, 1755. CC8/6/355.
[85] NAS, *Lauder v Traill*, 1758. CC8/6/374.

effective. Litigants were often engaged in pre-existing conflicts, and the words waged bore little relation to the larger issues at hand. But in lengthy defamation proceedings, litigants were given the opportunity to speak in more detail about their past behaviour, allowing them to claim credibility and discredit their opponents in more subtle ways. The court became a space to discuss appropriate male conduct within public commercial settings. Depositions suggest that credit was also derived from men's abilities to socialise appropriately according to new codes of polite behaviour. These codes were especially important to men engaged in business because they 'encouraged and regulated public conversation in order to make commercial transactions easier, resolve disputes, and facilitate economic and social exchanges between men of varying levels of status and wealth'.[86] In consistorial cases, male engagement with codes of reason and passion become especially clear.

The type of speech that men used while socialising reflected their abilities to exercise reason. The court heard many cases involving words 'uttered in passion'. Reason was one of the primary components of manhood, and men used it to legitimise their authority over women.[87] Passion was therefore dangerous, because it symbolised a loss of reason. Controlled speech was especially important. Men contrasted their speech to that of women, who were more prone to passion and 'meer scolding or flyting'.[88] Men hoping to discredit the words of others described their speech as feminine, calling it 'scolding, 'coeing' and 'gosoping'.[89] In contrast, words uttered by reasonable men had more meaning. As James Tweedie testified, his opponent's slanderous expression was especially harmful 'by its being often repeated and in the most voluntary, deliberate, obstinate manner; not merely in a *mad rage or passion*, but, as is expressly deponed to by all the witnesses, repeatedly after the defender had returned to a *cool and dispassionate* mood' [emphasis added].[90]

Pursuers used passionate behaviour as a way to discredit opponents and positively claim their own honour. Those complaining of defamation tended to emphasise their use of reason in contrast to the passionate outbursts of those who

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[86] Robert Shoemaker, 'Reforming Male Manners: Public Insult and the Decline of Violence in London, 1660-1740', in Tim Hitchcock and Michèle Cohen, eds., *English Masculinities, 1660-1800* (London, 1999), 137-138.
[87] Foyster, *Manhood*, 29.
[88] NAS, *Duncan v Anderson*, 1732. CC8/6/248.
[89] NAS, *Thomson v Dickson*, 1710. CC8/6/155; *Fall v Wilson*, 1742. CC8/6/300.
[90] NAS, *Tweedie v Wood*, 1769. CC8/6/463.

insulted them. In one case relating to a larger conflict over the payment of debts, a pursuer told the court that when he tried to take the matter to reconciliation, 'the defender in place of accepting the friendly offer answered the same only with rage and passion'.[91] Honest men reacted calmly to passionate outbursts. The surgeon-apothecary James Smith was walking on the high street when a fellow surgeon John Clerk 'called out aloud to him- hear you- are you ready to acknowledge this day before the persons I shall name that you gave Mrs Addison poison and murdered her. Doe you know that opium is a poison you blackhead'. The complainer told the court that he 'calmly answered that he fancied he had not forgot the nature of opium'.[92]

Adherence to codes of reason, self-control and civility were challenged by drinking behaviour, a critical aspect of male sociability. The negotiation of reputation often took place while socialising in the alehouse. For men, drinking was an important public display. Drinking with someone was an act of being seen publicly with them, and indorsing their character and behaviour. Refusing to drink in a man's company was a way for communities of men both to enforce respectable behaviour and to distance themselves from dishonourable characters. When James Hunter recounted news in the alehouse that James Paterson, a tide surveyor, had bribed witnesses, one of the men present responded that if Hunter could prove Paterson's actions, 'no honest man should drink or keep company with him'.[93] The public and social meaning of choosing whether or not to drink with a man meant that refusing a drink could be seen as slanderous. In 1735, John Alexander brought Alexander Smith to court for asserting publicly that 'before he would drink with any such damned eternal rogue… he would be damned'.[94]

Drinking was associated with agreement and friendship, and men engaged in rituals such as toasting especially after making business deals. Drinking could also serve as a public signal of reconciliation, making the tavern an important space for resolving conflicts.[95] Litigants hoping to resolve a case out of court might try to drink with their adversary in a public setting in front of witnesses in order to force an image of reconciliation. As one defender testified, 'after the expressions libelled, the

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[91] NAS, *Murray v Scott*, 1760. CC8/6/380.
[92] NAS, *Smyth v Clark*, 1757. CC8/6/370.
[93] NAS, *Paterson v Hunter*, 1739. CC8/6/286.
[94] NAS, *Alexander v Smith,* 1735. CC8/6/264.
[95] Peter Clark, *The English Alehouse: A Social History, 1200-1830* (London, 1983), 153.

pursuer and defender did civilly converse and drink together in company, which it is conceived was a reconciliation and take of the effect of this process of scandal'. The pursuer in the case denied that the reconciliation had taken place, asserting that they might only have drunk together in 'general meetings' and that 'he neither conversed nor drank in company where the defender was present to the complainer's knowledge'.[96]

While drinking could be linked with business agreements and reconciliation, it also had a darker side associated with the loss of reason and order. Drinking tested the limits of self-control, and being able to hold one's drink was a point of honour. After drinking, men might step out of social bounds. In one case, a defender scandalised a woman and 'thrust himself on her and her company, who had no occasion to converse with him'.[97] Furthermore, heavy drinking and the expenses associated therewith could be a symbol of uncontrolled consumption, calling into question a man's rational control of finances. In 1735 Walter Inglis sued Adam Milne for asserting that he 'broke open the commoner or the Dean of Gild's box or some other such charity box and stole money out of it, and drank the money'.[98] Inglis' drinking caused both moral and financial transgressions.

Though intoxication was not honourable, it did serve as an excuse for behaviour in a legal setting, which in part explains the frequency of drinking in the records. Drunk men were considered not to be in control of themselves and not aware of their actions. As one defender testified, 'since injuries are estimate according to the designs of the offender, it naturally follows hat men who are follies, idiots, very young or very drunk are not punishable for verball injuries except when offenders did become drunk of design to offend'.[99] Men who insulted others while drunk were careful to show their remorse after coming to their senses. As the shoemaker William Crooks testified after slandering Helen Hunter, 'after the liquor was gone out of my head I was very sorry and sensible of the fault I had committed'.[100]

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[96] NAS, *Inglis v Milne*, 1735. CC8/6/269.
[97] NAS, *Cameron v Dunbar*, 1712. CC8/6/163.
[98] NAS, *Inglis v Milne,* 1739. CC8/6/269.
[99] NAS, *Walker v Walker*, 1732. CC8/6/251.
[100] NAS, *Hunter v Crooks*, 1749. CC8/6/326.

IV. The changing settings of public insult

In examining constructions of credit in cases of scandal between 1710 and 1770, the lack of change over time is remarkable. In contrast to English case studies, the language of insult, the behaviour described, and the gender, occupation, and rank of litigants remained consistent and broadly comparable to studies of the seventeenth century. In Edinburgh, social constructions of credit remained fairly consistent over a long period of time. What did change, however, was the means of gathering information about individuals in order to assess their credit according to these codes. Edinburgh did not provide an unchanging setting for the negotiation of public reputation. The population doubled and the city became home to increasing numbers of transients and outsiders, making anonymity in social and commercial life a real possibility.[101] The changing urban environment complicated tradesmen's abilities to gather information about potential customers. Furthermore, the arenas of reputation changed. The form and setting of insults in eighteenth-century Edinburgh reflect these shifts.

Case studies drawing on defamation in seventeenth-century England described public insult as a form of street theatre. Incidents were dramatic, direct confrontations. Slanderers often clapped their hands or cried out to draw attention to the scene, attracting crowds of people around them.[102] Gowing noted that 'defamations rarely happened inside private houses, at meals, or within private conversation', and they attracted large audiences.[103] Passers by often joined in the scene, listening and responding to the insults, condemning the behaviour of the accused and crowding around the parties involved in the dispute.

By the eighteenth century, as Gowing and Shoemaker note, insults had moved indoors. This shift happened earlier in London than in Edinburgh, but the trend in Scotland's capital is clear. In Edinburgh, there was a significant shift in the public nature of the insult. Until 1730, most insults involved a direct confrontation between parties. These confrontations fit within what contemporaries called

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[101] R. A. Houston, *Social Change in the Age of Enlightenment: Edinburgh, 1660-1760* (Oxford, 1994), 18.
[102] Capp, *Gossips*, 198.
[103] Gowing, *Domestic Dangers*, 98-99.

'passionate outbursts'. They often involved crying out, yelling and physical gestures. After 1730, public insult began to occur more within the bounds of polite conversation. Most slander took place not through a direct confrontation, but through gossip behind a pursuer's back. Techniques to draw attention such as clapping and shouting were no longer used. Instead of a large crowd, pursuers described the presence of only a few people, and they were generally friends and acquaintances of the parties involved. Insults became public when servants or acquaintances overheard conversations, or became aware of tarnished reputations through gossip. Pursuers were able to name exactly who had heard the insulting words, and with whom their credit had been ruined. James Smith, a surgeon apothecary, claimed that insulting words uttered by a fellow surgeon had an impact upon his credit with particular patients, causing them 'injustly to refuse payment' as well as threatening his standing within the incorporation of surgeons.[104] In cases after 1730, what was at stake was more likely to be a pursuer's reputation with a select group of people who mattered to his business, not the community at large.[105]

Figure 5.5. Percentage of cases involving violence or threats of violence, 1710-1770
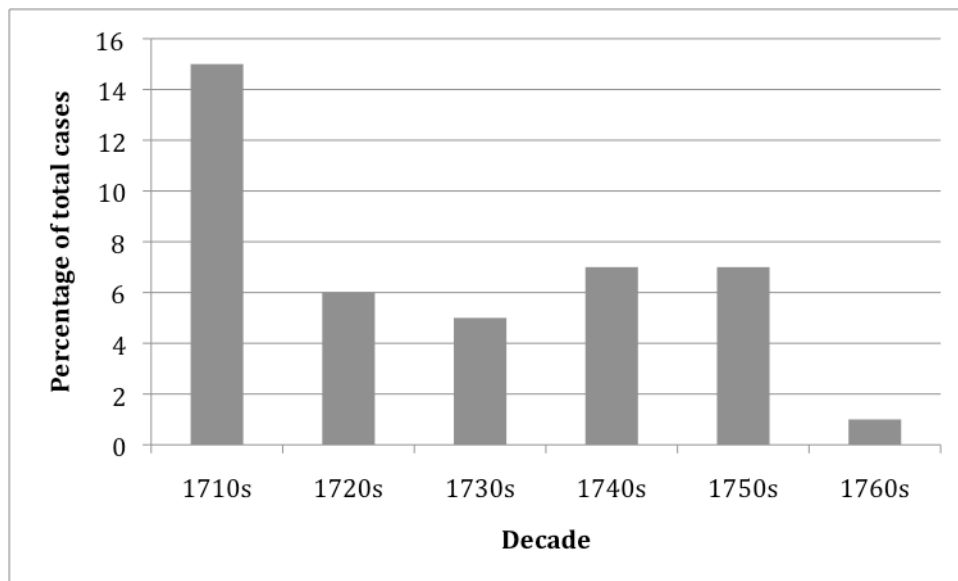
Sources: As in figure 5.2.

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[104] NAS, *Smith v Clark*, 1757, CC8/6/370.
[105] Shoemaker, 'Decline', 113.

The methods of negotiating reputation also changed. Violence declined as a way of asserting honour. Duelling, once a preferred way for men to defend their honour in public, was all but absent in eighteenth-century life.[106] Shoemaker found a shift in the focus of London defamation records to inappropriate physical conduct, which he interpreted as an effort to suppress unacceptable physical acts.[107] In Edinburgh, incidents of violence and threats of violence appeared alongside insulting words, but these incidents deceased over the period of study (figure 5.5). From 1710-20, 15 per cent of cases involved violence, threats of violence, or physically intimidating gestures. For example, in 1712 Andrew Kerr, a minister, described how George Oswald, another minister, had insulted and threatened him while 'lifting up his hand and staff over the complainer's head'.[108] Rates of violence fell to 5 per cent in subsequent decades, and by 1770 violent acts were all but absent from the records.

As time progressed, nearly all violent incidents involved female perpetrators, suggesting that codes of physical conduct for men and women might have changed at a different rate. Indeed, Anne-Marie Kilday's study of violent crime in eighteenth-century Scotland concluded that Scottish women were more violent than their English counterparts.[109] Male litigants used female violence as a way to emphasise their own respectable behaviour. William Christie, a stabler who stood accused of calling Margaret Watt a common whore, emphasise his own reason in the face of her violence as a way to claim credit. When questioned about the incident, he told the court that he 'speaked civilly what she had to doe there she in a rude and passionate manner not only scandalised and defamed the defender by giving several scandalous and approbrious name such as rascall, villain murderer and the like but likeways fell upon him beat him made a great noise and tumult in his house'.[110] Christian Gray, a woman accused of insulting Mary Watson, testified that 'Mary Watson not only beat me the said Christian Gray and tore the cloaths off my head but also offener then once in the publick street and other places defam'd and calumniat me by calling me

[106] Donna T. Andrew, 'The Code of Honour and Its Critics: The Opposition to Duelling in England, 1700-1850 ', *Social History*, 5 (1980), 409-434.
[107] Shoemaker, 'Reforming Male Manners'; Shoemaker, 'Decline', 117-118.
[108] NAS, *Ker v Oswald*, 1712. CC8/6/164.
[109] Anne-Marie Kilday, *Women and Violent Crime in Enlightenment Scotland* (Woodbridge, 2007).
[110] NAS, *Watt v Chrystie*, 1739. CC8/6/284.

thief'.[111] Litigation often involved an exchange of insults, if not an exchange of physical threats, on the part of both of the parties involved.

V. Conclusion

For middling men in eighteenth-century Edinburgh, honour and reputation depended on a number of factors. A man's sexual behaviour, his honesty and fairness in business, his occupation and rank, his ability to provide for and control his household, the way he socialised with other men in public, and the behaviour of his family members all contributed to his financial credibility. Some of these codes of credibility changed as men moved through the lifecycle. Appropriate sexual behaviour, for example, could be different for young, single men than for married and house-holding men.

By comparing insults against men with insults against women (though female cases represent a minority of the total cases), this chapter has been able to shed light on some of the points of overlap, divergence and interdependence of male and female reputation. In constructions of credit, gender and occupation or rank interacted, so that men and women in similar occupational positions derived their credit on similar terms. The professional insults made against both sexes overlapped considerably. For both men and women in business, reputations for honesty and fairness were essential.

Male and female credit also diverged in suggestive ways. Though sexual reputation was important to both men and women, their experiences of sexual insult differed. Men had the power to manipulate accusations of sexual misbehaviour, using them to claim power over women. Insults of rank and status were deployed only against men and not women. Furthermore, men framed their credit and negotiated it in different ways, often in relation to women and to perceptions of female behaviour. Male litigants in the consistory court sought constantly to augment their credit by setting their behaviour apart from women. This involved both framing the behaviour of adversaries in feminine terms, and emphasising their own manliness as non-feminine.

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[111] NAS, *Watson v Gray*, 1718. CC8/6/182.

Perhaps the greatest point of divergence in male and female negotiation of credit was in the use of the court itself as a space to claim reputation. Both men and women had access to the court, but men chose to use it in much greater numbers. For men in eighteenth-century Edinburgh, the courtroom was a space of masculine competition and arbitration. Men used the court to compete in the marketplace. Initiating a case was a way of claiming respectability and of publishing one's character. Unlike in London, where the middling sorts ceased to use the court system during the eighteenth century, defending one's self through legal means remained an honourable act in Edinburgh. As one litigant in 1760 claimed, 'no man will sit in a publick company and hear himself reproached with the odious names of villain and damned villain, without sueing for a proper vindication of his character, otherwise the world might very justly conclude that from his silence he deserved these epithets'.[112]

In contrast to studies suggesting that economic credit underwent profound changes during the period of study, this chapter has shown that credit was consistently constructed in social terms that were both deeply personal and deeply gendered.[113] Credit was negotiated not by mediating and depersonalised institutions, but by communities of individuals, who established, maintained and destroyed credit through rituals of honour and shame. However, the period 1710 to 1770 was not one of stasis. The changing urban environment had an impact on the forms, settings and arenas of reputation. Insults moved indoors and happened before smaller crowds. Reputation was constructed and mediated and appropriate behaviour enforced within networks of association rather than in the wider community. Within these networks of credit, whose financial role was discussed in chapters two and three, and whose social character will be addressed in chapter seven, financial credit and personal reputation were closely bound. In these tightly woven communities, judging credit involved a close monitoring of individual behaviour and communication through gossip. The prevalence of this style of communication, which involved detailed knowledge gleamed through a depth of personal interaction, would seem to oppose the shift from reputation and trust to character proposed by Finn. In time, as other scholars have suggested, urban reputation would undergo profound shifts. The

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[112] NAS, *Laing v Robieson*, 1760. CC8/6/379.
[113] Muldrew, *Economy*, 329.

punishment for defamation would shift from public apology to the payment of a fine, reflecting the diminishing significance of public shame.[114] But at least until 1770, this case study of public insult in Edinburgh suggests that for middling men, obtaining credibility and success in the urban marketplace was achieved by negotiating a set of masculine codes of honour and reputation.

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[114] Leneman, 'Defamation', 229.

Chapter 6. Economic Failure and Social Reputation:
Imprisonment and Refuge in Edinburgh

For men in eighteenth-century Britain, solvency was an important feature of masculinity. Many of the components of male credit, including independence, providing for one's family, and honesty in the form of paying one's debts on time, all depended on being financially stable. Yet insolvency, financial failure and downward mobility were increasingly common experiences for urban tradesmen and craftsmen. By the seventeenth century, significant numbers of the middling sort in England were declining into poverty.[1] Defoe wrote in 1725 of the 'many bankrupts and broken tradesmen now among us, more than ever were known before'.[2] Julian Hoppit has traced the increasing numbers of bankruptcies that resulted from the expansion of the English economy, as competition and risk-taking produced more incidents of failure.[3] According to Earle, in London the career chances of bankruptcy in the early eighteenth century were 10 to 15 per cent, and about half of middling households were 'at risk'.[4] While figures addressing downward mobility and the extent of bankruptcy in Scotland do not exist in the same level of detail, we know that levels of urban business failure were generally high during the eighteenth century.[5] The problems of cash flow underlying many English insolvencies were equally acute north of the border. One need only consider the frequency of newspaper advertisements publicising the division of debtor estates and the development of bankruptcy legislation aimed at addressing the problem to gain an impressionistic view of the extent of financial failure in Scotland.[6]

Despite overwhelming evidence suggesting that failure was both a real threat and a typical experience for many tradesmen in Britain, the literature on reputation

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[1] Craig Muldrew, *The Economy of Obligation: The Culture of Credit and Social Relations in Early Modern England* (Basingstoke, 1998), 303.
[2] Daniel Defoe, *The Complete English Tradesman in Familiar Letters: Directing Him in All the Several Parts and Progressions of Trade* (London, 1727), v.
[3] Julian Hoppit, *Risk and Failure in English Business 1700-1800* (Cambridge, 1987).
[4] Peter Earle, *The Making of the Middle-Class: Business, Society and Family Life in London, 1660-1730* (London, 1989), 129-130.
[5] S. G. E. Lythe and John Butt, *An Economic History of Scotland, 1100-1939* (Glasgow, 1975), 140-141.
[6] See for example, George Joseph Bell, *Bell on Bankruptcy: A Treatise on the Law of Bankruptcy in Scotland* (Edinburgh, 1800).

and credit has not addressed this issue in much detail. Alexandra Shepard found that the ideal components of credit were unattainable for many men, and alternative constructions existed.[7] But the effect of insolvency on an individual's credit remains opaque. If solvency was an important part of masculine credit, how were men's social reputations injured by failure? Conceptualisations of failure, credit and reputation, in terms of both individual experience and public discourse, can be examined through the juxtaposition of two institutions in Edinburgh: the debtor's prison and the debtor's refuge. These two institutions have not escaped the notice of historians and antiquarians. However, previous accounts have treated them separately, when their co-existence is perhaps more meaningful.[8] Lorna Ewen interpreted the refuge as indicative of Scotland's 'lenient' attitude towards debt, but the interplay between these two institutions reveals a much more nuanced and complicated set of attitudes.[9]

The Edinburgh Tolbooth, which housed imprisoned debtors, was a decaying building described by contemporaries as an 'abode of misery, the worst and most circumscribed jail in Europe, which has neither a felon's yard for air or exercise or even an area for debtors to breathe anything but dirt and infection'.[10] While prisoners languished in physical confinement, other debtors were able to avoid their just obligations by seeking refuge at the Abbey of Holyroodhouse, a neighbourhood at the foot of the Canongate demarcated as a space where their bodies were protected. Imprisonment for debt, in which individuals experienced starvation and pain, seem at odds with Edinburgh's enlightened culture of improvement, making what one historian called a 'mockery of civility and politeness'.[11] Meanwhile, the sanctuary,

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[7] Alexandra Shepard, 'Manhood, Credit and Patriarchy in Early Modern England', *P&P*, 167 (2000), 96-106.

[8] Lorna Ewen, 'Debtors, Imprisonment and the Privilege of Girth', in Leah Leneman, ed., *Perspectives in Scottish Social History, Essays in Honour of Rosalind Mitchison* (Aberdeen, 1988), 53-68; Peter Halkerston, *A Treatise on the History, Law and Privileges of the Palace and Sanctuary of Holyroodhouse* (Edinburgh, 1831); Hugh Hannah, 'The Sanctuary at Holyrood House', *BOED*, 15 (1927), 55-98.

[9] Ewen, 'Debtors', 53.

[10] *Edinburgh: A Satirical Novel* (London, 1820), 45.

