

I: 9 GILDS AND ARTISANS ASSOCIATIONS

Among the forms of voluntary association that failed to be successfully transplanted to the colonies were guilds. In medieval England, these legally incorporated associations of craftsmen had merchants had controlled entry into the trades, supervised training of apprentices, established standards for products, and set prices. They were also instruments for charity and philanthropy, requiring their members to contribute to a common fund which was used to relieve members in old age, sickness and poverty, and in cases of loss by robbery, shipwreck, and fire. They also distributed alms to non-members, as well as making financial contributions for the support of religious feasts and processions, for schools, and for the maintenance of roads and bridges. Although charitable functions of the guilds were limited by the Edward VI in 1547, they continued to be important economic entities into the eighteenth century, when their powers were diminished first by industrialization and subsequently by interpretations of the law that treated their activities as conspiracies in restraint trade.

While Boston shoemakers succeeded in obtaining a charter for a guild in 1648, whose ostensible object was to suppress inferior workmanship. Interestingly, the non-economic guild functions --such as charity and education -- were not included among the powers granted by the Massachusetts General Court to this group. It is also notable that the General Court took pains to ensure that the "company" not act contrary to the public interest: it was forbidden to fix prices and could only act against offenders with the permission of the judges of the county courts.

THE COMPANY OF SHOOMAKERS (1648)

Vppon the petition of the shoemakers of Boston, & in consideration of the complaynts which haue bin made of the damag which the country sustaynes by occasion of bad ware made by some of that trade, for redresse hereof, its ordred, & the Court doth hereby graunt lib^{tie} & powre vnto Richard Webb, James Euerill, Rob^t Turner, Edmund Jackson, & the rest of the shoemakers inhabiting & howskeepers in Boston, or the greatest number of them, vppon due notice giuen to the rest, to assemble & meete together in Boston, at such time & times as they shall appoynt, who beinge so assembled, they, or the greater number of them, shall haue power to chuse a master, & two wardens, with fowre or six associats, a clarke, a sealer, & a beadle, with such

other officers as they shall find necessarie; & these officers & ministers, as afforesd, every yeare or oftener, in case of death or departure out of this jurisdiction, or remoueuall for default, &c., which officers and ministers shall each of them take an oath sutable to their places before the Gou'nor or some of the magists, the same beinge pscibed or allowed by this Court; & the sd shoemakers beinge so assembled as before, or at any other meetinge or assembly to be appoynted from time to time by the master & wardens, or master or wardens with two of the associats, shall haue the power to make orders for the well governinge of their company, in the manninge of their trade & all the affayres therevnto belonging, & to change & reforme the same as occasion shall require, & to annex reasonable penalties for the breach of the same; provided, that one of their sd orders, nor any alteration therein, shalbe of force before they shalbe pvsed & allowed of by the Court of that country, or by the Court of Assistants. And for the better executing of such orders, the sd master & wardens, or any two of them with 4 or 6 associats, or any three of them, shall haue power to heare & determine all offences agaynst any of their sd orders, & may inflict the pennalties pscibed as aforesd, & assesse fines to the vallew of forty shillings or vnder for one offence, & the clarke shall giue warrent in writinge to the beadle to leuie the same, who shall haue power therevppon to leuie the same by distresse, as is vsed in other cases; and all the sd fines and forfeitures shalbe imployd to the benefit of the sd company of shoemakers in generall, & to no other vse. And vppon the complaynt of the sd master & wardens, or their atturn^v or advocate, in the County Court, of any pson or psons who shall vse the art or trade of a shoemaker, or any pt thereof, not beinge approued of by the officers of y^e sd shomakers to be a sufficient workman, the sd Court shall haue power to send for such psons, & suppress them; provided also, that the prioritie of their graunt shall not giue them precendency of other companies that may be graunted; but that poynte to be determined by this Court when there shalbe occasio thereof; provided also, that no vnlawfull combination be made at any time by the sd company of shoemakers for inhancinge the prices of shooes, bootes, or wages, whereby either o^r owne people may suffer; provided also, that in cases of difficultie, the sd officers & associats doe not pceede to determine the cause but by the advice of the judges of that county; provided, that no shoemaker shall refuse to make shooes for any inhabitant, at reasonable rates, of their owne leather, for the vse of themselves & families, only if they be required therevnto; provided, lastly, that if any pson shall find himselfe greiued by such excessiue fines or other illegal pceedings of the sd officers, he may complayne thereof at the next Court of that county, who may heare & determine the cause. This commission to continue & be of force for three yeares, & no longer, vnles the Court shall see cause to continue the same.

The Boston "shoemakers" efforts to create a trade monopoly proved to be unenforceable in a colony where every farmer could tan his own leather and, more often than not, possessed the skills to fashion crude but adequate footwear. In other places, however, such efforts were somewhat more successful. The Carpenter's Company of Philadelphia, for example, was organized in 1724 by the city's housewrights. Its stated objectives included instructing its members in the science of architecture, assisting distressed members and their widows and children "as should by accident be in need of support," adopting a system of measurement and prices "that every one concerned in building may have the value of his money, and every workman the worth of his labor." Although it did not receive a charter of incorporation from the Pennsylvania legislature until 1792, the Company functioned successfully under its own by-laws for decades. (Its building, Carpenter's Hall, was where the delegates to the 1787 Convention met to draft the United States Constitution).

The success of the Carpenters' Company of Philadelphia was due in no small measure to the fact that its scope embraced a highly skilled trade and that it did not, unlike the Boston shoemakers, formally claim monopoly privileges (though carpenters who were not members undoubtedly were subjected to informal censures). Its success was also undoubtedly due to eighteenth century Philadelphia's preeminence as a center for secular voluntary associations. In the 1780s and 90s, associations of craftsmen modeled on the Carpenters' Company would be formed throughout the United States. These would become the bases for early labor unions and employers associations.

Sources:

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