[11] J. White, 'Pain and Degradation in Georgian London: Life in the Marshalsea Prison', *History Workshop Journal*, (2009), 71.

potentially a haven for economic adversity, would seem at odds with developing ideas in the English context about personal liability and culpability.[12]

The role that these two institutions imparted on attitudes towards failure and credit shed light on the influence that Edinburgh's distinctive institutional context played in shaping the city's culture of credit. The power, significance and uniqueness of these two institutions is made clear when one considers the lack of debate and controversy surrounding them. At least two very public debates over the justice and value of imprisonment for debt took place in England during the eighteenth century. In 1729, a parliamentary committee investigated London's Marshlea prison, exposing the physical hardships suffered by prisoners for debt.[13] In the 1770s, John Howard inspected the conditions of prisoners throughout Britain and took the issue of prison reform before parliament.[14] The right of sanctuary came under similar scrutiny, and London's last debtors' refuge was closed in 1723.[15] There was comparatively little debate generated in Scotland over the efficacy and morality of execution against a debtor's body, at least in the public world of print. Neither pamphlets, nor newspapers, nor gentlemen's magazines discussed the issues of imprisonment for debt or refuge. Both the debtor's prison and the sanctuary survived and even flourished in Edinburgh, outlasting their English counterparts. The population of the prison swelled and numbers in the sanctuary remained constant during the eighteenth century (Figure 6.1). The debtor's prison and the refuge were tolerated and survived because they enshrined powerful social attitudes about indebtedness and insolvency.

Individual usage of the prison and refuge also speaks to the question of whether credit became depersonalised during the period of study, and whether behaviour based on economic rationality replaced customary social behaviour. Though imprisonment and refuge affected only a slim portion of Edinburgh's population, individual experiences, in which human bodies were substituted for the material fulfilment of commercial obligations, shed light on social behaviour when

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[12] Margot C. Finn, *The Character of Credit: Personal Debt in English Culture, 1740-1914* (Cambridge, 2003), 109-150.

[13] White, 'Pain and Degradation', 69-98.

[14] John Howard, *The State of the Prisons in England and Wales, with Preliminary Observations, and an Account of Some Foreign Prisons* (London, 1777).

[15] N. Stirk, 'Arresting Ambiguity: The Shifting Geographies of a London Debtors' Sanctuary in the Eighteenth Century', *Social History*, 25 (2000), 318.

limits of credit were reached. By the time a person was confined, bonds of trust had been broken and stood little chance of repair. The behaviour of individuals in these circumstances, and the ways in which creditors used the prison, shed light on the changing ethics of the debtor-creditor relationship. Did the increasing number of incarcerations reflect a decline in charitable behaviour on the part of creditors? Was imprisonment an instrumental means of extracting payment from a debtor, or were there other objectives at play?

Figure 6.1. Populations of debtor's prison and refuge in Edinburgh and their change over time, 1730-1770.
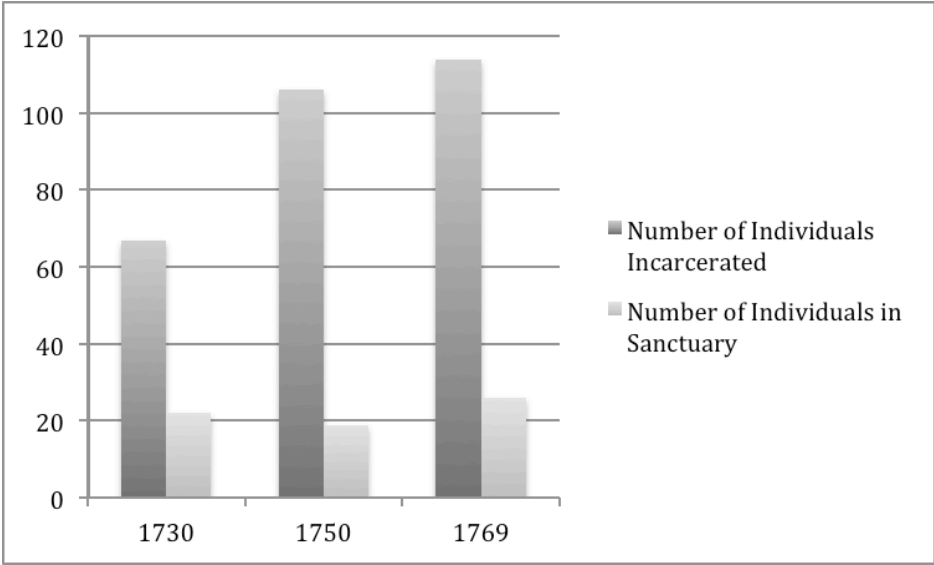
Source: National Archives of Scotland, Edinburgh Tolbooth, Warding and Liberation books, 1730, 1770, 1769. HH11/17, 24, 28; Register of Protections, Holryood Abbey, 1730-1770. RH2/8/17.

In order to explore questions of what insolvency meant in constructions of credibility and whether the nature of interpersonal credit changed during the period, this chapter draws on a range of sources. A collection of contemporary legal treatises clarifies the system that led to both imprisonment and refuge, and these works reflect a set of attitudes towards indebtedness. Prison registers for the Tolbooth and the register of debtors booked into the Holyrood Sanctuary describe the populations of both institutions and their change over time.[16] All prison registers for the years 1730,

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[16] National Archives of Scotland (hereafter NAS), Warding and Liberation Books, Edinburgh Tolbooth (hereafter WLB), 1730, 1770, 1769. HH11/17, 24, 28; Holryood Abbey Register of Protections (hereafter RP), 1730-1770. RH2/8/17.

1750 and 1769 (the same sample years taken for bailie court cases, with the exception of the year 1769 which was taken because 1770 was incomplete) have been examined. Through record linkage with the bailie court, a number of individual cases can be identified and traced through the legal system. Because the Sanctuary's records are much less voluminous, all cases from its Register of Protections between 1730 and 1770 have been analysed. Business and personal records expand on some of the histories of individuals who were confined in both institutions. Finally, petitions for release brought before the bailie court by imprisoned debtors highlight the conditions that incarcerated debtors faced.[17] The responses of creditors to these petitions, in which they justified incarceration and urged the court not to release their debtors, offer insight into the creditor's perspective on the efficacy of imprisonment for debt.

I. Imprisonment and the shame of insolvency

Debtors in Scotland were imprisoned under a different legal process than their English counterparts, a process that is critical to understanding who was confined, under what conditions, and how incarcerated debtors were viewed by the surrounding community. The legal system reflected attitudes about the ethical and social responsibilities of both creditors and debtors. In England, most incarcerated debtors were imprisoned on the *mesne* process, meaning that they were held in confinement while awaiting court proceedings. During this period, creditors were given no hold over a debtor's effects, but rather power over their bodies. Imprisonment was therefore used as a threat to coerce payment in a process that has been described as 'legalised bullying'.[18] After a judgement was given by the court, the creditor could choose whether to proceed against the debtor's person or against his or her estate. Though only a fraction of prisoners were incarcerated by this process, imprisonment constituted satisfaction for the debt, effectively substituting

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[17] Edinburgh City Archives (hereafter ECA), Bailie Court Petitions for Aliment (BCPA), all Box 285, Bundle 40.

[18] Joanna Innes, 'The King's Bench Prison in the Later Eighteenth Century: Law, Authority and Order in a London Debtor's Prison', in John Styles and John Brewer, eds., *An Ungovernable People: The English and Their Law in the Seventeenth and Eighteenth Centuries* (London, 1980), 252-253.

inmates' bodies for their things.[19] Only payment of the debt released a debtor from confinement.[20]

In Scotland, imprisonment involved a slower legal process. It could not proceed until after the debtor had been charged to pay a debt by the court, and a certain number of days had passed allowing him to fulfil the court's judgement. Only then could a creditor move against both a debtor's movables and his person. Imprisonment before judgement, as in the English *mesne* process, could only take place if a creditor was able to prove that a debtor was preparing to flee. Debtors confined under *mediation fugae* could be released upon bail, and only a few were ever incarcerated. Contemporary legal theorists positioned and understood the Scottish system in contrast to that of England. In Scotland, they claimed that the prison served as a more effective means of punishing debtors. In England, a debtor could use the prison as a refuge living 'in prison luxuriously and extravagantly, with his funds untouched by execution... as in England sometimes happens'.[21] In Scotland, the legal process left only those debtors who were fraudulent or unwilling to pay their debts at risk of imprisonment. Scotland's system also shielded debtors from the whims of uncharitable creditors. One pamphlet approved of Scotland's slow process because no debtor could be arrested or cast into prison, 'till after summonses and a full hearing and judgement is given, and even then he is allowed a certain time to raise money, make payment or compound the debt. And if he is unable fully to discharge the debt, and is willing to give up All, he is then either fully cleared from the power of his creditor, or the creditor must maintain and support him in prison'.[22] Furthermore, the *Act of Grace* passed by parliament in 1696 protected poor debtors, giving the city magistrates the power to require creditors to provide daily aliment to prisoners too poor to aliment themselves, and to set debtors at liberty if their creditors refused.[23]

The intentions of the Scottish law were that imprisonment would serve both as an expedient method of recovering debts and a punishment against those who

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[19] Finn, *Character*, 10, 12; Muldrew, *Economy*, 287.
[20] George Joseph Bell, *Commentaries on the Laws of Scotland, and on the Principles of Mercantile Jurisprudence: Considered in Relation to Bankruptcy, Competitions of Creditors and Imprisonment for Debt* (Edinburgh, 1810), 571.
[21] Bell, *Bankruptcy*, xl-xli.
[22] *The Case of Prisoners for Debt Consider'd*, (Dublin, 1727), 14.
[23] Ewen, 'Debtors', 57.

engaged in extravagant spending. George Joseph Bell, one of Scotland's prominent legal writers, believed that imprisonment served three purposes. First, the hardships of confinement would force a debtor to bring forth concealed property. It was well known that debtors hid away their property with friends or family to prevent it from being taken by creditors, but if the experience of imprisonment was sufficiently unpleasant, debtors would be encouraged to expose their wealth. Second, imprisonment gave creditors a better opportunity to investigate a debtor's state of affairs while in confinement. Imprisonment prevented them from fleeing, and prevented them from moving goods or changing credit arrangements with others. Third, Bell believed that the fear of imprisonment would prevent the 'extravagance and folly of incurring debts'.[24] Imprisonment stood as a powerful symbol, reminding debtors of the physical powers that creditors exerted as well as the dangers of living beyond one's means.

For a few creditors, prison did fulfil the functions outlined by Bell. It protected them from debtors who might be likely to flee, a strategy that was not uncommon amongst insolvents of the period. In 1769, Elizabeth Rogers was able to imprison her debtor Edward Turner, a travelling chapman, because she believed that he intended 'to leave the place as he has no fixed residence, whereby the petitioner will be deprived of her just and lawful debt'. Rogers was able to collect a debt that might otherwise have left her vulnerable in meeting her own obligations.[25] Furthermore, imprisonment could force debtors to draw on networks of friends or family to satisfy their creditors. Out of fear for an individual's life while in prison, associates might well come to a debtor's aid. In 1729, a credit relationship was established between James Veitch, a glazier, and Elizabeth Aitchieson, the servant of a shopkeeper. Aitchieson contracted a debt of 18s., which she promised to repay. After several months, it became clear to Veitch that his debtor was either unwilling or unable to pay her debts. He began to threaten to her with legal action, and eventually had her incarcerated in the Tolbooth, where she remained for several days. Hearing of her incarceration, Aitchieson's friends came to her aid. Mr. Wilson, a taylor, Elizabeth Monro, and her spouse, John Lilly, approached the creditor, pleading with him to set Aitchieson at liberty. When the creditor refused, they agreed

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[24] Bell, *Commentaries*, 572.
[25] NAS, WLB, Edward Turner, 17 July 1769. HH11/28.

to take responsibility for the debt. First, Mr. Wilson, the taylor, promised to pay ten shillings of the total 18, and give the creditor a bill to formalise the promise. Veitch, stating that he had 'no acquaintance' with Mr Wilson and thus no knowledge of his credit, refused to accept the offer. Wilson thus appealed to a third party, a Mr. Lightbody, who the creditor did trust, to bind with him for the sum of ten shillings. Elizabeth Monro agreed to pay for the remaining eight shillings. She laid down three shillings in cash, and pledged a plaid blanket as security until she could borrow the rest.[26]

Voluntary associations and incorporations also came to prisoners' aid, and creditors might be more likely to incarcerate those with access to the collective resources of a society. The Incorporation of Wrights and Masons in Edinburgh helped those in the building trades pay off their creditors if threatened with imprisonment. The account books of the incorporations suggest that aiding incarcerated debtors accounted for a significant amount of expenditure. In 1723, the incorporation extended £12 Scots to bail the mason John Archibald out of prison. Another £12 12s. was paid out for relieving John Wyper, a wright who had also been incarcerated for debt in the same year, and £4 Scots in 1724 to relieve the widow of another member from the same fate.[27] The society had to stop the practice in 1725 when it became clear that creditors were using incarceration as leverage to extract the payment of freemen's debts from the incorporation's stocks.[28]

In contrast to the writings of legal commentators and a few isolated cases, the experiences of those involved in the process of imprisonment suggests that it was unlikely that creditors used the process as an instrumental means of extracting payment. Imprisonment rarely resulted in payment of a debt. The mechanisms used to release each prisoner, noted in prison registers, show that few were satisfied by the process of incarceration (Figure 6.2). The majority of prisoners were released by 'agreement of the pursuer' (the consent of their creditors) because they refused to continue paying jail fees and keep their debtors fed. About 15 per cent of prisoners were deemed by the bailies to be too poor to pay their debts, and were released under

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[26] ECA, Bailie Court Processes (BCP). *Veitch v. Aitchieson,* 1730, Box 86, Bundle 214; NAS, WLB, 1730, HH11/17.
[27] ECA, Acts and Statutes of Mary's Chapel, 4 Jan, 1723; 7 Apr, 1724.
[28] Ibid., 8 Feb, 1725.

the Act of Grace. Only about 25 per cent of creditors received some sort of payment, though often this was less than the full amount owed. Creditors who were able to force their debtors into processes of *cessio bonorum* (the precursor to bankruptcy), recovered a portion of their debts by sale of the debtor's property.

Figure 6.2. Mechanisms used to release prisoners for debt from the Edinburgh Tolbooth, 1730-1770.

Reason for release	Number of prisoners
Agreement of Pursuer	119
Pursuer satisfied	47
Act of Grace	35
Act of Court	16
Cessio Bonorum	11
Death	2
Total	230

Source: Edinburgh Tolbooth, Warding and Liberation books, 1730, 1770, 1769.

Legal and prison fees further diminished the returns that incarceration might provide. It cost the average creditor 7s. in legal expense to obtain the right to imprison a debtor.[29] Because most prisoners were incarcerated for debts of £2 or less, expenses of plea could easily represent over one quarter of the original debt. Once a creditor had obtained an act of court, further fees followed. Payment had to be made to the messenger for capturing a debtor, and a further 3s. 4d. Scots was due to the jailor each night if the debtor was a burgess, and 6s. 8d. Scots if not. Additionally all incarcerators were required to pay to the jailor 'one half penny sterling for each pound scots and another half penny sterling of each pound scots to be payed by the debitor att his liberation' as relief money.[30] Creditors were also responsible for feeding their debtors while imprisoned, incurring a cost of between 3s. and 6s. Scots per day as determined by the court.

Long periods of imprisonment reduced a debtor's ability to repay his obligations, preventing him from working and causing a general loss of credit that could result in financial downfall. Many claimed that imprisonment caused them to neglect business and lose income. The schoolmaster William Stevenson petitioned

[29] NAS, WLB, HH11/17, 24, 28.
[30] ECA, Edinburgh Town Council Minutes. SL1/1/51. 17 July, 1728.

the city magistrates that prison had the effect of 'incapacitating me to perform by bargains' and furthermore that 'had I got time to teach out my scholars and had not been prevented by Mr Montgomery's [the creditor's] cruelty there would have been owing me… seventeen pounds sterling'.[31] David Balfour, arrested by his barber for a debt of £25 Scots (£1 18s. 5d. Sterling), complained that he had lost 'all the means and industrie that I could in all possibility use for their satisfactione and payment', and worried that 'I shall never be capable being in prisone to any wayes get my affairs and bussines put in a regular circumstance no order to the payment of my debts'.[32]

While debtors might be able to pay the first creditor who imprisoned them, they were often in debt to several creditors, and were unable to satisfy them all. Satisfying one creditor would only result in being sued by another. Thus, it was common for debtors in Edinburgh to be imprisoned several times, as each of their creditors laid a claim to a piece of their assets and fought for preference of their own debts. John Lomond, a wright, first appeared in the bailie court for a debt of 18 pounds. Over the course of the next two years, he was incarcerated three times by creditors but released after only a few days. After a fourth and lengthier term of imprisonment at the instance of a printer, he was no longer able to satisfy creditors, and applied to the court of session for an act of *cessio bonorum*, through which he was declared insolvent and released from prison.[33]

Contemporaries must have been well aware that imprisonment rarely resulted in payment. As an eighteenth-century proverb stated, 'prison pays no debts'.[34] The fruitlessness of confining debtors was one of the central arguments of reformers who fought to abolish imprisonment for debt. As one pamphlet argued, 'it is needless to imprison the body; for 20 years imprisonment dischargeth not a penny of the debt'.[35] When a creditor chose to imprison a debtor, there was clearly something more at stake than recovery of the debt. For many, imprisonment constituted a kind of physical punishment, and a way in which debt could be written on the bodies of

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[31] Petition of William Stevenson, 20 May 1737.
[32] Petition of David Balfour 17 July, 1711.
[33] ECA, BCP, *Montgomery v Lomond*, December 1796; WLB, 1796, HH11/35; NAS, Edinburgh Court of Session, *Petition for cessio bonorum, John Lomond*, 1799, GD334/88.
[34] Innes, 'King's Bench', 255.
[35] *Case of Prisoners*, 4.

insolvent individuals. If they did not have the satisfaction having their obligations paid off, creditors could at least have the satisfaction of seeing their debtors suffer. The fact that creditors could incarcerate in addition to sequestering estates in Scotland meant that though it did not stand as satisfaction for the debt, imprisonment could form an extra layer of vengeance when creditors were already seeking satisfaction for their debts in material terms.

The petitions of incarcerated debtors claimed that some creditors aimed to inflict physical suffering and bodily harm through imprisonment. One debtor was told expressly by his creditor that 'it was not money he wanted but only my person and that he would rather give twenty shillings out of his own pocket than that anybody should offer to pay the money for me'.[36] Another claimed that while in prison his creditors had 'the satisfaction… of seeing him decline every day in health and strength by the closs confinement, and the want of exercise to which he has always been accustomed'. According to another, his creditor intended 'not payment of his sume by this rigorous method, but it seems rather he wants to gratifie his humour'.[37] The writer James Leslie claimed to have been confined 'thro the wilfull temper of this creditor who it appears intends to bring your petitioner to the right of misery'.[38] Furthermore, imprisonment was inflicted as a social strategy or even a game without due regard for the impact it had on a debtor's physical welfare. One debtor complained that 'it may be sport to these gentlemen who now carry every thing before them, but it is death to the petitioner'.[39]

Creditors knew that when choosing incarceration, they consigned their debtors to an environment that could be both unpleasant and dangerous. The conditions that prisoners faced while incarcerated in Edinburgh's Tolbooth gave extra weight to the notion that imprisonment constituted a social punishment. The historiography of imprisonment in England has emphasised the 'cultural richness' of prison life, the autonomy available to prisoners, and the tolerable conditions afforded

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[36] ECA, BCPA, Petition of William Stevenson, 20 May, 1737.
[37] ECA, BCPA, Petition of James Thorburn, 6 June, 1738.
[38] ECA, BCPA, Petition of James Leslie, August, 1759.
[39] NAS, Court of Session, *Charles Cock v Hammermen of Kinghorn*. Petition of Charles Cock, June 1771. CS271/14459.

to higher-ranking debtors.[40] In Edinburgh physical coercion, filthy conditions and a general lack of agency were instead the norm.

Debtors were kept closely confined and in the poorest possible conditions. They were denied fresh air and the freedom to move about. The law of *squalor carceris* stipulated that 'after a debtor is imprisoned, he ought not to be indulged with the benefit of the air, nor even under a guard; for Creditors have an interest, that their debtors be kept under close confinement, that by *squalor carceris* they may be brought to pay their debt'.[41] Jailors had a further interest in keeping debtors closely confined because if a prisoner escaped, the jailor would responsible for his debts and liable to be sued by the creditor.

Unlike other large cities such as London or York, Edinburgh had no distinct debtors' gaol. Debtors were confined alongside criminals in the Tolbooth. There they were locked in the west end of the building, while criminals were incarcerated in the east end. The Edinburgh Tolbooth was described by reformers in the late eighteenth century as 'dirty and offensive, without court-yards, and also generally without water'. It lacked proper control and oversight by the city, and was instead left to the authority of jail keepers, who used it to make a profit. According to one reformer, it was 'not visited by the magistrates and the gaolers are allowed the free sale of the most pernicious liquors'.[42] Furthermore, reformers' texts suggest that debtors were treated more severely than other prisoners. The debtor was 'consigned to the closest and most severe confinement. He has no yard to walk in… his is kept like the vilest criminal, often crowded together in a close and fetid room which he is never allowed to quit'.[43] Prison reformers clearly had a reason to exaggerate the poor treatment of incarcerated debtors, but the petitions of prisoners hoping for release under the *Act of Grace* seem to have confirmed these conditions. Prisoners were daily subjected to harsh physical conditions and malnourishment. Malcolm Brown, incarcerated for a debt of £25 Scots, complained 'I being now ane old weak man and ever since the tyme of my imprisonment hath had no bed to be upon but the stones of the floor

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[40] Finn, *Character*, 120-121; Innes, 'King's Bench', 265-267.

[41] Act of Session 14, June 1771, in John Erskine, *The Principles of the Law of Scotland: In the Order of Sir George Mackenzie's Institutions of That Law* (Edinburgh, 1783).

[42] Howard, *State of the Prisons*, 103.

[43] Joseph John Gurney and Elizabeth Gurney Fry, *Notes on a Visit Made to Some of the Prisons in Scotland and the North of England* (Edinburgh, 1819), 107-108. Quoted in Ewen, 'Debtors', 58-59.

which is like to put ane end to my old dayes in misery'.[44] Others wrote of inadequate nourishment and 'starveing' conditions. David Henderson, a messenger, petitioned the bailies 1738 that 'I have been thrie or four days that I have never tasted meett'.[45]

Imprisonment appears to have inflicted social shame as well as physical harm on debtors. Imprisonment was a very public act signalling that a debtor was either in serious financial trouble or recalcitrant.[46] The location of the prison in Edinburgh's physical landscape had symbolic meaning that must not have been lost on the city's residents, nor the creditors who continued to use the institution. From its location behind St Giles Cathedral on the High Street, the Tolbooth's five storeys towered over the city's most important spaces of civic and commercial life: Parliament Square, the coffee houses, printing shops and luckenbooths where merchants sold their goods. There, it must have served as a constant reminder of the fine line between the worlds of commercial success, failure and punishment. It stood alongside other sites used for the public punishment of debt. The continuing presence of the 'dyvours stone' a pillory for bankrupts near the market cross, though rarely used, must have served as a reminder of the shame that could come from insolvency.[47] Through the windows of the Tolbooth, prisoners interacted with the public outside.[48] As the chains of litigation described in chapter two suggested, news of a debtor's confinement or insolvency spread quickly through the community, instigating multiple creditors to call in their debts.

As a form of shame and social punishment, debtors in the Tolbooth were incarcerated with limited consideration of their rank or station. In June 1726, James the Second Earl of Rosebury wrote that he was confined in the Tolbooth 'without any respect or regard to my quality'.[49] By 1729, the Edinburgh City Council passed an act stipulating that any gentleman incarcerated in the Tolbooth and wishing to have a room by him or herself would have the 'convenience' of such a room by

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[44] ECA, BCPA, Petition of David Balfour, 17 July, 1711.
[45] ECA, BCPA, Petition of David Henderson, Sept 1738.
[46] Muldrew, *Economy*, 274-279.
[47] R. A. Houston, *Social Change in the Age of Enlightenment: Edinburgh, 1660-1760* (Oxford, 1994), 44.
[48] Michael F. Graham, *The Blasphemies of Thomas Aikenhead: Boundaries of Belief on the Eve of the Enlightenment* (Edinburgh, 2008), 95.
[49] NAS, Seafield correspondence, 1726. GD248/564/72.

paying the keeper 10s. weekly.[50] It was therefore possible for wealthier debtors to spatially demarcate themselves from the poorer sorts. Written several decades later, the texts of English reformers visiting the Tolbooth did not differentiate between the conditions faced by gentlemen debtors and debtors of the 'poorer sorts.'[51] In contrast, English debtors' prisons were not socially levelling. Social distinctions were maintained, and the 'wealthier' prisoners allowed to rent rooms and furnish them as they pleased.[52]

The dynamics of social power associated with imprisonment and the importance of debtor behaviour and character are further revealed by the statements of creditors justifying why their debtors should remain incarcerated. Conditions in the Tolbooth and the concept of punishing debtors were tolerated because imprisonment was not inflicted on just anyone. It was perceived as a place for the punishment of dishonest debtors. Petitions for aliment and release under the *Act of Grace* by prisoners produced a flurry of paperwork offering unique insight into the perspective of creditors. After a petition had been presented to the bailies, the incarcerating creditor had the opportunity to state why it was just and necessary for a debtor to be incarcerated, and why the creditor felt that the debtor should remain in confinement.

In justifying imprisonment, creditors rarely sited the size of the debts they were owed or the length of time they had been waiting for payment, but rather the behaviour of their debtors. Stories of fraud, cheating and dishonesty abounded in creditor narratives. The candlemaker John Johnston was imprisoned because he had acted 'contrary to all faith and just dealing'. His creditor Elizabeth Baxter claimed that they mutually agreed that a debt for candles would stand as part payment for a larger debt that Johnston owed her. But Johnston later took 'a most manifest and unjust advantage' of her by assigning the debt to someone else, who then pressed for payment before the Justices of the Peace. According to Baxter, Johnston's dishonesty was further proven in that he had the means to pay her, but had concealed his goods in order to appear poor before the bailies.[53]

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[50] ECA, Edinburgh Town Council Minutes, 10 Dec, 1729, SL1/1/52.
[51] Howard, *State of the Prisons*.
[52] Innes, 'King's Bench', 265, 276.
[53] ECA, BCPA, Petition of John Johnston, 8 Dec, 1750.

The most common justification for incarceration set forth by creditors was that the unpleasant nature of the experience would force debtors to reveal assets they had hidden away. Despite the Scottish legal process of inhibition, which allowed creditors to fence the property and movables of debtors and prevent them from selling or disposing of any of their property, many managed to sequester goods.[54] As they fell into debt and expected legal procedures to be taken against them, debtors might place the valuable goods they owned in the custody of friends, family or neighbours. Creditors had a keen awareness of what their debtors owned and what they were worth, even if it could not be proven in court. One creditor claimed that his debtor had not given a 'full condescendence of all his effects, but has concealed the same he being possest of work house materials and utensils for making candels in the Potterow or suburbs of Edinburgh under a borrowed name'.[55]

Creditors claimed that those they incarcerated had the means to satisfy them, but refused to own up to their obligations. James Thorburn's creditor, the merchant Archibald Laing, claimed that Thorburn and his wife were 'in a good way of living'. Though his debt amounted to 'a very small soume', he refused to pay it.[56] At the time James Walker had George Stinson arrested for a debt of £25 Scots, 'he had about him, or in his hand a bundle of napkins, cambricks, muslins and other goods belonging to himself and he refused to give them goods for payment of what he was owing to his said creditor, but gave them to his wife who went off with them'.[57] The creditor of John McConnachie, a brewer, knew that he had effects and debts owing to him that he 'industriously concealed in defraud and prejudice'.[58]

As further proof of their dishonesty, creditors complained that their imprisoned debtors petitioned to be released under legal provisions that were intended to relieve the poor. Applications by debtors for alimentation under the *Act of Grace* were often framed as fraudulent manipulations of the law. When Laing punished his dishonest debtor with imprisonment, Thorburn 'thought proper to apply to your honours for the benefit of the act of parliament' though he clearly had the means to aliment himself. Before being incarcerated, when desired to indorse some

[54] Bell, *Bankruptcy*, xxxii.
[55] ECA, BCPA, Petition of John Johnston, 8 Dec, 1750.
[56] ECA, BCPA, Petition of James Thorburn, 6 June, 1738.
[57] ECA, BCPA, Petition of George Stinson, 30 Apr, 1730.
[58] ECA, BCPA, Petition of John McConnachie, 1759.

bills to Laing, Thornburn 'refused likewise to doe this, but said he would goe to prison and would come out upon the Act of Grace', a threat which he eventually acted upon.[59] One writer in *Scots Magazine* wrote that the process of *cessio bonorum* allowed petty debtors to defraud their creditors. While wealthier individuals could rely on their friends to settle debts, 'the poorer sort, who fail for smaller sums, and have not friends to propose and carry through trust-deeds for them, they must take the legal method prescribed and practiced in this country'. Through legal action, this writer opined, 'the bankrupt comes out of prison quite a free man, ready to begin business again, after having cheated the world of considerable sums; and no body is ever at pains to inquire about the effects in the disposition, so he continues to enjoy all'.[60]

Figure 6.3. Value of debts due by prisoners incarcerated in the Edinburgh Tolbooth, 1730-1770.

Debt	Number of Individuals Incarcerated
Less than £2	106
£2 to £5	36
£5 to £10	34
More than £10	33
Total	209

Source: As figure 6.2.

The claims made by creditors that their debtors possessed valuable assets seem at odds with the petty levels of debt that prisoners held. Imprisonment was enforced on petty debtors much more heavily than those with large debts. With over half of debtors imprisoned for obligations of under two pounds, it is clear that those with small debts were imprisoned in disproportionately large numbers (Figure 6.3). One might conclude that imprisonment was used against poorer debtors, punishing them for spending above their means. Finn's work on imprisonment for debt in England concluded that during the second half of the eighteenth century, the use of houses of correction for debtors was part of a broader effort to 'demarcate the

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[59] ECA, BCPA, Petition of James Thorburn, 6 June ,1738.
[60] *Scots Magazine,* Jan 1770, vol. 32, 21.

experience of imprisonment for debt along socioeconomic lines'. Petty debtors were associated with petty criminals, and there was a general mistrust of debtors from the lower ranks of society.[61]

Figure 6.4. Occupations of prisoners incarcerated in Edinburgh Tolbooth, 1730-1770.

Occupational Group	Number of prisoners
Artisan/tradesman	78
Brewer/Victualer	4
Farmer/drover	9
Gentleman	4
Labourer/servant	25
Merchant	30
Military/city guard	5
Professional	17
Sailor	3
Total	175

Source: As figure 6.2.

In Edinburgh, the sizes of the debts leading to incarceration were small. But the occupational status of most prisoners suggest that they were not from the lowest ranks of society. Most were from the ranks of artisans and merchants, and only a few came from the pettiest occupations (Figure 6.4). Most were once credible tradesmen who had fallen on hard times. Even those applying for aliment under the *Act of Grace* had been able to acquire substantial numbers of creditors and debtors of their own. Others once had the credibility to act as cautioners and were in debt not through their own spending, but from the security they had offered to others. James Braidwood, a burgess and candle-maker claimed that 'the misfortunes he had fallen unto were nowise owing to any prodigality, but by being unluckily engaged as cautioner for other people'.[62] Furthermore, inventories taken by the court of debtors' effects suggest that they were not the poorest individuals, but those with wealth in the form of moveables and debts owed to them. Henry Waldgrave, a comedian incarcerated in 1751 by the merchant William Clapperton, was owed £96 from various debtors and possessed a chest, pewter plates, a pewter dish, a teapot, two

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[61] Finn, *Character*, 209.
[62] ECA, Bailie Court Diet Book, 19 July, 1746, v. 54.

cups and saucers, a teakettle, two knives and two forks.[63] William Kendle, a slater, had £37 sterling in debts owed to him as well as furniture, pewter plates, and several looking glasses.[64] Though the inventories taken by the court did not usually assign total values to prisoner estates, their possession of furnishings, china and textiles suggest that they were not from the poorest ranks of society, or at least that they held goods that could be easily converted into cash.

From the perspective of creditors in Edinburgh, petty debts were considered the most dishonest because they were the easiest to pay off. Creditors felt strongly that the debtors they incarcerated were not unable, but rather unwilling to pay their obligations. Debts were frequently described as 'small' or 'triffling'. According to Marjory Harriot's creditor, Harriot was imprisoned for 'a just… and very small debt' and refused to pay it 'tho posest of upwards of £30 sterling in cash'.[65] Creditors imprisoned debtors precisely because they were not poor. Instead, they targeted those with credit; those they had trusted because they understood them to be worth something in both social and physical terms, and whom they believed had the wealth to meet their obligations.

When wielded against middling debtors who had the means to pay, creditors believed that the social power to imprison was necessary for maintaining honest credit relations. Middling creditors, who formed the majority of incarcerators, and who were desperate to recover debts in order to pay off their own obligations, felt that prison was a necessary tool. The power to threaten imprisonment against those debtors who refused to pay offered a kind of protection to commercial men who were extending large amounts of personal credit to customers. According to Daniel Defoe, who defended the rights of tradesmen to imprison their debtors, imprisonment was an important aspect of the process of establishing trust and lending credit. Defoe wrote that the security of a tradesman's obligations and the source of his trust lay in his power to enforce payment by arresting and imprisoning his debtors. Furthermore, he felt that the Scottish legal process made incarceration too difficult, ultimately harming the economy. He wrote, 'what is the reason why in *Scotland*, and in other countries, they have so *little* trade? 'tis because you cannot *enforce* your demand of

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[63] ECA, BCPA, Petition of Henry Waldgrave, 3 May, 1751.
[64] ECA, BCPA, Petition of William Kendle, 8 July, 1751.
[65] ECA, BCPA, etition of Marjory Herriot, 19 July, 1771.

debt, you can't send the debtor to prison; and therefore no man *buys* til he has *money* to pay'.[66] In Scotland, the laws of *squalor carceris* added extra weight to this prerogative. As an Edinburgh pamphlet proclaimed, 'imprisonment is meant by law to force a man to pay his debt. Dungeons and stench are the implements by which this force operates, and therefore necessary parts of justice'.[67]

Despite Defoe's emphasis on instrumentality, and on the prison system as a means of enforcement, incarceration for debt in Scotland is more accurately understood as a ritual of shame. The threat of imprisonment was probably a much stronger tool than the act itself, and surely only a number of the arrests warranted by the court would have actually been enforced. This pattern was consistent in prisons across Britain. According to Innes, of 12,000 writs issued in 1791 in London, only 1,200 commitments ensued.[68] Creditors everywhere probably hoped that the dishonour associated with imprisonment would force debtors to pay up immediately. But in Scotland, imprisonment seemed to carry a particularly strong social stigma. According to the prison reformer John Howard, who inspected prisons throughout Britain, there were fewer imprisoned debtors in Scotland 'owing to the shame and disgrace annexed to imprisonment'.[69]

In a culture of credit underpinned by notions of reputation, public shame had very real consequences. Imprisonment could ruin a person's credit within a community, and was both financially and socially disastrous. For middling tradesmen, prison destroyed aspects of reputation that related directly to financial credit. According to one pamphlet, imprisonment had the power to 'overthrow a man's reputation and destroy all that is good and dear unto him. His kindred grow strange, his friends forsake him, his wife and children suffer with him, or leave him'.[70] Incarceration ruined a man's credit by depriving him of the ability to fulfil patriarchal and community responsibilities while confined. Deprivation of these hard-earned roles could mean a loss of status for a middling man. Charles Cock lost the ability both to support his family and to fill a position of authority he had earned

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[66] Daniel Defoe, *Some Objections Humbly Offered to the Consideration of the Hon. House of Commons, Relating to the Present Intended Relief of Prisoners* (London, 1729), 20.
[67] Steady Patriot, *To the chief jailor of the Tolbooth of Edinburgh* (Edinburgh, 1776), 3.
[68] Innes, 'King's Bench', 254.
[69] Howard, *State of the Prisons*, 104.
[70] *Case of Prisoners*, 6.

within the Incorporation of Hammermen. Petitioning the Bailie Court, he framed his circumstances as a deprivation of 'liberty' and begged to be released 'that he may be useful to his family, and in his own sphere as some service to that society of which he is a member'.[71] The glover Archibald How lost his position as a Beadle in the church.[72]

II. Refuge and the honest debtor

The fraudulent debtor, able but unwilling to pay his debt and leaving his creditor at risk of failure was a powerful image. It was called upon again and again by creditors who defended their interests by using the prison system. At the same time, an equally powerful and related image was the honest debtor failed through innocent misfortune who deserved protection from a zealous creditor. Creditors were expected to act with a degree of charitably and kindness towards their debtors. Debtors deserved protection from those who did not, and protection was offered by the sanctuary at Holyroodhouse. In tandem, the prison and sanctuary enshrined a code of ethics that applied to both creditors and debtors. While the imprisoned debtor was cast as a fraudulent criminal, refugee debtors were seen as 'unfortunate persons imploring protection, to avoid the *squalor carceis*, the filth, nastiness and brutal confinement of a jail'.[73]

The Sanctuary at Holyroodhouse was less an institution and more a geographical space with legally sanctioned privileges, where debtors were protected from the hands of their creditors. The sanctuary encompassed an area of about five miles in circumference, including Arthur's seat, the King's Park and Palace Yard (Image 6.5).[74] It was entered from the foot of the Canongate, where a Girth Cross stood marking the boundary. Any debtor who could touch the steps upon which the Cross stood before his pursuers overtook him was protected.[75] Upon crossing this threshold, debtors were free from diligence against their bodies. In addition to

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[71] NAS, Court of Session, Petition of Charles Cock, June 1771. CS271/14459.
[72] NAS, Misc. legal papers related to How family, 1755. SC39/107/8.
[73] Halkerston, *Treatise*, 57.
[74] Ibid., 172.
[75] Charles Mackie, *The History of the Abbey, Palace, and Chapel-Royal of Holyroodhouse* (Edinburgh, 1819), 107.

refugee debtors, the sanctuary was also home to a community of permanent residents who were not afforded the privilege of girth.

Image 6.5. Plan of the Holyrood Debtors' Sanctuary.
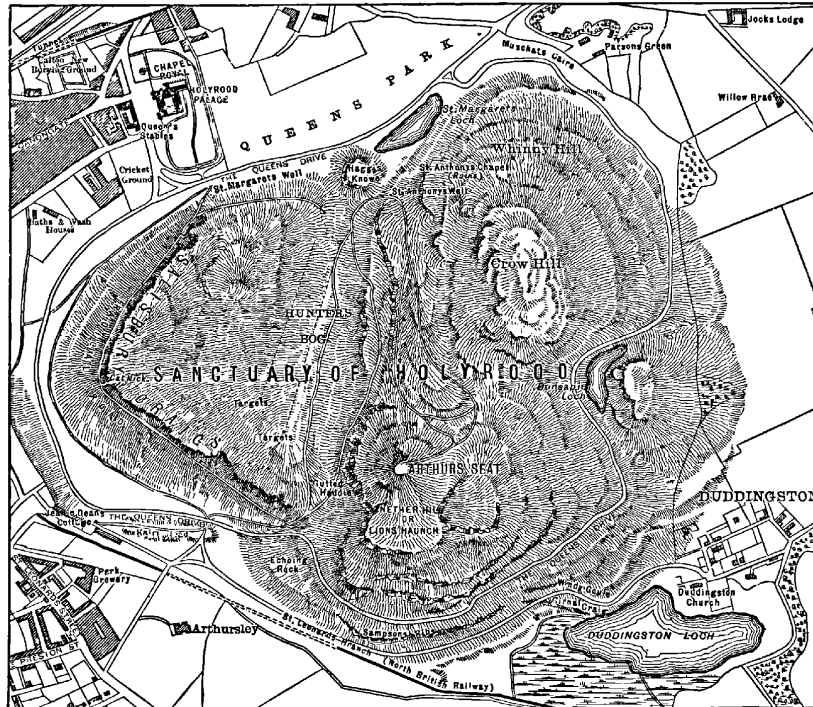
PLAN OF ARTHUR'S SEAT (THE SANCTUARY OF HOLYROOD).

Source: James Grant, *Cassell's Old and New Edinburgh* (London, 1881), p. 304.

The right of sanctuary was established in 1469.[76] Sanctuaries existed throughout Europe, primarily in abbeys. They extended refuge to both debtors and criminals on the grounds that transgressors would be able to seek forgiveness from God, free from the hand of man. Sanctuaries were largely abolished after the Reformation, first for criminals and then for debtors as well. The Abolishment of Privileges in 1697 legally did away with the remaining sanctuaries in England, though in some places sanctuary continued to be claimed by residents though it was not legally sanctioned.[77] In Scotland, the privilege for debtors was retained for much longer, both legally and socially. By the early eighteenth century, Holyrood Abbey offered the last remaining refuge in Britain, and it survived until the end of the next

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[76] Hannah, 'Sanctuary', 60.
[77] Stirk, 'Arresting Ambiguity', 318, 326.

century.[78] The number of people who took advantage of the protection it offered was not insignificant. Between 1710 and 1770 alone, 1401 people were booked into Holyrood.[79] Their families often came with them, meaning that the actual number of individuals taking refuge was probably much higher.

The longevity of the Sanctuary of Holyrood, and thus its acceptability to credit and social relations, was due to three factors. First, the types of people who took refuge were often involved in commercial pursuits and considered to have honestly failed. Second, the right of sanctuary was not only protected by local residents, but carefully managed and legally sanctioned. The last refuge in London disappeared when its well-defined geography and regulation became unclear, causing contemporaries to fear it as a lawless place harbouring criminals.[80] In contrast, Holyrood had strict legal parameters that seemed to protect creditors and debtors alike. Third, the freedoms afforded to debtors while in sanctuary allowed them to continue managing their affairs. Refugees could and did use their time to arrange the repayment of debts. Unlike prison, which sapped a debtor's resources and did little to guarantee repayment, sanctuary could improve debtors' chances of being able to recover creditors' funds, as well as the chances of recovering their own credibility.

Antiquarians and historians have painted a portrait of the abbey as a place for the better sorts who had become insolvent. Styled 'Abbey Lairds', these gentlemen often came from afar to live out their lives in sanctuary, using it as a place to avoid paying their debts. Writing in 1926, Hugh Hannah described the sanctuary as a place that was 'seldom without distinguished refugees from England- some of them hooked-nosed, oldish gentlemen, dressed in washed nankeens and wearing big gold-rimmed spectacles, who doubtless had run through their fortunes and now live there on the wreck of their means in defiance of creditors'.[81] Decaying gentlemen probably formed an important population of long-term residents, and there were a number of famous cases.

Contrary to popular belief, the Register of Protections, in which the name and occupation of every debtor booked into the abbey was recorded, reveals that while a

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[78] Ewen, 'Debtors', 53.
[79] NAS, RP, RH2/8/17.
[80] Stirk, 'Arresting Ambiguity', 329.
[81] Hannah, 'Sanctuary', 74.

number of gentlemen did indeed take refuge within its walls, it also accepted a much wider community of debtors. The majority of bookings were middling tradesmen and craftsmen, most of whom probably hoped to return to trade (Figure 6.6). Of 372 refugees whose occupation or social status was noted upon booking, only a fraction came from the ranks of gentlemen or professionals. William Edgar, a wright who was booked in 1731, was a typical example. Due to the chains or networks in which he was enmeshed, Edgar found himself unable to collect his own debts, and therefore unable to pay off creditors. In the two years preceding his refuge, Edgar had trouble collecting payment from his customers. He had done most of his furniture business with gentry customers outside of Edinburgh who took long terms of credit. By 1730, large accounts were owed by several families, causing him to take refuge by the end of the year.[82]

Figure 6.6. Occupational groups taking refuge at Holyrood Sanctuary, 1710-1770.

Occupational Group	Number of Refugees
Artisan/tradesmen	140
Brewer/Victualler	28
Gentleman	16
Labourer/servant	6
Merchant/shopkeeper	122
Military/ city guard	22
Professional	28
Sailor	0
Tennant/farmer	10
Total	372

Source: NAS, Register of Protections, 1730-1770. RH2/8/17.

While residents of the prison and refuge are roughly comparable in terms of rank, there were some important distinctions in terms of occupation. The abbey received a particularly high number of merchants, accounting for 33 per cent of its population, as opposed to 17 per cent of the prison population (Figure 6.7). Merchants were afforded more sympathy in terms of failure because they were exposed to extremely high levels of financial risk. This risk led to frequent failures, which in turn had a wider impact on the credit economy. As Bell noted, 'the mischances incident to trade necessarily lead to bankruptcies; and proportionally to

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[82] NAS, Household accounts paid by Allan Whitefoord, July 2, 1729. GD113/4/110/629, 637.

the growth of commerce, and the prevalence of the system of credit, the effect produced by such failures, is extended over a country'.[83] Unlike England and America, Scotland's legal system afforded access to bankruptcy proceedings not only to those in trading occupations, but to all sorts. According to the law, 'although the trader is chiefly liable to be overtaken by sudden misfortune other men are not beyond the reach of mischance'.[84] The high numbers of merchants in refuge and the low numbers in prison would seem to suggest that more popular sympathy was afforded to this profession than to others. Merchants and artisans took advantage of refuge in the greatest numbers, but the privilege was offered to all types of people as long as they were fleeing from just debts and could use refuge as a way to honestly sort out their financial affairs. Those involved in regulating the institution may have seen it as a force of arbitration within the community. Peter Halkerston, who served as Bailie of the Abbey in the late eighteenth century, wrote that he sometimes waved the protection fee of 6s. 8d. 'to obtain if possible an equitable arrangement with the debtor's creditors within the sanctuary'.[85]

Once booked into the sanctuary, debtors became subject to strict legal parameters that seemed to protect creditors. Upon entering its boundaries, debtors had to seek official protection from the Bailie of the abbey.[86] Those being offered protection were thus carefully regulated. No debtor was protected who had been fraudulent or concealed funds from his creditor. No one was protected who had 'fled from the messenger of other officers of the law, who, in such case, may pursue and seize them, even within the precincts'.[87] Ultimately, refuge only protected a person's body, but not his assets. Because booking into the abbey constituted 'notour bankruptcy', creditors could initiate processes against debtors' property while in refuge, and for many, it was only a place to wait out insolvency proceedings.[88]

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[83] Bell, *Commentaries*, 2.
[84] Ibid., iv.
[85] Halkerston, *Treatise*, 57; Hannah, 'Sanctuary', 76.
[86] Hannah, 'Sanctuary', 76.
[87] Halkerston, *Treatise*, 45, 60.
[88] Ibid., 55.

Figure 6.7. Comparison of occupational groups in the Edinburgh sanctuary and prison, 1730-1770.

Occupational Group	Sanctuary (% total population)	Prison (% total population)
Artisan/tradesman	38	44
Brewer/Victualler	7	2
Farmer/drover	3	5
Gentleman	4	2
Labourer/servant	1	14
Merchant/shopkeeper	33	17
Military/ city guard	6	3
Professional	8	10
Sailor	0	2

Source: As figure 6.1.

In the sanctuary debtors became subject to the laws and administration of a bailie who held a considerable amount of power over both their finances and their personal freedoms. The abbey had its own jurisdiction, separate from Edinburgh and the Canongate, overlooked by its own magistrate. The bailie of the Abbey held a weekly court, where he tried actions, pronounced decrees, and fined and punished transgressors. He had the power to try individuals for debts contracted within and outwith the abbey while they were refugees there, and to incarcerate them in the abbey prison. He also passed 'acts' like a legislature, and was responsible for the policing and administration of the area.[89] Under the bailie's power, refugees gave up a certain degree of independence. The bailie had the power to search at will the person of a debtor for money, offering satisfaction to creditors who feared that their debtors had hidden assets. In 1741, after one debtor had retired to the abbey, his creditors gave the bailie information that he had money in his pockets and had refused to use it to pay his debts. The bailie searched him and found the £5.[90]

Due to the slim evidence left behind, the day-to-day experience of living in sanctuary remains largely opaque. For many, it seems that sanctuary was a physically and psychologically difficult experience, even if it did provide protection from one's creditors. Creditors could be sure that debtors protected there were not enjoying their stay, but continued to feel the weight of their debts. Though the Abbey helped

[89] Hannah, 'Sanctuary', 68.
[90] *Hamilton v Bailie of the Abbey*, 12 June 1741, in William Maxwell Morison, *The Decisions of the Court of Session* (Edinburgh, 1811), 3.

debtors avoid prison, it was still a form of confinement. Refugees were confined absolutely to the precincts. Setting a foot over the boundary could result in being arrested. They could only leave on Sundays, when labour and legal proceedings were forbidden.[91] Prison reformers saw refuge only as a more tolerable alternative to incarceration. Halkerston described refuge as a way 'to avoid the *squalor carceis*, the filth, nastiness and brutal confinement of a jail' but considered it 'a prison at large'.[92] Residents themselves felt the psychological consequences of confinement. One refugee described himself as 'a man keep'd in distress'.[93] Though refugees were able to avoid the disease and filth of prison, many lived in squalor within the refuge. Contemporary accounts described the abbey as 'a wretched suburb' and 'squalid district'.[94]

The problems associated with gaining credit did not end upon entering the sanctuary, and for some, indebtedness was only compounded during their stay. Debtors retiring to sanctuary often found themselves with no means of support.[95] On arrival, any money in their possession was taken to pay creditors and the sanctuary protection fee. Refugees still had to procure necessaries and pay for lodgings. A number of regular inhabitants catered to the needs of those seeking refuge, and tradesmen from Edinburgh appeared to have gone into the refuge to sell.[96] Innkeepers and creditors gave credit within the confines of the refuge. It was not uncommon for those seeking sanctuary from their creditors on the outside to then go into debt within the abbey, resulting in further legal proceedings. In 1770 Manny Taylor, an innkeeper within the abbey, sued refugee Helen Grant for a black silk robe and coat, four weeks' lodging, borrowed money and 'other small articles'. Grant's case suggests that creditors within the abbey had a low tolerance for outstanding debts. Taylor sued when the debts had been outstanding for only two months, a period much shorter than most of the debt cases described in the bailie court.[97] For

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[91] Hannah, 'Sanctuary', 81.
[92] Halkerston, *Treatise*, 57, 61.
[93] NAS, Letter from Angus Fisher to George Innes, Esq cashier to the Royal Bank, 12 Oct 1772. GD113/3/770/12.
[94] Halkerston, *Treatise*, 202.
[95] Ewen, 'Debtors', 62.
[96] Hannah, 'Sanctuary', 73.
[97] ECA, BCP, *Taylor v Grant*, 1770. Box 144, bundle 372.

many, indebtedness and insolvency was only a cycle that re-started within the refuge's confines and could even result in imprisonment within the abbey gaol.[98]

Those unable to gain credit lived in distress within the abbey's confines and depended on the charity of friends, family and acquaintances outside its walls for survival. After being booked into the refuge with his family in January 1732, Robert Young, a brewer, wrote a letter to Sir John Clerk, the employer of his wife's father, describing his suffering and appealing for help. Young told Clerk of his family's 'sterving condishn' and asked for 'relief to help to carie me and my wife and our three Children by sea to London where I expect work'. He begged that Clerk would 'give them some Charitable Relief that they may not stearve for want in a Christian land'.[99] Though Young's suffering was great, his body was nevertheless protected from creditors. Without the assets to settle with creditors or to aliment himself, he would have fared badly in prison.

The way that refugees used their time was critical to perceptions of sanctuary. Sanctuary offered not a haven for economic adversity, but a place to go that would enable them, unlike in prison, to pay their debts off. From within the sanctuary, individuals continued to manage their financial affairs, to correspond with associates and to engage in legal proceedings. Refugees could not leave the abbey precincts, but creditors and associates could come into the sanctuary for meetings. Time in the refuge for many was spent awaiting the collection of debts. In a credit system where a person's wealth was often held in promises and unpaid obligations, some did not lack credit, but rather the means to make that credit assignable. Walter Hepburn, a brewer who booked into the abbey in February of 1731, made a list of all the debts owed by and to him during his stay. While his debts amounted to £98 due to five individuals, his credits amounted to £477 5s., owed by 151 people. While he had taken diligence on many of them, legal proceedings and the subsequent process of collection were slow.[100] In Hepburn's case, insolvency was occasioned not by a lack of assets, but an inability to convert them into transferable wealth. Prison would have ruined his credit, but refuge allowed him to sort out his affairs and return to trade.

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[98] John Lauder Fountainhall, *The Decisions of the Lords of Council and Session, from June 6th, 1678, to July 30th, 1712* (Edinburgh, 1759), 422.

[99] NAS, Letter to Sir John Clerk appealing for financial help, from Robert Young, brewer in the abbey. GD18/5752.

[100] NAS, List of debts due to Walter Hepburn, brewer in Edinburgh, 1730. GD113/4/117/133.

Attitudes about the honest and dishonest debtor were compounded by legal parameters that actually gave refugees more freedom to continue conducting their financial affairs than imprisoned debtors. Though prisoners' contact with the outside world was severely limited and mediated by the prison keeper, creditors claimed that dishonest debtors in prison used their time to sit idly, refusing to take steps to satisfy their just obligations and even racking up further debts. Charles Cock's creditors believed that while in prison, he 'was never in better health and never in half so good spirits in his whole life. He lives in a better aired house than he has at home his wife lives with him, their table is plentifully supplied with vivers and Mr Rutherfords brewery and storehouse in the closs neighbourhoods is open to them for every kind and quantity of small liquor, so that it was rightly observed by one of Cocks companions the other day that he was a lucky fellow- he had got a long Christmas of it'.[101]

Debtors at Holyrood dedicated their time to sorting out financial affairs and to clearing their characters of the tarnishing associated with failure and unpaid debts. David Loch published a memorial telling the story of his failed business enterprise. According to the memorial, he began life as a seaman then had branched into business as a merchant, 'acquired a pretty considerable stock in that way of life', and finally settled in Leith where he 'carried trade on for a good many years, perhaps to a greater extent than was done by any other person from that port'. Through losses sustained from misfortune, 'sudden demands from persons who had their money in his hands', and the negligence of a clerk who he had entrusted with his bookkeeping, Loch was 'reduced to great straights'.[102]

The refuge was a good place to be during insolvency proceedings, offering protection to a debtor's body against the whims of over-anxious creditors. Before the 1772 Sequestration Act, which provided a general code of bankruptcy law in Scotland, procedures for assuring equality between creditors had not been well established. Creditors competed for a share of the bankrupt's limited assets, and imposed legal proceedings and even imprisonment on debtors as a means of establishing preference for their own debts. As one legal theorist explained, 'on the

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[101] NAS, *Charles Cock v Hammermen of Kinghorn*. Petition of Charles Cock, June 1771. CS271/14459.
[102] NAS, Court of Session, *Loch v Ferrier*, 1770. CS181/7638 No 6-3.

slightest alarm, torrents of diligence were poured upon the unhappy debtor'.[103] Despite the honesty of a debtor's behaviour, and his attempts to cooperate with creditors, he could never be entirely secure of his personal liberty. As Loch explained to the Court of Session, months of negotiations to sort his financial affairs were ruined by 'one rigorous creditor'. This individual, 'having proceeded to ultimate diligence, his example was followed by other of the smaller creditors: the consequence of which was that the time and attention the respondent would otherwise have employed in gathering in his funds, were wasted in trying every method to get these creditors to accede to the agreement, and he was at last obliged to take refuge in the sanctuary, to protect himself from personal diligence'.[104]

Some had already suffered periods of imprisonment before coming to the abbey. Charles Cock, a mason in Fife, fled to the abbey in 1771 after a period of imprisonment and a political struggle with his trade incorporation. Cock had served as boxkeeper to the Incorporation of Hammermen of Kinghorn since 1768. After a disputed election for deacon in 1770, he was accused by political adversaries of breaking open the box, taking the incorporation's minute book, and forging 'a minute therein admitting two horse hirers into the incorporation under the denomination of riddlemakers' in order to influence the election. Cock denied the accusations, but was imprisoned by the ruling party in May of 1770. The incident resulted in a case before the Court of Session. As it progressed, the cost of legal proceedings mounted and Cock wrote anxious petitions to the justices stating that he would be unable to defray the expenses of process. The legal expenses, combined with the neglect of his business during four months of confinement, meant that by the time Cock was released in August, he had slipped into a state of insolvency.[105] He fled to the abbey later that month, where he was booked by the Bailie and took refuge as a lodger at Mrs Peacock's, an ale seller.[106]

Regular visits to the abbey seem for many to have become a strategy to deal with periods of financial trouble. People of all different ranks and occupations employed this strategy across the period of study. Sophia Bennet, a brewer, took

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[103] Bell, *Commentaries*, Xiii.
[104] NAS, *Loch v Ferrier*.
[105] Petition of Charles Cock.
[106] NAS, RP, August 1771.

refuge in May and November 1735; George Mosman, a merchant, in February and July of 1731; and Henry Thomson, a comedian and manager of the new concert hall in Canongate in March and December of 1751. It is impossible to know exactly how long debtors stayed in the refuge, as the Register of Protections only noted when individuals entered the sanctuary, not when they left. Debtors were only required to re-book if they had stayed away for more than fourteen days.[107] Though residency in the abbey has often been described as a permanent condition,[108] these regular visits on the part of tradesmen suggest that for many, stays of a few days to a few weeks were normal. Those who came and went several times probably remained only for short stays, taking refuge when their financial dealing became particularly tense.

For others, refuge provided protection over long periods of time. Booking records suggest that some families may have sought protection over generations. In 1732, the flesher John Sullie and his wife (not required to book on her own behalf) took refuge. Upon his death in 1750, his widow booked herself as a resident.[109] It is unclear whether she had remained in the abbey, booking on her own behalf when her husband died, or whether his death caused older debts to resurface. Members of extended families and failing firms also came to the abbey together. In 1733 and 1734, Alexander and James Harley, both tailors, sought refuge. In 1775, Miss Janet Steel Steel and her business partner Miss Margaret Maichney, milliners under the firm of Steel and Maichney, booked together. In November and December 1753, William Johnston, staymaker and his brother Samuel Johnston, shopkeeper, both fled to the abbey from London.

Contrary to popular images of 'Abbey Lairds' fled from England, most booked residents came from the local area (Figure 6.7). Nearly 80 per cent of individuals in the Register of Protections told the bailie that they resided in Edinburgh or its suburbs, and only three per cent came from England or abroad. The remaining 19 per cent of refugees came from other parts of Scotland, usually urban areas, especially Glasgow. Most were merchants fleeing financial failure. Those coming from further afield seem to have been surrounded by more scandal than those who came and went from the local area. A creditor of James Hollenpriest, a merchant

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[107] Halkerston, *Treatise*, 74.
[108] Ewen, 'Debtors', 63.
[109] Halkerston, *Treatise*, 44.

from Manchester, complained that he had acquired considerable debts and then 'withdrew himself and all his goods and effects to Edinburgh and there getting lodging within the privilege of holirood house lives upon his effects and will pay no debts'. Hollenpriest was declared a bankrupt and a felon in the local Manchester gazette, and his creditors considered the right of sanctuary an 'unreasonable priviledge'.[110]

Figure 6.8. Residence of persons booked into Holyrood Sanctuary, 1710-1770.

Place of Residence	Number of persons
Edinburgh	314
Scotland (not Edinburgh)	76
England	12
International	2
Total	**404**

Source: As in figure 6.6.

Occasionally, local creditors felt cheated and attempted to lure their debtors out of the sanctuary bounds in order to have them arrested. Capitalising on the sanctuary's strict legal and physical boundaries, and refugees' desires for moments of freedom, Mr Stewart, Patrick Haliburton's creditor, tricked him into staying in Edinburgh on a Sunday beyond midnight. Haliburton had gone to Stewart's house in the afternoon to discuss reparations of a debt amounting to £3000 sterling. Stewart treated him to a fine a meal and libations, 'pretending much kindness'. But as Haliburton relaxed and let down his guard, Stewart 'did trepan and ensnare him by protracting time, in overtures and terms of accommodations'. When the town clock struck twelve, Stewart had a messenger ready and waiting to capture Haliburton and take him to prison.[111]

By choosing refuge, debtors were able to clothe themselves in a legal system that looked uncertainly upon sanctuary. Numerous decisions handed down by the Lords of Session during the eighteenth century defined and redefined the parameters of refuge and the powers of the bailie. Uncertainties surrounding the laws of refuge made some creditors hesitant to press refugee debtors. Others found it hard to

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[110] NAS, Letter regarding James Hollinpriest, merchant. 11 August, 1710. GD 406/1/11913.
[111] *Haliburton v. Steuart*. 21 July, 1709, in Fountainhall, *Decisions*, 516 vII.

convince the proper authorities to carry out arrests. When James Selby found that under legal technicalities, he would be able to arrest a debtor who had taken refuge, he had trouble finding a messenger to execute the charge. James Black, finally convinced to take the case, found the debtor but let him get away. When later questioned in court, Black claimed to have been uncertain as to whether the action would have been legal. He feared that 'it was extremely probable, that a claim would be made for damages on account of wrongous imprisonment in carrying a person forth of the sanctuary, and incarcerating him in an ordinary jail: and it did occur to the respondent that he ought by no means to be active in carrying him without the bounds of the sanctuary… besides there seems to be very great doubts how far… the bailie of the abbay can deprive a debtor of the privilege of sanctuary altogether'.[112]

In addition to legal sanctions, refugees drew on the support of the sanctuary's permanent population, who supported the right of sanctuary. Some supported protection out of religious or social principles, as an alternative to incarceration for debt. Stories of residents protecting the rights of debtors suggest that the sanctuary was to some extent self-regulating. In one case, the creditor of Mrs Dilks, a booked refugee, attempted to trick her into stepping over the sanctuary's boundaries in order to have her arrested. Her creditor sent her a message to meet him in a tavern located just within the abbey precincts, but which could only be reached by crossing out of the refuge. As she stepped over the boundary, she was seized by a messenger. Residents came to her aid, attacking the assistant and carrying Dilks back to safety.[113] The ethical dimensions of being a creditor were enforced by the community.

Permanent residents likely also protected the right of sanctuary because it provided them with a financial advantage. Innkeepers, lodging ladies and victuallers catered to debtors who needed lodging, food and entertainment. Booking records, noting where debtors stayed, show that at least 34 residents kept lodging houses for refuge debtors.[114] These ranged from informal businesses, where widows rented rooms, to larger businesses catering to debtors' entertainment. James Wilson,

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[112] ECA, BCPA, Petition of James Selby, 29 July 1766.
[113] *Edinburgh Evening Courant*, 7 April 1724. Quoted in Hannah, 'Sanctuary', 90.
[114] NAS, RP, RH2/8/17.

innkeeper and proprietor of the Watergate, kept a small still pot for distilling aquavita, a public house, and bool and ring at the Abbey Yard.[115]

III. Conclusion

Over the course of the period of study, the use of the prison and refuge did not remain static. The populations of both institutions changed, and the rank and status of prisoners and residents of refuge began to diverge. The sanctuary took on a more elite clientele, and debtors from outside Edinburgh began to appear in greater numbers. 10 of the 13 English residents and both international refugees present between 1730 and 1770 came after 1750, while numbers from around Scotland remained constant. In the prison, petty debts came to be enforced more heavily (figure 6.9). In 1730, only 24 per cent of prisoners had been incarcerated for debts of less than £2. By 1769, that figure had nearly doubled. At the same time, the prison population swelled, while the sanctuary population began to contract (figure 6.10). Nearly twice as many debtors were incarcerated in 1769 as in 1730, whilst after 1750, the numbers of individuals seeking refuge began to decline.

Figure 6.9. Changes in levels of debt owed by prisoners in Edinburgh Tolbooth.

Year	£2 or less (% of prisoners)	£2-£5 (% of prisoners)	£5-£10 (% of prisoners)	£10 or more (% of prisoners)
1730	24	21	27	28
1750	64	16	9	11
1769	67	14	13	5

Source: As in figure 6.2

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[115] NAS, Consistory Processes, *Wilson v Farquharson*, 1771, CC8/6/496.

Figure 6.10. Comparison of the populations of Edinburgh Tolbooth and Holyrood Sanctuary over time.

Year	Number of individuals in Sanctuary
1710-1719	268
1720-1729	237
1730-1739	329
1740-1749	215
1750-1759	169
1760-1769	183
Total	1401

Year	Number of Individuals in Prison
1730	67
1750	106
1769	114

Sources: As in figure 6.1.

Changes in the numbers of prisoners and refugees over time, and in the types of debtors who found themselves in both institutions can in some ways be attributed to changes in Scotland's legal system. The laws of insolvency developed and improved, and in 1754 a provision for establishing equality amongst creditors was passed.[116] Anxious creditors no longer felt the need to imprison their debtors in order to establish preference, meaning that it became less advantageous for insolvent debtors to protect their bodies in the sanctuary. Meanwhile, the laws governing the collection of small debts changed very little. Creditors faced an antiquated court system in which to recover their obligations, and imprisonment may have reflected their frustrations with the limits of that system. The inefficiency and expense of the process associated with imprisoning a debtor, combined with the fact that prison only rarely resulted in payment, makes the increased use of this institution all the more significant. The power to imprison was not wielded by creditors for economically rational reasons but rather was a form of social punishment and a means of inflicting shame on those deemed to have acted unethically and immorally. Far from signalling the decline of the interpersonal in Edinburgh's culture of credit, the use of the prison suggests the continuing centrality of social power and of personal reputation in informing the behaviour of creditors.

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[116] Bell, *Commentaries*, viii.

Through the middle of the eighteenth century, the use of imprisonment and refuge continued to reflect attitudes about the social meaning of failure. The attitudes reflected in these two institutions fit into larger debates occurring throughout the British Atlantic. In America, depictions of insolvency in the early eighteenth-century showed debt to be a form of moral failure. Like other moral failures such as drunkenness and fornication, it called for punitive sanctions. These notions weakened during the eighteenth century, and insolvency was redefined from sin to risk, and from moral failure to economic failure. As it became clear that risk was necessary for economic growth, more sympathy was afforded to the failed debtor.[117] In England, a distinction was made between the limited liability of the merchant and full responsibility of the consumer.[118] For the middling sorts in Edinburgh, depictions of failure in the prison and refuge suggest that behaviour remained paramount. The components of credibility defined the experiences of both those who sought credit and those who reached its limits. Honesty, reputation and character, whether perceived or real, determined who deserved to be punished and who deserved protection. The prison and the refuge stood as symbols of social attitudes towards insolvency and failure. For those debtors who failed from 'innocent misfortune', the refuge remained a symbol of forgiveness and tolerance of certain types of indebtedness. Meanwhile, for those deemed to have cheated, been fraudulent or simply unwilling to pay, the prison remained a powerful symbol of the ability of both creditors and the state to inflict shame and physical punishment on the bodies of debtors.

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[117] Bruce H. Mann, *Republic of Debtors: Bankruptcy in the Age of American Independence* (Cambridge, MA, 2002), 5.
[118] Finn, *Character*, 150.

Chapter 7. Credit and Social Capital in Colonial Society: A Case Study of the St Andrews Society of Philadelphia

In Philadelphia, the maintenance of social credit formed a similar preoccupation for artisans and tradesmen as it did for those in Edinburgh. As chapter three revealed, credit was essential to buying and selling on the market, and it would seem that credit was constructed and achieved in similar terms. Benjamin Franklin's *Advice to a Young Tradesman* emphasised the importance of industry, frugality, and punctuality in achieving and maintaining a credible reputation. According to Franklin, 'the sound of your Hammer at Five in the Morning or Nine at Night, heard by a Creditor, makes him easy Six Months longer.'[1] For others, credit was closely linked to accuracy, honesty, dependability, and the believability of a man's word. Reputation and credit were achievable by everyone, but what made behaviour honourable was specific to gender and rank. As an article in the *Pennsylvania Gazette* stated in 1741, 'the cardinal virtue of life, with respect to others, is to acquire and maintain a good reputation, suited to the station we are placed in… a good reputation is the most infallible means of success in our aims and endeavours'.[2]

The parallel findings of studies of male and female merchants and traders in various early-American contexts would seem to suggest that the link between reputation and credit was a fairly consistent phenomenon throughout the Atlantic world.[3] Like Edinburgh, personal reputation in Philadelphia appears to have been communicated through an oral culture that included gossip and face-to-face interaction. Individual behaviour was carefully observed and communicated. The 1755 diary of Daniel Fisher, a recent immigrant, commented on the inquisitive behaviour of a local silversmith, Samuel Soumien. Upon observing that he was going to Benjamin Franklin's house, Fisher wrote that Soumien soon 'began to fish for my business with Mr Franklin'. Fisher noted that 'I had been several times in his

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[1] Benjamin Franklin, *Advice to a Young Tradesman, Written by an Old One* (Philadelphia, 1762), in *Early American Imprints*, Series I, no 9119, 2.
[2] *Pennsylvania Gazette*, 11 June 1741.
[3] Cornelia Hughes Dayton, *Women before the Bar: Gender, Law, and Society in Connecticut, 1639-1789* (Chapel Hill, NC, 1995), 285-328; Toby Ditz, 'Shipwrecked; or, Masculinity Imperiled: Mercantile Representations of Failure and the Gendered Self in Eighteenth-Century Philadelphia', *JAH*, 81 (1994), 51-80.

company at my Inn and considered him as a very inquisitive person, craving a knowledge of other People's affairs, though noways concerning himself".[4]

Though the terms on which credit was constructed and communicated appear similar, the city's colonial population and social structure influenced the ways in which people sought, established and maintained their credibility. High levels of transience meant the regular arrival of men and women to the city who needed access to the networks of family, occupation and friendship on which credit was often based. Philadelphians lacked the inherited generational capital that was so important to male credibility in Edinburgh. Measures of distinction, class and status were different, throwing older methods of judging credit into flux. Within Philadelphia's pluralistic social structure, credibility took on new components. Ethnicity and religion, rarely a feature of credit amongst Edinburgh's more homogenous population, came to be associated with trust. In Philadelphia, religion and national identity interacted with other components of credibility, including rank, status and occupation in ways that were distinctive to a colonial urban setting.

Drawing on the records of the St Andrews Society of Philadelphia and the business records of Society members, this chapter explores how a group of Scottish male immigrants manufactured reputation in the colonial city and created networks of credibility.[5] The Society provides a direct link between Edinburgh and Philadelphia, connecting Scotland with the new world. Many of the Society's members came from Edinburgh, where they were part of the middling trading community that has been discussed in previous chapters. The records of the Society thus highlight how this particular group of people behaved in two different urban contexts, and how their credit practices were adjusted within the colonial setting. Furthermore, they add to the comparative study by illustrating the role that a voluntary association, an important forum for middling business relations, played in the credit practices of urban tradesmen, and they show the role that this type of

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[4] Daniel Fisher, 'Extracts from the Diary of Daniel Fisher, 1755', *PMHB*, 17 (1893), 271.
[5] St Andrew's Society of Philadelphia Private Collection (hereafter SASP), Minute Book of the St Andrews Society of Philadelphia, v I, December 7, 1749, to November 30, 1776 (hereafter MBSAS); SASP, Miscellaneous records; SASP, Society Treasurer's Accounts, 1759-1843; American Philosophical Society (hereafter APS), David Hall Papers, 1745-1822, Mss.B.H142.1-3; APS, Accounts and Business Records of James Burd, 1747-1749, Burd-Shippen Papers, Mss.B.B892.

institution played in the creation of social capital, a particular aspect of trust.[6] Though voluntary associations were prevalent in both cities and throughout the British Atlantic world, only scant records of non-elite associations survive in Edinburgh.[7]

Originally conceived as a charitable institution intended to aid poor Scottish immigrants, the St Andrews Society adopted much more diverse functions. It became a focal point for Scottish men in Philadelphia. Grafted on to its charitable activities were opportunities for day-to-day sociability and business networking. Society meetings in taverns and assembly rooms offered opportunities for male sociability in public settings. In its diverse activities, the society acted as an umbrella organisation that unified a wide range of individuals, from poor Scots to commercial Scots, under a common matrix of credit. Its sphere of influence was not insignificant. Between its establishment in 1747 and the American Revolution, the Society included nearly 200 local members and provided aid to over 500 Scottish immigrants. It played an instrumental role in helping Scottish immigrants establish credit networks and build masculine reputations of independence, honesty and middling status.

The role of philanthropic societies in facilitating the smooth transition of migrants into new host societies and in fostering entrepreneurial activity and social networks is not without its own historiography. Case studies of Jewish communities in nineteenth and twentieth-century England and New York, Germans in colonial America, and Asian immigrants in contemporary America suggest that across space and time, philanthropic societies have been important for integrating newcomers and providing them with financial capital.[8] Nor was the St Andrews Society novel in the context of Philadelphia's associational culture. By the time of the society's founding, there were at least 15 other active voluntary associations that involved some 20 per cent of the adult male population. While the St Andrews Society was one of the first voluntary associations in the city based on national origin, during the colonial and

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[6] John Brewer, 'Clubs, Commercialization and Politics', in Neil McKendrick, J. H. Plumb, and John Brewer, eds., *The Birth of a Consumer Society: The Commercialization of Eighteenth-Century England* (London, 1982), 197-264.

[7] Peter Clark, *British Clubs and Societies 1580-1800, the Origins of an Associational World* (Oxford, 2000), 131; Jessica Roney, '"First Movers in Every Useful Undertaking": Formal Voluntary Associations in Philadelphia, 1725-1775' (PhD Thesis, Johns Hopkins University, 2008), 1.

[8] David Feldman, *Englishmen and Jews: Social Relations and Political Culture 1840-1914* (New Haven, CT, 1994); Roger David Waldinger, Howard Aldrich, and Robin Ward, *Ethnic Entrepreneurs: Immigrant Business in Industrial Societies* (Newbury Park, CA, 1990).

revolutionary periods it would be joined by a number of other migrant societies aimed at unifying, representing and providing aid to needy fellow countrymen, alongside English, Irish and German organisations.[9] The St Andrews Society also fits within an Atlantic tradition of Scottish migrants banding together for support. By 1613 a Scottish Box Club, later the Royal Scottish Corporation, was operating in London where it acted as the city's first means of support for an immigrant community. In Massachusetts, a Scots Charitable Society had been established by the late seventeenth century and became the vehicle through which Boston Scots developed and maintained many of their commercial connections. By the mid-eighteenth century each of the major North American ports had a Scottish society and Scottish networks of business existed alongside these formalised networks.[10]

Scots were one of many migrant groups living in colonial Philadelphia. Between 1727 and 1775 over 70,000 Germans arrived in Philadelphia's port.[11] Before the revolution, the city accepted large numbers of English, Irish, and Scots-Irish.[12] Within Philadelphia's diverse population, Scots were by no means the dominant migrant group. The number of Scots settled in the city is difficult to calculate, because while many entered America through Philadelphia's port, most were destined for frontier communities.[13] In the context of the Scottish Diaspora, Pennsylvania was not a major destination for Scottish settlement.[14] The colony received about 13 per cent of Scottish emigrants to America, while most went to New York and North Carolina.[15]

The population of Scots in Philadelphia was not distinctive, and, in many ways, the St Andrews Society is a typical example of a voluntary society catering to

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[9] These included the German Society (1764), the Society of the Friendly Sons of St Patrick (1771), and the St George's Society (1772). The Society of Ancient Britons was founded in 1729, but met only informally and disbanded in the 1730s, becoming a formal association after the Revolution. Roney, 'First Movers', 135, 144, 360.

[10] David Dobson, *Scottish Emigration to Colonial America, 1607-1785* (Athens, GA, 1994), 104; Marsha L. Hamilton, *Social and Economic Networks in Early Massachusetts: Atlantic Connections* (University Park, PA, 2009), 1-13, 107-108; Justine Taylor, *A Cup of Kindness: The History of the Royal Scottish Corporation, a London Charity, 1603-2003* (East Linton, 2003).

[11] Marianne Wokeck, 'The Flow and the Composition of German Immigration to Philadelphia, 1727-1775', *PMHB*, 105 (1981), 266.

[12] Gary B. Nash, *The Urban Crucible: Social Change, Political Consciousness, and the Origins of the American Revolution* (Cambridge, MA, 1979), 55.

[13] Dobson, *Scottish Emigration*, 86, 135.

[14] William Brock, *Scotus Americanus* (Edinburgh, 1982), 169.

[15] Bernard Bailyn, *Voyagers to the West: A Passage in the Peopling of America on the Eve of the Revolution* (New York, 1986), 206.

a particular migrant community. However, within the context of the colonial American city, the combination of extant institutional records, business records and memoranda of people within Society give a clearer idea of the internal workings of these organisations and their influence on members' lives. Business records suggest that the society had functions well beyond what its institutional records reveal. The impact of the society for its members was primarily not through 'official' business and activities, though these did provide important financial and social opportunities, but through the social capital with which it vested members and their associates.[16] By transacting repeatedly with one another and forming multi-stranded relationships, St Andrews Society members generated trust, reputation, shared norms and cooperation; all of which were essential to social and economic credit.[17] This chapter will distinctly address the society's role for two groups, first the charitable activities aimed a group of impoverished Scots, and second, its activities as a business network for middling Scots engaged in commercial enterprise. The society's range of activities, which extended from the provision of charity to masculine socialising, at first seem disparate and hardly linked under a common goal. But all of these functions can be seen as fulfilling the need for social and economic credit and can be understood under a theoretical framework of social capital. Finally, the chapter will discuss how under the notion of social capital, a manufactured sense of Scottish ethnicity served as the glue that bound this largely disparate group of individuals together.

Social capital is a term with complex definitions, but some key features apply to eighteenth-century credit, principally its influence on dynamics of power, trust and community integration. Social capital is defined as the resources linked to a durable network of institutionalised relationships.[18] From these resources, individuals can achieve power or influence. Social capital is also closely linked with trustworthiness.[19] By establishing shared norms and values within a group, social capital fosters 'generalised reciprocity' or 'generalised trust'. As a means of social

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[16] My interpretation differs from Roney, who instead focuses on the 'explicit economic and tangible benefits to members or investors'. Roney, 'First Movers', 79.

[17] J. S. Coleman, 'Social Capital in the Creation of Human-Capital', *American Journal of Sociology*, 94 (1988), 104-108.

[18] Pierre Bourdieu, 'The Forms of Capital', in John G. Richardson, ed., *Handbook of Theory and Research for the Sociology of Education* (New York, 1986), 241.

[19] Patrick François, *Social Capital and Economic Development* (London, 2002), 17.

control, it can thus allow trade to function in environments where formal sanctioning is not present.[20] In its functions, social capital is related to but distinct from financial capital. Unlike wealth, it cannot be stored, spent or converted into physical things.

I. Poor Scots and charitable relief

The society defined its primary objective as providing charitable assistance to poor fellow countrymen, and indeed, facilitating the transition of migrants into the city became one of its important functions. Local contacts and knowledge were crucial to success in business and day-to-day life. The society acted as a device for integrating newcomers and facilitating the movement of Scots in and out of the city. When read closely, the society's charitable activities highlight the components of credibility deemed important in Philadelphia's commercial sphere. Through charitable activity, the society enforced these notions of respectability and credit amongst a community of skilled Scottish migrants.

The St Andrews Society fitted within a larger system of poor relief in colonial Philadelphia. It was established at a time when charity and care of the sick and poor were considered the province of the family. Philadelphia's almshouse, built in 1732, received relatively few requests for aid. It was filled with inmates whose poverty was occasioned by a breakdown of their kinship networks, such as aged individuals without relatives to care for them, widows without roots in the city, or the mentally ill whose kin had shunned them.[21] During the society's early years, it thus formalised a system of relying on kinship networks to ease the path of migration and provide mutual support.[22] By the time the society was founded, many of its members had been participating in informal efforts to relieve new Scottish migrants. The founders believed that by organising themselves into a society, these immigrants could be 'more easily, more regularly and more countifully supplied than could well be done in the common troublesome way of making occasional collections for such purposes'.[23] By the second half of the eighteenth century, informal and family

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[20] A. Portes, 'Social Capital: Its Origins and Applications in Modern Sociology', *Annual Review of Sociology*, 24 (1998), 7.

[21] Gary Nash, 'Poverty and Poor Relief in Pre-Revolutionary Philadelphia', *WMQ*, 33 (1976), 5.

[22] Stana Nenadic, ed., *Scots in London in the Eighteenth Century* (Lewisburg, PA, 2010), 19.

[23] MBSAS, Philadelphia Charter, 1749.

networks could no longer cope with Philadelphia's increasing numbers of poor and destitute. The economic downturn after the Seven Years War coupled with the steady influx of immigrants resulted in a swelling of Philadelphia's poor and destitute population. In response to the problem, a growing number of public institutions had been built with the aim of relieving, reforming and controlling the city's growing indigent population: a hospital for the poor, a workhouse, and a bettering house.[24]

The society's efforts at relieving poverty diverged from the city's public efforts in the types of individuals it catered to and the care it provided, which were particularly 'credit oriented'. Alongside the hundreds who resorted to the poor house, a second layer of poverty was forming in Philadelphia. Individuals who had previously paid taxes and enjoyed modest success were becoming a part of society for whom insecurity was a dominant reality. After the war, one in ten taxpayers slipped below the subsistence line.[25] While the poor entering the almshouse earlier in the century were usually old, disabled, and ill, poor Philadelphians now included able-bodied men unable to find employment. As Benjamin Rush described in 1765, Philadelphia was full of 'sailors who cannot procure berths,' and tradesmen who grew 'clamorous for want of employment'.[26] These 'respectable poor' rarely turned to the almshouse or poorhouse. A comparison of the names appearing on tax lists, poor relief and in hospital records suggests that a middling level of impoverished Philadelphians were deemed too poor to pay taxes, but never entered the ranks of the institutionalised poor.[27]

The St Andrews Society catered precisely to this layer of middling-poor. It attracted petitions for aid from individuals who had a trade, profession or skill. Petitioners themselves may have chosen the St Andrews Society in order to avoid a relief system that classified poverty as a moral failure and were unwilling to subject themselves to the shame and loss of independence associated with entering the workhouse. But the society itself was also clearly interested in helping a certain type of person. As fellow members of a commercial class whose fortunes were subject to the uncertainties of the Atlantic economy, society members might have felt

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[24] Nash, 'Poverty', 5.
[25] Ibid., 22.
[26] Quoted in ibid., 21.
[27] Ibid.

especially sympathetic to those who had failed in business. The society was also clearly concerned with the types of people it accepted into its community of credit and provided recommendations, seeking to maintain a link between Scottish ethnicity and good business, honesty and useful industry. Following its lead, other immigrant societies would seek to help the same sorts. The Society of St George stipulated in its 1772 charter that 'artificers and manufacturers' would be supplied 'more abundantly than those poor people are not of any trade or calling'.[28]

Establishing credibility was a central feature of receiving aid from the St Andrews Society. Applicants to the society's poor box underwent a thorough investigation of character.[29] An applicant first had to obtain the recommendation of a society member. The member then evaluated the character and circumstances of the individual, and if he deemed the applicant worthy, recommended that the society provide aid and drew up a petition to be considered by a committee in charge of dispensing relief. In order to evaluate the circumstances and character of the applicant, the committee might talk to an applicant's neighbours and friends, or require that he or she supply recommendations. In 1754, Jean Gilmers was denied relief until she could bring a recommendation from her neighbours.[30] In 1758, Mary McGregor was given 'three pieces out of the societys stock' because she had the 'warm recommendation of Colonel Henry Fletcher in her favour'.[31] The committee might also give applicants a thorough questioning to assess whether they could give consistent accounts of themselves and where they had been. Alexander Maxwell presented himself as a man who once lived well but had been reduced by misfortune to low circumstances, the type of person who the society would normally have helped. However, his petition was rejected because 'on their examining of him he could give no certain account to them of the time he came into the province'.[32]

The petitions presented to the Society were meticulously transcribed in its minute books, so that for the period 1749 to 1770, there are over 600 extant petitions

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[28] Historical Society of Pennsylvania (hereafter HSP), Minute book of the Society of St George, Society Rules, Phi 1733.
[29] Roney suggests that the society made little distinction between idle and industrious poor. Roney, 'First Movers', 145.
[30] MBSAS, 28 Feb, 1754.
[31] SASP, Fragments of standing committee minutes, 5 May, 1758. Miscellaneous records, box 1, folder 4.
[32] MBSAS, 1 May, 1756.

of immigrant Scots requiring aid. These were not necessarily reflections of petitioners' experiences, but strategic pieces of writing designed to make a case, which likely distorted and exaggerated petitioners' backgrounds. In order to receive aid from the Society, petitioners had to construct their circumstances around values of credibility and respectable poverty. They understood the values that the society held dear and manipulated them to their benefit. Furthermore, petitions did not always represent single-handed efforts at obtaining relief. When they recommended petitioners, Society members acted as 'epistolary advocates', helping petitioners to frame their cases in the most favourable terms.[33] The reputation of a recommending member and his standing in the society could even affect the aid dispensed. In 1752 Jane Hall was given five pounds, a sum far exceeding the average amount dispensed to women, because her case had been recommended by Dr Graeme, the Society president.[34]

Figure 7.1. Justifications for aid presented to the St Andrews Society of Philadelphia.

Justification for aid	Total	Men	Women
attacked by indians	3	2	1
abandoned by husband	6	0	6
unspecified misfortunes	9	6	3
winter season	9	2	7
loss of spouse	10	3	7
incarcerated for debt	10	8	2
incapable of employment	10	8	2
want of employment	17	14	3
old age	22	15	7
stranger/no credit	24	22	2
children/family to support	27	11	16
low circumstances/in distress	40	22	18
illness/injury	44	26	18
TOTAL	229	137	92

Source: Minute Book of the St Andrews Society, 1749-1776.

Petitions usually began as narratives of distress. Petitioners were careful to emphasise their low conditions and dire need for society help. William Quoys was 'in great misery and distress from the bloody flux' while Hugh Gibbons was

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[33] Steve Hindle, *On the Parish?: The Micro-Politics of Poor Relief in Rural England c. 1550-1750* (Oxford, 2004), 135.
[34] MBSAS, 30 Mar, 1752.

'reduced to necessitous circumstances'.[35] The justifications for aid presented to the society can be divided into 13 categories, ranging from illness, to abandonment, to having been attacked by Indians (Figure 7.1). The most common justifications were illness and injury, business failure, having a family to support, old age, being a stranger and unable to obtain credit, and the inability to find employment. Often these categories overlapped. For example, a person without credit and without a suitable recommendation would find it hard to gain employment. Distress was nearly always framed as having been caused by circumstances beyond a petitioner's control, which framed failure as the result of 'innocent misfortune'. In 1760 Hugh Cumming 'had the misfortune to have his house burnt and all his effects'.[36] Others couched their petitions in the wider economic and political context of the time. Barbara McKinley appealed to severity of the winter, and Ann Faulkner set forth her 'distress from the winter season' in requesting aid.[37] By the mid eighteenth century, attacks on frontier settlers by Indians were becoming a regular part of popular discourse, inciting both fear and sympathy on the part of readers. Thus in 1756 William Flemming told the society that he and his wife, who was 'big with child', had been 'captivated by the Indians who burnt their houses and effects in the great cove'. The society gave him three pounds.[38]

Petitioners emphasised that their conditions were temporary, and while emphasising their misery and distress, they were also keen to establish respectability. They often told the Society that they had once lived independently and in a good way and never before needed help. James McIntyre told the society that he had lived in Philadelphia with his wife and family for some years and 'by following his trade as a black smith endeavoured to support himself and family without being burthensome to any body'.[39] Some petitioners appealed to their family station, or presented letters of credit as support. Robert Jameson told the Society that he had had recently arrived from Lisbon 'where he was in a good way of business, but by misfortunes reduced to

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[35] Ibid., 4 Jan, 1753; 20 Mar, 1753.
[36] Ibid., 3 Sept, 1760.
[37] Ibid., 7 Jan, 1758; 4 Jan, 1753.
[38] Ibid., 24 Jan, 1756.
[39] Ibid., 28 Feb, 1750.

want'. As evidence of his former station, he showed a receipt of his passage, which had been paid by the factor in Lisbon.[40]

For petitioners, living in good credit spoke directly to questions of their character and honesty. Most men and women framed their worthiness for relief in a willingness to work, but an inability to do so. One man claimed, 'Tho I am very willing to work and do all in my power to support [my family] I cannot but earn so much as pay house rent'. Another woman told the society that she was 'so weak and infirm as hardly to be able by her utmost labour and industry to procure herself the bare necessaries of life'.[41] In constructing their characters, petitioners appealed to the attributes of industry.

There was some divergence in the ways that men and women presented their circumstances to the Society, as depicted in Figure 7.1, which roughly paralleled the constructions of credibility in Edinburgh discussed in chapter five. Women tended to emphasise their dependence, while men emphasised their independence. For example, women were much more likely than men to present the loss of a spouse or abandonment as a reason for their poverty, citing the need for masculine financial support. Men, on the other hand, appealed to their inability to make a decent living, citing injury, illness, or the difficulties of finding employment as reasons for their poverty. They emphasised their willingness to work, and often their skill in a particular trade. Unlike women, men cited a lack of reputation in the new city as a justification for poverty. Though they possessed the attributes of credibility, including honesty, skill and industry, newly arrived immigrants lacked access to networks of association that were so critical to economic survival. William Russell, a silversmith and recent arrival from London, told the society that he had 'been with all the people of his business in town and cannot procure employ'.[42] James Strahan complained that in his native home of Aberdeen he 'lived in good credit and esteem' but found it hard to get by in Philadelphia.[43]

The majority of petitions claiming the need to support dependents as justification for aid came from women. This would seem at odds with the notion of

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[40] Ibid., 27 Jan, 1769.
[41] Ibid., 20 Mar, 1750; 17 June, 1751.
[42] Ibid., 30 Nov, 1768.
[43] Ibid., 4 June, 1752.

masculine provision, which was an essential component of middling male credibility. One might conclude that this discrepancy reveals the difference between idealised masculinity and the economic realities faced by many lower-middling families. Though being able to independently support a family was an ideal that many sought to achieve, in reality most families depended on female incomes as well. Due to idealised constructions of masculinity, more women than men may also have been willing to seek 'familial' support from the society. Men might choose to frame their poverty in other ways, as the admission that a man was unable to support his dependents could be damaging to his sense of self worth. By contrast, a woman could appeal for help from a voluntary society of men by emphasising her gendered and dependent status in way that was culturally acceptable. The demographics of emigration might further shed light on this point of gender divergence. Most Scottish emigrants were single men, while most women emigrated with families. Women were thus statistically more likely to be responsible for dependents. The gendered appeal to charity evident in St Andrews Society petitions is consistent with city's gendered disbursement of poor relief.[44]

Having satisfied the Society of their credibility in terms of industry, honesty and independence, often in ways that manipulated gendered assumptions of the time, petitioners could expect various types of relief. Aid was intended not to provide a temporary fix, but to help integrate newly arrived immigrants into an urban network. In the type of aid it offered, the Society served the needs of the middling sort by helping individuals retain their reputations and independence. Aid was often personalised and varied depending on the needs of each applicant. A Society member might personally take on a case, both recommending the applicant, and seeing that the relief was dispensed appropriately. For example, in October 1759 William Logan applied in favour of Mary Ann Hamilton, 'representing her a very great object of charity and her desire to go home'. A sum of five pounds was paid into the hands of Mr Logan, who laid out the money 'appropriately for stores and other necessaries'.[45]

The vast majority of relief came in the form of small sums of money, ranging from a few shillings to several pounds. The money granted was intended for specific

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[44] Karen Wulf, 'Gender and the Political Economy of Poor Relief in Colonial Philadelphia', in Billy G. Smith, ed., *Down and out in Early America* (University Park, PA, 2004), 170-175.
[45] MBSAS, October, 1759.

purposes, often to help individuals establish themselves in business. Sometimes help came in the form of purchasing the tools or equipment necessary to carry on a trade or profession. In 1753, the Society gave Hugh Gibbons £3 to purchase wool combs, with which he told the society he could 'very well maintain himself and family as he was a wool comber by trade'.[46] In some cases the Society enforced industrious behaviour, even if the petitioner did not have a trade. In 1758 the society gave James Finly 20s. and 'ordered that he procure a saw and axe… he appearing of sufficient strength to saw wood'.[47]

The Society gave small loans to some petitioners to help them start businesses. In 1750, James Wilson, a wigmaker, asked the society for a loan of £5 to in order to purchase hair and other utensils for his business. As security, he gave the society a bill for £21, as well as a promissory note for the £5 loan.[48] Over the years, the society would lend money to William Sim, a baker, enabling him to hire a bake house; Patrick Weston, to build a saw mill, and many others.[49] The society might also act as security, allowing petitioners to get credit from local tradesmen. In 1752, when Robert Shepard approached the society for help in purchasing a chocolate mill, the society acted as a guarantor to Stephen Paschall, a local ironmonger, for the debt.[50] For Dr Charles Leslie, the Society agreed to act as security with a local merchant for a purse of medicines.[51] To other petitioners, the Society extended its social capital. Many came to Philadelphia with the skills and necessary tools to carry on a trade, but without reputations could not find work. St Andrews Society members were able to deploy their social and business connections to offer help. Relief often came in the form of recommending an individual to business or providing work. William Russell, the silversmith from London, was given a small amount of cash for immediate relief and the society recommended him for business.[52] In 1768, a journeyman porter was recommended to work.[53] Robert

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[46] Ibid., 20 Mar, 1753.
[47] Ibid., 30 Jan, 1758.
[48] Ibid., 20 Mar, 1750.
[49] Ibid., 31 Aug, 1753; 4 June, 1752.
[50] Ibid., 26 Sept, 1752.
[51] Ibid., 30 Apr, 1753.
[52] Ibid., 30 Nov, 1768.
[53] Ibid., 30 Nov, 1768.

Campbell, a discharged soldier, was recommended to a master in the country to work.[54]

In cases of illness, the society provided a sort of 'indoor' relief by paying lodging women to care for the needy. For example, in December 1760 it paid a woman to care for William Calder, an immigrant from Aberdeen who had been recommended to the society by a gentleman in Maryland.[55] Local women learned that they could petition the society for help if a Scottish lodger fell ill. In 1750 Susannah Robinson, petitioned the society for help in caring for Walter Elliot. Robinson claimed that she would be 'unable to administer any thing further for his relief' unless the society advanced her some money.[56]

Finally, the Society seemed particularly sympathetic to the plight of debtors, both free and incarcerated. It is likely that this business community would have held a forgiving attitude towards indebtedness. While debt had often been seen as a sign of moral failure, cultural attitudes during the eighteenth century were beginning to shift, and many recognised debt as a necessary ingredient to commercial success.[57] It was also perhaps within the Society's interests to make sure that members of Philadelphia's Scottish community did not fail. Credit networks intertwined the obligations of many individuals. If one person was suddenly required to pay off a creditor, he would be forced to call in his own debts. In order to satisfy him, his debtors would call in their debts, and so on. One person's failure could easily have a substantial impact on an entire community. Given the dense networks in which society members and petitioners were entwined, and the links between individual and group reputation, it is not unlikely that the failure of Scottish tradesmen might implicate members of the society themselves.

The members of the St Andrews Society also understood that once one creditor called in a debt, a debtor's future opportunities could be limited. In 1755, they gave Alexander Bruce 40s. to help him reclaim his household furniture, which had been seized and taken in execution for payment of his rent. In giving Bruce the money, the Society might have hoped to help him settle his debt with as little

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[54] Ibid., 5 Feb, 1769.
[55] Ibid., 11 Dec, 1760.
[56] Ibid., Jan 1750.
[57] Bruce H. Mann, *Republic of Debtors: Bankruptcy in the Age of American Independence* (Cambridge, MA, 2002), 3-5.

publicity as possible. Had Bruce's furniture been subjected to public sale, his circumstances would have been made public, perhaps prompting other creditors to call in their debts.[58] Debts could also prevent an individual from leaving Philadelphia, when removing from the city promised the best chances of success. In 1752, the Society granted money to Mary Eaton to discharge her debts, enabling her to go to South Carolina to join her husband.[59] Similarly, in 1760 it granted Alexander Chambers £5 to enable him to pay off his lodging and go to Jamaica in search of employment.[60]

Like the trade incorporations in Edinburgh, the St Andrews Society provided aid to incarcerated debtors. Its very first petition in 1749 came from Alexander Ross, a doctor who had been in the province for one year. A creditor had imprisoned him, reducing him to poverty and forcing him to part with tools in order to fulfil his obligations. He was left with no prospect of freedom, and no hope of carrying on a trade. The society cleared him of his debts, released him from prison, and loaned him money for new tools.[61] Ross obtained more generous treatment than most imprisoned debtors would receive after him. Often, an incarcerated debtor's obligations proved too large for the Society to handle. However, it nearly always provided debtors with a small sum to supply them with meals and make their imprisonment more comfortable.

For others, the Society facilitated movement away from Philadelphia around the eastern seaboard. Several individuals requested transport to other colonies, where they felt they might find better opportunities in business. Dr Turner wished to go to Rhode Island, where he had 'incouragement to settle advantageously in his calling'.[62] Alexander Irvin asked for some money to carry him to the Patomack, where 'he is recommended by some gentlemen'.[63] The Society quickly became part of a network of St Andrews Societies and Scottish gentlemen who facilitated Scottish migrant mobility. Armed with letters of recommendation or merely their national origin as a form of credit, immigrants knew that they could rely on communities of Scots for

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[58] MBSAS, 1 Jul, 1755.
[59] Ibid., Mar 20, 1750.
[60] Ibid., Feb 6, 1760.
[61] Ibid., Dec 7, 1749.
[62] Ibid., 2 Sept, 1754.
[63] Ibid., 2 Sept, 1752.

social capital and relief. In September of 1749, one member presented a letter to the president from William Currie, a gentleman in Plymouth, in support of a Scottish acquaintance. Currie asked the president to 'make interest with some of your friends of the Scotch Society to help him to a hat, shoes and a little pocket money to bear his expenses to Virginia which he intends directly'.[64] When William Calder, a native of Aberdeen, fell ill, he approached Society armed with a letter from a 'gentleman in Maryland'.[65] Some came armed only with their ethnicity as a form of credit and were attracted to Philadelphia because they knew they could get help there. James Gray approached the Society because he had been informed that it helped its fellow countrymen. He thought himself 'intitled to apply as being a Scotchman by birth and being settled in this place as a sailor with my family'.[66]

Those too sick or old to seek employment often wished to be transported back to their families in and friends. Unable to forge strong networks in the new world, they sought to fall back on kinship ties in the old. Charles Gilmore, who wished to go to London where his son would care for him, and James Godley, who sought money for a passage back to Edinburgh where a brother would care for him, are typical examples.[67] The high numbers of requests that the society received for passage out of Philadelphia are striking and suggest that entry into Philadelphia's business community was restricted by its dense social networks. Those without connections and a reputation found it difficult to get by. Furthermore, requests for transport back to Scotland remind us that though immigration is often thought of as a one-way process, there was regular and continuing movement of Scots between Scotland and America, and many never intended to stay.[68]

Petitions for aid requested by poor and newly arrived Scots in Philadelphia were framed around notions of credibility. Depicting one's self as honest, industrious, skilled and innocently misfortunate, and adhering to gendered assumptions about credit were essential to receiving aid. Involvement in networks was also critical, complicating the popular image of the new world as a place for

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[64] Ibid., 7 Dec, 1749.
[65] Ibid., 11 Dec, 1760.
[66] Ibid., 12 Dec, 1750.
[67] Ibid., 13 Sept, 1750; 12 Dec, 1750.
[68] Ned Landsman, *Scotland and Its First American Colony, 1683-1765* (Princeton, New Jersey, 1985), 136.

opportunity. Petitions from poor Scots clearly suggest that having a reputation was crucial to success. Without the roots of local family, guild or occupation, these networks had to be quickly manufactured in a new world.

II. Commercial Scots and social networks

Notions of credibility not only informed the petitions of poor Scots, who came to the society out of desperation, but also the behaviour and activities of the middling commercial Scots who formed the Society's membership and dispensed aid. Though perhaps from more prosperous backgrounds, they faced many of the same challenges of establishing reputation and credibility. In the new world, social capital needed to be manufactured quickly and effectively. The charitable activities of the society, whether intended or not, were in many ways self-serving for society members. Credit and social capital linked business and poverty in the society's records, vertically integrating Scots of different social ranks.

Extant records describing the Society's activity suggest that it had both formal and informal functions for its members. Mutual aid, cash loans and charitable giving helped members in formal ways. For those in precarious commercial occupations, the St Andrews Society acted as a means of personal assurance for its members, and thus it fulfilled many of the same functions as European guilds and voluntary associations. Though most members were successful, the line between financial success and downfall was uncomfortably thin, and many failed. One member who kept a profitable shop on Front Street for nearly ten years ended his mercantile career in bankruptcy.[69] He died two years later leaving a widow in need of Society aid.[70] Another member received relief after his family fell victim to the French and Indian wars.[71] Several more would experience business failure, illness and misfortune. Though the vast majority of aid recipients were not members, members could look to the society in times of crisis.

As they negotiated Philadelphia's precarious economy, members looked to the Society as a source of financial capital. It provided loans ranging from a few

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[69] *Pennsylvania Gazette*, 28 Mar, 1765.
[70] MBSAS, 20 Feb, 1769.
[71] Ibid., 26 July, 1757.

pounds to several hundred, and they had a dual purpose. By charging interest, the society created revenue that could be applied to charity, and it provided members with in a cash-poor economy with specie. While the society rules stipulated that borrowed money was to be paid back within one year, in reality the society was sympathetic to its members' changing circumstances.[72] David Thompson, a ship carpenter, and Charles Stedman, a merchant, borrowed £100 in January 1763, payable the following July. The surviving bond reveals that while the borrowers made numerous small payments, the loan remained unpaid until 1776. In the end, the Society only earned £3 in interest.[73] While providing financial capital was important, the provision of social capital as part of the Society's the multi-stranded activities probably had as much greater influence on members' social and economic lives.

The society's other formal activity, charitable giving, helped endow members with social capital by acting as a mark of status. This would have been especially important to a number of the society's young entrepreneurs. Many came to Philadelphia with financial credit provided by their families in Scotland or business associates in London, but lacked the local networks necessary for success. For these individuals, the ability to provide poor relief was a way of establishing reputations for independent status. By assuming formal roles within the Society as charity assistants or officers, young members had the opportunity to take on positions of community authority, reaffirming their place within Philadelphia's social hierarchy.[74] Members did not engage in charitable giving out of purely self- serving motives, but giving clearly could play a positive role in the construction of their own identities. Patronage and influence structured market relations, and by providing charity, members distinguished their honourable, manly, mutual service from the servile supplication of those who had failed economically, creating relations of power and social indebtedness.[75] The petitions of poor Scots were imbued with a language of deference and social obligation. James Wilson, who was given a loan to carry on his trade as a wigmaker, told the society that he would 'forever be obliged' to the

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[72] MBSAS, Society rules, section 13.
[73] SASP, Miscellaneous Documents. Bond, James Young and John Gibson, sealed Jan 7, 1763.
[74] Jonathan Barry, 'Bourgeois Collectivism? Urban Association and the Middling Sort', in Jonathan Barry and Cristopher Brooks, eds., *The Middling Sort of People, Culture, Society and Politics in England, 1550-1800* (Basingstoke, 1994), 98-99, 104.
[75] Ditz, 'Shipwrecked', 72.

society. Mary Eaton, a charity recipient, told the charity officers that she would be 'duty bound to forever pray' for the society's welfare.[76]

While membership on the Standing Committee responsible for dispensing aid could serve as a mark of status, it also had the more practical function of giving members experience in administrative and legal roles.[77] Committee members had to develop the social skills to deal with people of all ranks and statuses, both those making donations and those requesting charity. Society membership helped them develop skills of self-management and business management.[78] Attentiveness to society accounts and record keeping, which could be supervised by the more senior and experienced members, may have served as an important point of training for the Society's younger entrepreneurs. Office-holding as a charity assistant often served as a stepping-stone to more senior administrative positions, such as treasurer, secretary or vice-president.

The Society brought the benefits of social capital to its members, including the creation of personal networks based on trust, respect, and shared experience that comprised people beyond their own families, neighbours or personal friends. One of its most important roles was its function as a source of information for its members. As trust in trade was founded on the information that a tradesman could gain about an individual, the society played an especially important function in an urban context, where knowledge of community members was increasingly difficult to obtain. For those who dealt with Society members, trust or confidence in the society could be transferrable to individuals, serving as a proxy for individual trust when knowledge of individual members was impossible.[79] As past case studies of voluntary associations have noted, one of the general benefits of British clubs and societies was to help give men social credibility.[80] The society became a community

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[76] MBSAS, 28 Feb, 1751; 20 March, 1750.
[77] M. K. Mcintosh, 'The Diversity of Social Capital in English Communities, 1300-1640 (with a Glance at Modern Nigeria)', *Journal of Interdisciplinary History*, 29 (1999), 466.
[78] Barry, 'Bourgeois Collectivism', 102.
[79] Bill Mcevily et al., 'Can Groups Be Trusted? An Experimental Study of Trust in Collective Entities', in Reinhard Bachmann and Akbar Zaheer, eds., *Handbook of Trust Research* (Cheltenham, UK, 2006), 54.
[80] Brewer, 'Clubs', 197-264; Clark, *British Clubs*, 153.

of 'generalised trust' and of collective reputation, where individuals could be trusted as part of a group.[81]

Society activities reveal some of the ways in which individual and corporate reputations were linked. Reputation and creditability were transferrable, both from individual to institution and from institution to individual. Modern sociological theory suggests that economic actors form perceptions about the trustworthiness of entities based on exchanges conducted with individual members of a collectivity.[82] In other words, the behaviour of individuals within the Society could reflect poorly on the group as a whole, and to that end, the Society took an active interest in monitoring and punishing member behaviour. The processes of applying for society membership involved thorough character investigations. New members were accepted by recommendation.[83] The application process helped ensure that men could trust their fellow members in terms of honesty and good business practice. In an effort to maintain the Society's corporate reputation, members also monitored and punished each other for bad behaviour. In 1757, after one member was charged with a crime in the city courts, he was forbidden to come to meetings until his character was cleared.[84]

The dynamics of social capital and the relationship between corporate and individual reputation meant that the Society provided a ripe environment for the establishment of business partnerships. The sea captain Alexander Katter branched into retail business through a partnership with fellow member Thomas Patterson. At a store rented on South Street Wharf, they sold ship chandlery and dry goods, and auctioned skilled male and female servants imported from Ireland.[85] John Bell and William Sword formed another merchant partnership. When it ended in 1757, Sword continued to sell goods purchased from the vessels of other St Andrews Society members.[86] Sword's primary creditor in London, John Ewer, was an honorary member of the society.[87] The business relationships between society members were

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[81] François, *Social Capital*, 17; Keith Thomas, *The Ends of Life: Roads to Fulfilment in Early Modern England* (Oxford; New York, 2009), 162.
[82] McEvily et al., 'Can Groups Be Trusted?', 54, 65.
[83] MBSAS, Rules of the St Andrews Society, 1749.
[84] Ibid., 24 Feb, 1757.
[85] *Pennsylvania Gazette*, 1 Dec, 1763; 8 Mar, 1764.
[86] Ibid., Feb 7, 1760; Feb 19 1761; Nov 17, 1757.
[87] MBSAS, 28 Mar, 1765.

numerous and entangled. The society offered opportunities to meet other businessmen, and to enforce appropriate business behaviour with those they already engaged in. Because credibility was a process of continual achievement, members could use the society to exert social pressure on debtors. Members had to maintain a profile of honesty and good business, and they might prioritise their payments to other members in order maintain their status within the society.

Business relationships extended beyond the local area and into Atlantic trade. Though the Society was grounded in Philadelphia, it brought together a network that was international in scope. In March of 1750, the Society agreed to accept non-resident honorary members, provided that they were able to contribute at least 20s. to the society's coffers. Donations from Scots residing in London and throughout the American colonies began to pour in, suggesting that the benefits of St Andrews Society membership extended well beyond Philadelphia's parameters. For the Society, honorary membership played a dual function. During times of financial hardship, their donations helped to sustain the dwindling stock of poor money.[88] Their presence was also useful for local and international business. For non-resident captains, being part of the Society's commercial network likely helped them to offload and distribute goods more efficiently when they arrived at the Philadelphia port. They also formed important contacts for the Society's merchant members. Members located in Philadelphia could draw on connections with ship captains to transport goods between Britain and America. The Society maintained relationships with London firms. In 1751, a London merchant gifted the society a seal, a symbolic act intended to solidify their friendly relationship.[89] The importance and benefit of the St Andrews network in Philadelphia reached beyond the city limits, and was clearly recognised in a wider context.

Members used the Society to draw on connections with newly arrived immigrants, especially skilled migrant labourers and craftsmen. In the colonial context, finding reputable and highly skilled craftsmen could be difficult. Unlike in British cities, where guilds controlled training and entrance into a particular craft, Philadelphia had no such regulation, and an occupational title did little to guarantee a

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[88] Ibid., 20 Mar, 1750; 13 May, 1764.
[89] Ibid., 28 Feb, 1751.

minimum level of skill.[90] The merchant Thomas Pollard went to great lengths to find a craftsman who could 'give directions about the building of a mill' and who was 'looked upon as better than the common run of journeymen and of more conduct.' Pollard advertised in two newspapers, consulted friends, and travelled to several towns before he found a person who suited his needs.[91] As a nationally based support network, the merchants in the St Andrews Society had access to Scottish craftsmen arriving in the city, whose training they might find more reliable. Some members actively recruited craftsmen from Scotland. The snuff merchant Thomas Leiper wrote to his cousin in Strathairn asking him to recruit two tobacco spinners and a mechanic to attend a water-powered snuff mill in Pennsylvania. Leiper sought single men who were skilled. They were to 'know their business well' and have 'a little of a mechanic turn'. He also sought individuals of credible character, who were 'well recommended as capable honest and industrious'. Leiper was certain that the promise of bed, board and washing 'agreeable to their stations' as well as good payment would entice such characters across the Atlantic.[92] After the Revolution, the active recruitment of Scottish craftsmen would become a society policy. In 1794 a committee was appointed to visit ships arriving from Scotland and 'assist mechanics and others that may stand in need of employment in procuring such'.[93]

Beyond formal business partnerships, members relied on one another for their social, financial and legal needs. Evidence drawn from probate inventories shows that members were tied by obligations of credit and debt, and suggests that they actively loaned money to one another.[94] Society connections often persisted through the ends of members' lives. On their deathbeds, they chose other St Andrews members as executors for their wills.[95] Members looked to one another for legal advice and arbitration. When William Sword was forced to submit his effects to his creditor in London, also a member, the two men turned to fellow member John Inglis

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[90] Donna J. Rilling, *Making Houses, Crafting Capitalism: Builders in Philadelphia, 1790-1850* (Philadelphia, 2001), 5.
[91] HSP, Letter book of William Pollard, 1772-1774, 169.
[92] Library Company of Philadelphia (hereafter LCP), Letterbook of Thomas Leiper, vol 1. Letter to James Hamilton, 23 Oct, 1773.
[93] MBSAS, v II. Jan 1794.
[94] See for example, Philadelphia City Archives, Will and inventory of Alexander Annand, 1754 no. 127.
[95] *Pennsylvania Gazette*, 11 June, 1767; 25 Aug, 1763.

to act as attorney on behalf of both parties in an effort to bring about reconciliation.[96] When Patrick Baird left Pennsylvania for England in 1751, he left his financial affairs in the hands of the member Alexander Forbes, while Charles and Alexander Stedman sold his land on fourth-street.[97] Members may have turned to one another because they knew they could trust a fellow Society member with their most important and sensitive business matters. They may also have sought to keep their disputes internal, turning as did William Sword, to a member as arbitrator and keeping the matter private rather than resorting to a public court of law.

The role that the St Andrews Society, and by association Scottish ethnicity, played in the formation of business and personal networks is further illuminated by case studies of two Society members, James Burd, whose business practices featured in chapter three, and David Hall. Burd and Hall represent two occupations where Scots were prominent in the Atlantic world: mercantile trade and printing. Both were immigrants from Edinburgh who had to adapt their Scottish credit practices to fit within Philadelphia society. Both came from moderately wealthy families in Edinburgh who were able to provide them with the training necessary to succeed in business. For both, the route to Philadelphia passed through London, and they became part of commercial networks of Scots residing in the three cities. Networks of association based on family and trade developed in Edinburgh proved critical to both of their careers.

James Burd, as discussed in chapter three, came from a family well established in the trades and professions of Edinburgh. They possessed both the wealth and the connections to prepare the young James for a life in business. David Hall, though not from an illustrious family, apprenticed into a Scottish printing network that extended from Edinburgh, through London to the American colonies. Hall was born in Edinburgh, and as a young man he apprenticed to John Mosman and William Brown alongside William Strahan, all major players in the Atlantic printing trade.[98] For both men, passage through London was a critical step in building Scottish business contacts. In 1746 Burd's father sent him to London to

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[96] Ibid., 28 Mar, 1765.
[97] Ibid., 27 June, 1751.
[98] Richard B. Sher, *The Enlightenment and the Book: Scottish Authors & Their Publishers in Eighteenth-Century Britain, Ireland, & America* (Chicago, IL, 2006), 295.

learn the trade of a merchant. There, his family helped him establish credit with the Scottish merchant Walter Stirling.[99] Before leaving for Philadelphia in 1747, Burd turned over to Stirling £400 in drafts, cash and linen, mostly supplied by his father and uncle.[100] Meanwhile, Hall moved to London in 1738 to work for his former fellow apprentice William Strahan, who had started his own printing shop.[101] In London, Strahan and Hall became part of a Scottish community of booksellers and printers located on the Strand, including Andrew Millar, James McEuen and Thomas Cadell.[102] Success in the book trade was closely linked to being Scottish.[103]

For both men, Scottish connections forged in London served as a jumping off point for business in the colonies. Burd used the credit established with Walter Stirling to open a shop in Philadelphia, where he imported goods from London, mostly small luxuries such as ribbon, cloth and jewellery. Stirling would continue to act as his agent in London, and an important source of British goods. Hall drew on his employer's Atlantic connections to establish employment in Philadelphia with Benjamin Franklin. Hall worked in Franklin's print shop from 1744 until 1747, when Franklin made him a partner and successor.[104]

In Philadelphia, both Burd and Hall faced challenges that were eased by their connections with a Scottish Atlantic community. As a newcomer to Philadelphia with few local connections, Burd faced the challenge of establishing a network of customers. Hall faced a different set of challenges. As Franklin's partner, he inherited a thriving business with an established network of customers, including a contract as printer to the assembly.[105] Hall's contract with Franklin stipulated that he share half of the printing profits with his retired partner. On the other hand, in bookselling, he was able to keep all profits for himself.[106] Hall thus greatly expanded the retail side of the business, selling books, stationary and miscellaneous goods, and drawing on the contacts he cultivated in both Edinburgh and London. His papers and

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[99] It was typical for extended families such as uncles and cousins to help provide start-up capital to young Scottish entrepreneurs in London. See David Hancock, *Citizens of the World: London Merchants and the Integration of the British Atlantic Community, 1735-1785* (Cambridge, 1995), 243.
[100] APS, Burd Day Ledger, 29 Sept, 1747, 4.
[101] Sher, *Enlightenment*, 297.
[102] James Raven, *The Business of Books: Booksellers and the English Book Trade, 1450-1850* (New Haven, CT, 2007), 159.
[103] Sher, *Enlightenment*, 103.
[104] J. A. Leo Lemay, *The Life of Benjamin Franklin* (Philadelphia, 2006), 399-400.
[105] ibid., 401.
[106] Sher, *Enlightenment*, 514.

correspondence provide a window into the relationships he forged and maintained with suppliers in Britain, which were central to his success.[107]

For James Burd, the process of establishing the trust to gain and grant credit took time. His acceptance of cash only early on in his trade symbolised the lack of relationships of trust with customers. Through record linkage with probate material, newspapers and tax records, about 60 per cent of Burd's customers can be located. These sources suggest that Philadelphia's Scottish community served as a significant source of customers for Burd. As a newcomer to Philadelphia who had to build up the community connections on which most tradesmen relied, Scottish identity served as a point of trust between Burd and his customers. About 40 per cent of Burd's credit network can be identified by surname as being of Scottish origin.[108] Those identified as Scottish included eighteen fellow members of the St Andrews Society. Another six of Burd's customers were family members of St Andrews Society members. Scots formed a prominent part of Burd's credit network not only as customers, but as business associates. He did extensive business with William Blair, Thomas Elliot and James Gibbons, all merchants and members of the society. He also engaged in business with members' wives, selling them large amounts textiles.[109]

David Hall's credit practices and his relationships with suppliers highlight the importance of Scottish networks as well as friendship to his business. Publishing in England was a tightly controlled monopoly. Colonial American booksellers had to rely on agents, and many chose family members or friends to fill this role.[110] Hall chose his Scottish associate William Strahan as his agent to negotiate with London booksellers, purchase books and ship them from London. Hall also purchased supplies from Edinburgh firms that he might have been acquainted with during his time as an apprentice.[111] Hall's connections with Strahan were critical in providing him access to the British market. Problems of long credit, lags in communication and terms of payment made the colonial market undesirable for many London

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[107] David Harlan, 'David Hall's Bookshop and Its British Sources of Supply', in David Kaser, ed., *Books in America's Past* (Charlottesville, VA, 1966), 21.
[108] George Fraser Black, *The Surnames of Scotland: Their Origin, Meaning, and History* (Edinburgh, 1993).
[109] APS, James Burd Day Ledger 1747-49, account of Mrs Campbell, Oct-Dec 1748, 93.
[110] Harlan, 'David Hall's Bookshop', 9.
[111] Sher, *Enlightenment*, 514.

booksellers.[112] Strahan played a significant role in Hall's credit practices by standing as security for his debts and facilitating payments.[113] Physical distance and lags in communication meant that it took Hall six months to merely place and receive an order. Without Strahan as an intermediary, payment would have taken even longer.

While Strahan served as Hall's primary agent, he maintained financial and social relationships with his other Scottish suppliers as well. As in a local community, tradesmen with long distance relationships could liquidise credit by paying off each others' debts. In November 1760, Hall sent Hamilton and Balfour bills of exchange worth £165. Along with books and paper, this sum compensated them for 'the ten pounds you was kind enough to pay to Mrs Smith on receipt of a letter from me and likewise eight pounds you was to pay that gentlewoman'.[114] Hamilton and Balfour attended to Hall's family concerns as well. In 1759, Hall wrote asking them to facilitate financial arrangements for his ailing mother in Edinburgh.[115]

Hall's credit network served not only as a source of demand and supply, but as a network of information and male gossip that bridged local communities in the trans-Atlantic. The letters between Strahan and Hall frequently shared information about local personalities in what amounted to informal character evaluations, and offered advice about how to deal with local problems. Their correspondence intersected with the print and oral cultures that were used to make and break local reputations, extending 'to virtually global proportions, the reach of the face-to-face conversations that took place in coffee houses, taverns, wharves and commercial exchanges'.[116] Hall and Strahan passed printed advertisements to one another when they were informative of an individual's character. In 1760 Hall enclosed a competitor's advertisement, which he believed 'did not show great signs of his modesty, but, on the contrary, an ingrossing disposition which I thought ought to be opposed'.[117]

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[112] Raven, *Business of Books*, 146.
[113] Harlan, 'David Hall's Bookshop', 13.
[114] APS, Hall letter book v. 2, Hall to Hamilton and Balfour, 18 Nov, 1760.
[115] Ibid., Hall to Hamilton and Balfour, 6 Aug, 1759.
[116] Toby Ditz, 'Formative Ventures: Eighteenth-Century Commercial Letters and the Articulation of Experience', in Rebecca Earle, ed., *Epistolary Selves: Letters and Letter-Writers, 1600-1945* (Brookfield, VT, 1999), 70.
[117] APS, David Hall letterbook, v. 2, Hall to Strahan, 22 Dec, 1760.

Cultivating personal ties and engaging in networks were requirements for doing business in the Atlantic. Hall and Strahan facilitated Scottish networks of trade by offering recommendations. In 1751, Strahan recommended Walter Stirling, who was coming to Philadelphia to settle some business. [118] Hall took Strahan's request seriously and replied that he could 'depend upon it my person or purse (so far as it will go) shall always be at his service'.[119] Soon enough, Hall was given the opportunity to make good his word. In November, he wrote that Stirling, finding 'money not to be so easily raised here as he expected… he applied to me for £200 which I supplied him with'.[120]

Hall's generosity with a fellow member of the Scottish network gave him an immediate opportunity for self-fashioning. As time progressed, he continued to emphasise to Strahan the services he had offered to his friend. In March of 1752, Hall mentioned that 'Stirling has paid me the money I mentioned to you and had almost affronted me by offering interest, but I put it off'.[121] Hall offered the £200 loan as a kind of gift that provided him no financial gain. But it was also a symbol of mutual gentlemanly conduct; conduct that Hall hoped for in return from his own suppliers.[122]

Through correspondence, Hall and Strahan gave each other advice about how to deal with local situations and characters, and they shared information about individuals and their reputations. When Hall had trouble managing his affairs with Adrian Watkins, a printer in Edinburgh, Strahan gave him advice.[123] Advice could also convey the changing financial fortunes of tradesmen. In 1767, Strahan warned Hall that 'JR Rivington owes a vast deal of money here'.[124] In 1751, Hall helped Strahan manage a conflict with James Read, a Philadelphia auctioneer who had threatened Strahan with discharging his accounts and obligations. Hall's physical promiximity allowed him to speak directly with Read and assess the situation. Hall

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[118] HSP, William Strahan Correspondence, Strahan to Hall, 17 July, 1751.
[119] APS, Hall letterbook v. 1. Hall to Strahan, 7 Sept, 1751.
[120] Ibid., Hall to Strahan, 23 Nov, 1751.
[121] Ibid., Hall to Strahan. 21 Mar, 1752.
[122] APS, Hall letterbook v. 2, Hall to Johnson and Unwin, 9 Aug, 1759.
[123] APS, Hall letterbook, v. 4. Hall to Strahan, 3 Mar, 1755.
[124] HSP, William Strahan Correspondence. Strahan to Hall, 12 June, 1767.

kept abreast of Read's changing fortunes, and advised Strahan when to press for payment.[125]

III. Credibility and Scottish ethnicity

For Burd, Hall and other tradesmen, networks of Scots were critical to business success. Poor immigrants facing financial failure looked to the Society to provide the means to economic and social survival. Within the Society, the bond that linked the needs and activities of poor Scots and middling business Scots was a shared sense of Scottish ethnic identity. For individuals of all social ranks who interacted with the Society, Scottish ethnicity became bound with notions of credibility and worth. The Society claimed control not just over its own membership, but also over what it meant to be Scottish in the provincial city, linking Scottishness with industry, frugality and good business. The links between Scottishness and business are in many ways unsurprising. When compared with Philadelphia's other voluntary institutions and the plethora of Scottish communities in the Atlantic, it is clear that Scottish migrants were especially likely to band together economically. Indeed, Scots in other Atlantic locales were criticised for 'swarming together like bees' or 'sticking together like bricks'.[126] Networks of Scottish business in for example the printing and tobacco trades have been well documented.[127] The St Andrews Society was the only known club in Philadelphia actively engaged in lending credit. Voluntary associations had a role to play in capital markets, acting as 'proto-banks' and lenders of credit. But most lenders were larger institutions, such as the Pennsylvania Hospital and the Library Company.[128]

The reasons for the link between Scottish ethnicity and credibility are less clear. For the St Andrews Society men, being of Scottish origin provided only a loose affiliation between members. Regional divisions within Scotland meant that there was little sense of a uniform identity for members to bring to the new world.

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[125] APS, Hall letterbook, v. 1. Hall to Strahan, 21 Mar, 1752.

[126] Paul Langford, 'South Britons' Reception of North Britons, 1707-1803', in T. C. Smout, ed., *Anglo-Scottish Relations, from 1603 to 1900* (Oxford, 2005), 155.

[127] T. M. Devine, *The Tobacco Lords: A Study of the Tobacco Merchants of Glasgow and Their Trading Activities, 1740-90* (Edinburgh, 1990); Sher, *Enlightenment.*

[128] Roney, 'First Movers', 7, 160.

Nor was it likely that Scottish identity was imposed upon members because they stood out in Philadelphia. Accents and 'Scottishisms' could act as indicators of Scottish origin, but the experience of Scots in London shows that many could work to anglicise their accents. The printer William Strahan changed his name from 'Strachan' to 'Strahan' and worked to purify his English prose.[129] Sources indicate that Scots in Philadelphia did not wear distinctive dress. Clothing given to charity cases by the society was purchased locally and was in no ways noticeably Scottish. The food and drink consumed at St Andrews Society dinners, as described in bills and society minutes, did not bear marks of Scottishness, but seemed consistent with the food and drink consumed by local respectable sorts.[130] Even the definition of being Scottish, a requirement for membership, became looser over time. While Scottish birth was initially a requirement for membership, Scottish parentage quickly became adequate.

Like other Scottish communities throughout the Atlantic, Philadelphia's Scottish community was characterised by high levels of integration, especially in terms of language and residential patterns.[131] Scots appear to have been more geographically integrated into the city than other national groups. Philadelphia's inhabitants showed a clear preference for living near others with like characteristics, and they clustered in different areas of the city according to class, ethnicity, race, and occupation.[132] Germans, for example, lived in a tightly bound community along the Delaware north of Race Street, where they opened Reformed and Lutheran churches and set up German schools.[133] In contrast, Scots were dispersed throughout the city and could be found in each of Philadelphia's twelve wards. In this way, they resembled Scottish communities in other Atlantic cities. In eighteenth-century London, Scottish settlement patterns seemed to pay no regard to the need for ethnic solidarity.[134]

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[129] Sher, *Enlightenment,* 499.

[130] See for example, SASP, receipts to St Andrews Society, Miscellaneous Records, Box 1; Peter Thompson, *Rum Punch and Revolution: Taverngoing and Public Life in Eighteenth-Century Philadelphia* (Philadelphia, 1999), 70-71.

[131] Nenadic, ed., *Scots in London*, 20-21.

[132] Mary M Schweitzer, 'The Spatial Organization of Federalist Philadelphia, 1790', *Journal of Interdisciplinary History*, 24 (1993), 36, 44.

[133] Carl Bridenbaugh, *Cities in Revolt: Urban Life in America, 1743-1776* (New York, 1955), 135.

[134] Langford, 'South Britons', 155.

A sense of Scottishness and its associated meanings appear to have been something manufactured by the society members. Like other ethnic and religious groups, mutuality, repeat business and the enforcement of norms created a strong sense of social capital.[135] Mimicking London associations such as the Royal Scottish Corporation, the St Andrews Society of Philadelphia sought to raise the profile of its members through good business and public service to the community. It linked Scottishness with attributes that appealed to the wider community. The qualities of respectability were not uniquely Scottish, but appealed to a wider middling trading community. The need to manufacture a positive national identity may have seemed pressing in the face of Scotophobia, a characteristic of American political culture at the time and a consequence of Lord Bute's prime-ministership and news of Jacobite rebellions.[136] However, it seems that for most, being 'Scottish' in the new world was a choice, and individuals made that choice because it was socially and commercially expedient. Members of the Society were clearly united by something other than place of origin.

Multiple components of status interacted with ethnicity to provide points of commonality, serving to strengthen what appeared to be 'Scottish' ties. Religion provided one point in common. Though they were not primarily 'religious' migrants, members of the Society attended the Presbyterian, Scots Presbyterian and Anglican churches. They were further united by a desire to use the Society to form a moral and godly community. Members were keen to engage in religious piety, and to do so in a public way. In a publication advertising their establishment, the founders stated 'that particular benevolence of mind which shews itself by charitable actions in giving relief to the poor and distressed, has been always justly esteemed one of the first rate moral virtues'.[137]

Another point in common was the social and professional status of both Society members and Philadelphia's Scottish population more generally, which allowed for an association of Scottish identity with middling status. In line with Scottish emigration to American urban centres, Philadelphia's Scottish population

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[135] Nuala Zahedieh, 'Making Mercantilism Work: London Merchants and the Atlantic Trade in the Seventeenth Century', *TRHS*, 9 (1999), 154-157.

[136] Colin Kidd, 'Integration: Patriotism and Nationalism', in H.T. Dickinson, ed., *A Companion to Eighteenth-Century Britain*, 378.

[137] MBSAS, St Andrews Society Charter, 1749.

was predominantly young, male, single, and skilled. [138] Scots could be found in relatively high numbers working as merchants, where they engaged in the import-export trade, and as doctors, tutors and schoolmasters. [139] Men of means and competence joined the society. Of 46 members who appeared on the 1756 tax roll, nearly all were assessed as being part of the wealthier half of the city's population. Most acquired their wealth through occupations related to commerce, and they were united by the risks inherent in Atlantic trade. Of 94 members from the colonial period whose occupations are known, two thirds were captains, merchants and shopkeepers. The remainder were craftspeople working locally as printers, carpenters, tailors and builders, as well as legal and medical professionals.

Scottish networks overlapped and entangled with others, and the society both relied upon and entrenched previously existing ties. The lists of the first Dancing Assembly contained names of each of the original officers as well as several other members. [140] St Andrews men held memberships in multiple other voluntary societies. Several members were part of Benjamin Franklin's Junto or members of the American Philosophical society. [141] Social capital was not limited to formal institutions, but included and overlapped with more informal networks of kinship and sociability. Business, social and legal obligations in the St Andrews Society were strengthened by family relationships. Three sets of brothers, several father and son combinations and marriages between families with one or more members reinforced Society bonds. [142] Though women took on no formal roles within the Society and were excluded from membership, patterns of domestic visiting and tea-table rituals that are known to have structured female social life likely strengthened the bonds between families associated with the Society. [143]

The ability to exclude and to define the Scottish network was equally as important as the social ties that the society included. By controlling membership and dispensing aid to 'worthy' Scots only, the society controlled Scottish identity.

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[138] Brock, *Scotus Americanus*, 35; Dobson, *Scottish Emigration*, 194.
[139] Bailyn, *Voyagers*, 127-130; Dobson, *Scottish Emigration*, 90-91.
[140] St. Andrews Society Of Philadelphia, *An Historical Catalog of the St. Andrews Society of Philadelphia with Biographical Sketches of Deceased Members, 1749-1907* (Philadelphia, 1907), 3.
[141] Dobson, *Scottish Emigration*, 145.
[142] Ibid., 91.
[143] On female sociability in Philadelphia, see for example Carole Shammas, 'The Female Social-Structure of Philadelphia in 1775', *PMHB*, 107 (1983), 69-83.

Exclusion was a crucial aspect of defining membership. Though the Society's records never document its rejection of a petition for membership, a process of selection and social exclusion in inviting and nominating applications must have existed outside the bounds of formal record-keeping. This dynamic of network closure, meaning that the Society had the power to enforce the observance of rules and norms, and punish violators, helped establish the link between Scottishness and credibility.[144] Scots did not have unique trading values or attributes. Rather, they were able to show that Scots possessed widely appealing, middling attributes of credit. The ability to enforce a code of conduct was critical. The Society actively excluded members who had broken the bounds of respectability. In 1752, Robert Steel was expelled from the society for 'ill conduct and misbehaviour'.[145] His poor personal behaviour and rejection from the St Andrews community had an immediate impact on his financial reputation. Within two months, a creditor (who happened also to be a member) sued him for a debt. His goods were seized, and advertised in the newspaper for public sale.[146] Because no records of the court case survive, there is no way of knowing how long the debt had been outstanding. But the very short time between being expelled and being sued suggest that a tarnished social reputation had immediate financial consequences. As much as it had the capacity to help individuals build their reputations, the Society had the ability to ruin. The case of the St Andrews Society serves as a reminder that when reconstructing the activities of networks and considering their functions, it is important to consider both their positive and negative influences, and both the ways in which they worked and the ways in which they failed.[147]

IV. Conclusion

During the colonial period, Philadelphia did not possess a system of courts that was adequate to enforce credit relations. Nor did it possess banks or insurance companies to replace interpersonal trust as the basis for credit. Yet the St Andrews Society's

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[144] Portes, 'Social Capital', 6.
[145] MBSAS, Feb 1752.
[146] *Pennsylvania Gazette*, 9 Apr, 1752.
[147] David Hancock, 'The Trouble with Networks: Managing the Scots' Early-Modern Madeira Trade', *Business History Review*, 79 (2005), 467-491.

activities suggest that for many, institutions had a critical role to play in the world of credit. Voluntary institutions fashioned by their participants existed largely outside of any kind of state control. Though they have largely escaped the notice of the literature on credit, these institutions had important functions in the local credit economy. The St Andrews Society had multiple formal and informal roles, which included lending money, borrowing money, awarding charity, and fostering business networks. These functions linked the interests of poor Scots in need of charity and middling business Scots under a common framework of credit, promoting vertical integration and common values amongst disparate sorts of people. By creating a closed community, standards of credibility could be enforced.

By examining the St Andrews Society, an example of a typical urban venue for middling business during the eighteenth century, the role that this type of institution played in the credit practices of tradesmen and artisans becomes clearer. Societies like St Andrews existed at an institutional midway point between the 'economy of obligation', where micro credit was embedded in village relationships, and a later, less personal economy dominated by formal and institutionally controlled credit practice. As an institution, the St Andrews Society created the conditions in which trust between individuals could be fostered. Frequent social interaction allowed for the exchange of information. In a city with a growing population and a constant influx of newcomers, it provided nodes of familiarity, where personal relationships remained important, but where forms of security provided more regulated credit. It likely overlapped with informal networks of social interaction, solidified by socialising in the ale-house or the visiting patterns engaged in by men and women of various social ranks, which are often overshadowed by structured institutional networks that have left better records behind. The society helped to manufacture the networks that would have been present in the old world, sometimes tapping into inherited networks that extended internationally, especially those based on kinship and occupation. By creating social capital, this voluntary association fostered the relations of trust that might have been generated by state or formal institutions in the early-modern European context, such as the courts that were instrumental in shaping common values and enforcing community norms.[148]

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[148] McIntosh, 'Diversity of Social Capital', 461-463.

The St Andrews Society played a crucial role in manufacturing networks of trust in the absence of legal institutions and inherited generational capital. For the Society, trust was linked with a muted form of Scottish ethnicity. In reality, credibility had very little to do with any inherent Scottish qualities. Rather, Scots were successful in creating these networks because of the social and occupational status of the migrant population and because of the Scottish community's ability to enforce behaviour and foster the creation of business and social relationships. In order to generate social capital, the Society satisfied two criteria identified as necessary by sociologists: closure and 'appropriability', meaning that network membership was clearly defined, and that the organisation served multiple purposes.[149] Through the Society's formal and informal activities, members engaged in repeated transactions with one anther that took place in economic, social and religious spheres of life, allowing them multiple means of gathering information about each other. Social capital provided a link between social and market transactions, suggesting the continued importance of familiarity, reputation and trust in relations of credit.

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[149] Coleman, 'Social Capital', 104-108; Sheilagh C. Ogilvie, *A Bitter Living: Women, Markets, and Social Capital in Early Modern Germany* (Oxford, 2003), 21.

Conclusion

Edinburgh and Philadelphia provided two very different urban settings for the establishment, negotiation and use of credit. One city had a pluralistic population made up of a range of different religious, ethnic and racial groups, while the other was more homogenous. These differences in social structure had implications for understandings of rank and status and for patterns of social interaction, both of which were central to understandings of credit. One city, an ancient burgh, had a complex structure of governance in which a variety of institutions, fashioned by the state, mediated and monitored financial relationships. The other, a society not long established, had a comparatively less complex and less involved administrative system. Despite all of these differences; differences in longevity, in institutional structures, in administrative procedures, and in social structures, and ultimately, in the sources that both cities left behind, fundamental similarities in credit practice are evident in both places. The early modern world of credit, and the social relations that it engendered, was rather consistent. Bonds of credit and trust in the old and new world cities were not different.

In addition to the differences between Edinburgh and Philadelphia, the two cities also provided legal settings that were different from the English contexts that have served as the backdrop for previous case studies of credit. The legal system in Scotland was based on a different set of codes than England, and it involved different administrative procedures. Community engagement with the system provided another point of departure. While litigation before the English borough courts had experienced a massive decline by the early eighteenth century, in Edinburgh, urban tradesmen continued to use their civil court system in much higher numbers than their English counterparts. Meanwhile, Philadelphia's colonial court system remained under-developed and infrequently used until after the American Revolution.

By placing credit in a comparative Atlantic framework, this thesis has reconsidered existing models of credit, and it has shown the many of the conclusions drawn from English case studies can be applied to a much wider geographic scope. Credit practices were not defined by national boundaries. Nationally based systems

of governance provided different venues for the mediation of disputed and ruined credit, but within these different contexts, contemporary understandings of the meanings of credit and the social interactions engendered by credit were broadly similar. The credit practices of middling tradesmen bore only scant relation to the circumstances in which they were enacted and transacted. Artisans and traders in both Edinburgh and Philadelphia, though the cities had only limited contact, played by the same rules. Despite legal, social and institutional differences, the importance of reputation and the dangers of losing it, the construction of credit around networks of familiarity, and the long-term and reciprocal structures of credit were common to these two spaces. Some of these common practices were to be expected in societies sharing common economic structures and problems. Long terms of credit were naturally necessary due to shortages of specie. However, the case study of the St Andrews Society suggests that some migrants conscientiously reconstructed their credit relations around social concepts imported from the old world.

This thesis contends that the middle decades of the eighteenth century formed a unique period in the history of credit and social relations, and that this period deserves its own treatment. A focus on these years serves to complicate the accepted narratives of change over time during the eighteenth century. During this period, changes in the structures of credit networks were combined with continuities in social practice, creating a culture of credit that was distinctive from the periods that it followed and preceded. Between 1710 and 1770, a number of institutional, political, social, and economic changes influenced structures of credit. In Edinburgh, the court system underwent a process of professionalization, changing the type of justice dispensed by some courts. In Philadelphia, the city structure of governance grew and expanded. Institutions devoted to the care, control and punishment of the city's population appeared in the years preceding the American Revolution. Moments of economic crisis were felt in both cities. The experiences of these local places were part of broader changes felt throughout the Atlantic world. Indeed, the eighteenth century is often considered a time of modernisation. The British expansion into overseas markets involved the participation of men and women of all social ranks through networks of trade. A consumer revolution expanded individual access to a range of goods and services.

The networks and structures of credit in both cities responded to these changes. In Edinburgh, increasing numbers of secondary debts were revealed in two ways. Cascades of debt cases before the bailie court suggested that larger numbers of people were tied into networks of obligation. Increasing levels of litigation over bills, promissory notes and other forms of paper credit showed that debts were being passed from person to person more frequently, and that as a result, they were becoming further removed from their original contracting parties. In Philadelphia, account books revealed that individuals developed complex strategies for paying their debts and providing access to credit. These strategies drew on third parties and extensive social networks based on kinship, occupation, religion and ethnicity. All of these examples suggest that in the two cities, debts were becoming more liquid and more easily transferable. These changes had an impact on the relations of mutuality and reciprocity that once structured credit. While in the early part of the period, most debts were reciprocal, over time, reciprocity decreased as it became easier to pay one's debts by transferring obligations from person to person. This meant that over time, credit time decreased slightly.

Changes in the structures of economic credit had the potential to radically transform the social nature of credit. If debts were becoming further removed from those who contracted them, one might assume that the personal bonds and networks of familiarity that once underpinned credit might have changed. However, the evidence drawn from court cases, personal papers, and institutional records in both cities suggest that people engaged with these new forms and structures of credit by drawing on older customs of social behaviour. In both cities, social relations structured understandings of credit. The language of credit emphasised trust, reciprocity and neighbourliness. Credibility was based upon personal reputation. For urban, middling men, the components of this reputation were highly gendered and based upon adherence to masculine codes of behaviour. These codes included issues directly related to good business such as probity, honesty and skill, as well as codes of sexual behaviour, patriarchy and family life, all of which were fundamental to constructions of credibility in a commercial context. By examining the terms of male credibility, this thesis has built upon work on early modern masculinities, honour and reputation. In contrast to studies of eighteenth-century business, which tend to

emphasise issues of probity, it has expanded upon the more general terms of masculine reputation during this period.

The components of credit remained similar to an earlier period, but changes in the nature of urban community resulted in a change in the communal enforcement of reputation, broadly resembling similar shifts described in London. The context of people amongst whom reputation mattered underwent a process of change, as reflected in the character of litigation over ruined credit. Community-wide reputations no longer served as the basis of credit. Rather, the opinions of specific individuals with whom one interacted on a regular basis became more important. Reputation was still communally enforced, but it was carried out through particular networks and sub-communities within the urban setting.

From the perspective of Edinburgh and Philadelphia, the transition from interpersonal trust to personal character suggested by Finn did not occur prior to 1770. Determinations of individual creditability continued to reflect precise knowledge of a debtor's social and economic reputation, rather than judgements made upon outward signs of respectability such as clothing, speech or polite behaviour. Cases brought to the Edinburgh court reveal that creditors had a clear idea of their debtors' economic worth, from the physical property that they owned, to the specie they possessed, to the obligations they were owed, to the wages they derived from their occupations. People constantly observed and evaluated the behaviour of their neighbours, and communicated the information that they gathered through gossip and face-to-face interaction. Where precise knowledge could not be obtained, the account books of Philadelphia tradesmen show that trust was built upon networks of association and familiarity. If people did not know one another, rather than relying on outward signed of appearance or upon impersonal, institutional intermediaries, they relied upon trusted individuals who could mediate credit. In the expanding economy, people traded through common and trusted acquaintances or with individuals who were part of trusted collectives.

Throughout the period of study, structures of credit continued to engender mutual interdependence. The experience of trusting and being tied to one's neighbours by obligations of credit and debt was a fundamentally different 'social experience' than the act of reading character and assigning credit and financial value

to individuals based on their gender or socio-economic identities. Even where opportunities for institutionalised credit existed, tradesmen and craftsmen continued to participate primarily in interpersonal credit lending. Long periods of credit and long-term relationships were the norm. Toleration for underpaid debts and a hesitancy to pursue debts in court suggest behaviour based on an ethics of lenience. The physical structures of credit reveal the continuing importance of interpersonal obligation, which tied networks of individuals and households together. These ties became more important and complex over time. As the experience of members of the St Andrews Society in Philadelphia suggested, networks of kinship, association and ethnicity could even extend overseas.

The new institutions that arose in the eighteenth century promised individuals economic independence, and these are often assumed to have replaced interpersonal trust. Mediating institutions such as banks or insurance companies had the capacity to create 'system trust', depersonalising the economy by providing individuals with opportunities to think about credit in more abstract terms. The invention of paper money, printed and guaranteed either by banks or by the state, offered individuals a way to trade without trust. However, an analysis of the ways that individuals used institutions, and the credit instruments that they produced, suggests that notions of trust, reciprocity and neighbourliness continued to structure credit transactions.

As a midway point between the economy of obligation and the institutionalised economy, impersonal credit instruments were used in personalised ways. As chapter four revealed, new forms of money, including trade tokens, bills of exchange and promissory notes, brought about only partial social changes. These credit instruments created a tripartite relationship of trust involving the reputation of the issuer, the creditor and the debtor, where interpersonal trust once depended on the direct obligations between the person lending and the person borrowing. The creditor had to trust both that the issuer would honour the value of the instrument, and that the debtor was offering a medium that was real and would be accepted. The introduction of a mediating party into the transaction had the potential to partially remove it from the bounds of face-to-face relations. However, in practice, the personal reputation of a debtor remained central to decisions about whether a credit instrument was reliable and trustworthy. Furthermore, accounts and debt litigation

suggest that these methods of payment were usually used between trusting individuals who had already been doing business over long periods of time.

The consistency of social credit behaviours in two Atlantic cities, despite the lack of an overarching legal context to enforce these behaviours, calls into question the social role of the legal system, the role of the state in enforcing cooperative behaviour, and the role of institutional structures in fostering relationships of trust. Muldrew, Finn and Mann have all implicitly suggested that the legal system played a central role in shaping market behaviour. In early-modern England, civil law was critical to maintaining social and economic relationships. The courts, as spaces where interpersonal conflicts could be negotiated, guaranteed a level of trust within the community and acted as socially levelling forces, even if the culture of credit mitigated against the strict enforcement of contract. The consistency in credit practice across England was due to a body of common law that all local courts drew upon.[1] According to Finn, the modern period saw a partial shift from status to contract. The new system of Courts of Conscience emphasised equity rather than common law, and litigants and judges expressed credit as a flexible construct rather than a rigid norm built upon notions of contract.[2] However, the court system was also complicit in shaping the social relations that underpinned credit, solidifying relations of power by allowing for the imprisonment of petty debtors and demarcating the experience of debt along lines of class.[3] According to Mann, in America, changing legal structures of debt and insolvency had a direct implication for social relations, turning 'neighbours into strangers' and fostering self-interested economic behaviours.[4]

In eighteenth-century Edinburgh, credit behaviours similar to those identified by Muldrew were evident within a very different legal system, suggesting that the civil courts may have played less of a clear role in shaping credit behaviour than we have assumed. For Edinburgh tradesmen, the use of law to enforce contracts was a last resort. A whole world of informal mechanisms of dispute resolution existed

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[1] Craig Muldrew, *The Economy of Obligation: The Culture of Credit and Social Relations in Early Modern England* (Basingstoke, 1998), 188.
[2] Margot C. Finn, *The Character of Credit: Personal Debt in English Culture, 1740-1914* (Cambridge, 2003), 288, 165.
[3] Ibid., 207-209.
[4] Bruce H. Mann, *Neighbors and Strangers: Law and Community in Early Connecticut* (Chapel Hill, 1987), 22.

below the surface of debt litigation, and court cases arose when these fell short. State intervention was the result of a failure of community relations and individual solutions. When individuals did turn to the courts, the system itself did little to guarantee the payment of debts in physical terms. As chapter two suggested, if the court declared a debt just, further legal action was required to enforce it. The court thus provided few direct means of penalising recalcitrant debtors. Rather, it provided moral authority and served as a useful threat because it had social force behind it. Being sued was a public act that had social consequences related to a person's reputation and credibility, as demonstrated by cases of debtors who were brought before the justices on multiple occasions.

During the eighteenth century, Edinburgh witnessed the beginnings of a decline of civil litigation. This may well have indicated the success of informal means of mediating and enforcing credit. In many ways, this thesis has been a story of the individual solutions devised by populations of both cities to cope with the social and structural challenges of the credit market, especially where regulation by the state fell short. In Edinburgh, written instruments of credit and trade tokens facilitated liquidity where British coinage failed to supply local demands. Cases of slander reveal the attempts of groups to enforce adherence to norms of behaviour through public insult and gossip. In Philadelphia, informal social institutions, devised by their participants, offered their members social and financial capital as well as means of informal dispute resolution. Systems of guaranteeing payment, such as taking security, did not rely on legal institutions, but rather were examples of individuals taking matters of enforcement into their own hands.

The court was only one of the many institutions involved in the credit practices of middling people. Tradesmen and artisans engaged with a wide range of mediating organisations, some fashioned by the state and others fashioned by their participants. These institutions did not replace interpersonal trust. Rather, they helped facilitate it, and their activities were often embedded in customary standards of morality and obligation. Social institutions such as the St Andrews Society helped foster the conditions that allowed for the creation and maintenance of trust between members. The Society had limited power to enforce contracts amongst its own members in instrumental terms, and depended on its influence over individual

reputation. Through collective community action, this organisation vested its members with social capital that was recognised beyond the bounds of society membership. Charitable activities helped members gain power and influence within the community by dispensing relief and enforcing the credible behaviour of the poor.

In order to develop a more nuanced understanding of the influence of institutions upon relationships of trust, this thesis suggests that a wider definition of the term 'institution' is needed when considering eighteenth-century credit. The definition of institutions can be usefully broadened even beyond social institutions to include the interaction of individuals engaged in institutionalised behaviour, otherwise defined as the 'rules by which the economic game is played'. According to Joel Mokyr, these conventions, traditions, and habits created a 'civil economy' during the eighteenth century, and it was this civil economy that allowed cooperation and unprecedented economic expansion in Britain despite a lack of institutional regulation.[5] Institutionalised behaviours or 'private-order institutions' lacked formal structures and external enforcement. They were rather based upon the functions of reputation. Social convention defined honourable forms of behaviour and penalised deviation through damage to individual honour and reputation.[6]

While this thesis has shown that credit behaviour was not specific to context, it leaves open the possibility that it was specific to rank. Finn has argued that during the eighteenth century, credit relations came to embody social relations of a hierarchical and adversarial nature. These relations were characterised by aspects of gifting and obligation between people of unequal status. This study's focus on middling craftsmen and tradesmen suggests that in contrast to Finn's conclusions, middling people seemed to participate in a system of credit that was distinctive, at least when they did business with each other. Middling credit was based more on social equality than social disparity, and was therefore much more akin to the early modern world of credit described by Muldrew. Credit engendered competition that played out in a variety of settings, from the household, to the market, to the street to the courtroom. However, middling individuals stood an equal footing in contractual

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[5] Joel Mokyr, *The Enlightened Economy: An Economic History of Britain, 1700-1850* (New Haven, 2009), 368-371.
[6] Avner Greif, *Institutions and the Path to the Modern Economy: Lessons from Medieval Trade* (Cambridge ; New York, 2006), 8.

terms, so that the meaning of an obligation did not seem to change according to one's wealth or occupation. The account books in chapter three suggest that middling people preferred to do business with each other, perhaps reflecting a desire to conduct business according to common social norms.

By examining notions of honour and reputation, this thesis has uncovered a set of rules or institutionalised ideals of behaviour that governed the activities of tradesmen and artisans. While this notion of general rules of behaviour is not new, it has been applied more often to elites, and defined as a form of 'politeness' or 'gentlemanly ideals'.[7] This study has identified a code of behaviour that was not polite and which applied to a different rank of people. The components of credit identified in cases of slander and defamation from Edinburgh and in patterns of behaviour among tradesmen in Philadelphia suggest that codes of honour provided the blueprint for conduct for those far below the ranks of gentlemen. Those whose socio-economic place in society was above the labouring poor but below the ranks of elites had distinctive ways of operating and conducting business.

For middling tradesmen and artisans, collective community action was central to the enforcement of notions of appropriate behaviour. Legal and social institutions were used to enforce these codes of appropriate behaviour. The culture of credit in Edinburgh was generated from the bottom up, as a system of social norms and practices, rather than from the top down, imposed through legal or institutional systems. Individuals used the justice system to negotiate ideals of honour. In Edinburgh, conceptions of fairness and honesty structured public engagement with the prison and refuge. Contrary to the functions of these institutions as prescribed by laws and discussed by legal theorists, as instrumental means of extracting payment from recalcitrant debtors, they were used by the community in ways that emphasised honour, suggesting that a debtor's behaviour was considered more important to notions of credibility than the terms of his financial ruin. The prison and the refuge were used to punish and shame those debtors who had behaved dishonesty, and to afford forgiveness and protection to those who were deemed to have from 'innocent misfortune'.

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[7] Mokyr, *The Enlightened Economy*, 383.

Generally, the credit practices of tradesmen and artisans in Edinburgh and Philadelphia were similar in ways that are suggestive of the broader social trends and meanings of credit. In these two very different places, despite changes in the structures of financial credit, shared codes of honour informed the conduct of tradesmen, creating a culture of credit based on upon reputation, obligation and sociability, and these features changed very little during the eighteenth century. Questions about the applicability of this model to other populations within an eighteenth century context, and to the relations between tradesmen and craftsmen and the social ranks above and below them, have been left open. While the practices of artisans and tradesmen suggest an economic culture that shared many continuities with its past, further research into the practices of other socio-economic groups within the urban community, the indigenous populations of colonised regions, and rural communities might reveal a very different picture. However, when compared with other case studies from different times and spaces, it seems plausible that consistent social codes and conventions underpin credit in societies without mediating institutions. This comparative study of Scotland and Colonial America has served to complicate the narratives of change that have been built on English case studies, and it has tested their applicability to a wider geographic context. This thesis contends that the social behaviours associated with credit and indebtedness have only a limited relation to the contexts in which they are formed. Credit is broadly based upon honour and trust, and it engenders generic forms of mutuality regardless of the geographic and historical contexts in which it is transacted.

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