REMARKS

UPON

THE HISTORY

OF THE

LANDED AND COMMERCIAL POLICY

OF

ENGLAND,

FROM

THF INVASION OF THE ROMANS

TO

THE ACCESSION OF JAMES THE FIRST.

IN TWO VOLUMES.

VOL. I.

Navigia, atque agri culturas, mœnia, leges,
Arma, vias, veſtes, et cætera de genere horum,
Præmia, delicias quoque vitæ funditus omnes,
Carmina, picturas, et dædala ſigna polire
Uſus, et impigræ ſimul experientia mentis
Paulatim docuit pedetentim progredientis.

LUCRET. l. v.

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THE

PREFACE.

THE greateſt part of the following REMARKS was made many years ago, upon reading ſome of our ancient hiſtorical writers. And though agriculture and commerce bear an inconſiderable part in the hiſtory of moſt countries, yet they may deſerve ſome notice, as frequently affording the beſt indications of the ſtate and condition of the inferior ranks of people. In Britain they never can be thought uſeleſs ſubjects. Our wealth and population are chiefly derived from huſbandry, manufactures, and commerce; and it muſt always be the intereſt of the nation to encourage and ſupport them, as eſſential to its welfare. At the ſame time, it may be

considered as a gratification of curiosity to trace their progressive improvements, and influence on liberty and manners. The Reader, however, is not to expect a complete history of these subjects. The author has confined himself to Remarks only upon such laws and customs as had the greatest influence upon agriculture, commerce, or state of the people. And, as many particulars relative to these subjects lie dispersed in a great number of volumes, it may be agreeable to some readers of English history to find them collected together, and reduced into a narrow compass.

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OF THE

FIRST VOLUME.

CHAP. I.

REMARKS UPON THE LANDED AND COMMERCIAL POLICY OF THE ANCIENT BRITONS.

IN tracing the origin and progress of civil society, writers have usually considered mankind in three different lights, as savages, shepherds, and husbandmen. Under the first of these they include such as subsist by fishing, the acquisitions of the chace, or the natural productions of the ground. The number of inhabitants in this state must, in general, be few: and they can unite together only in small parties, as the means of subsistence are oftentimes scanty and precarious. Every thing

being common, and the property of the first occupier, no other law can be expected to take place than what depends in a great measure on personal strength. When men have so far advanced towards civilization as to obtain a distinct property in cattle, they have commonly claimed an exclusive right to particular districts, the boundaries of which have been settled by mutual agreement or long possession. In this state bodies of men may unite, in proportion to the richness of the soil, and the extent of the country they possess. As the property of every individual is easily ascertained, few regulations are necessary; and these are generally founded on custom, which holds the place of written laws. When agriculture is introduced, property becomes so various and complicated, that a code of laws is necessary to preserve it as well as to encourage industry. Cultivated lands yielding a greater produce than in a state of nature, a larger body of people may subsist together, and form an union for their security against foreign and domestic enemies. And as husbandry requires the aid of different arts, to supply its

its wants, artificers and manufacturers are gradually formed, and the several occupations of life are allotted to particular persons, which in the other states are usually exercised by all the members. Ancient writers have therefore generally made agriculture and legislation coeval and attendant on each other *(a)*.

When Britain was first invaded by the Romans, the inhabitants in different parts of the island afforded specimens of these three states of mankind. In the northern parts they were little advanced above the degree of savages; and if the lands were cultivated in some parts of the south, pasturage took place in the interior countries. And every nation and country in Europe, during the first period of their history, seem to have resembled Britain and its rude inhabitants in those early ages. The lands were generally uncultivated, and the people uncivilized and warlike, subsisting chiefly on the spontaneous fruits of the earth, wild animals, or the produce of

(a) Varro de Re Rust. l. ii. c. 1. Macrob. Sat. l. iii. c. 12. Ovid. Met. l. v. ver. 341.

their flocks and herds. This is a truth which many Greek and Roman writers have acknowledged. Unacquainted with the true origin of mankind, and the ancient history of the eastern states, they have been almost unanimous in representing the primitive inhabitants of their own and many other countries as ignorant and barbarous as the Britons. And the first accounts of Greece, Italy, and the western parts of Europe seemed to countenance this opinion. Arts and civility had been gradually introduced into these countries, and the time of their admission in some measure ascertained. So that the title of barbarians, which the Greeks for a long time annexed to almost every other nation, might have been applied in the early part of their history with equal propriety to themselves as the Aborigines or natives of Italy and the western countries of Europe. All of them were distinguished by their piratical depredations or military expeditions against their neighbours long before they formed themselves into regular states, and became eminent for humanity and science.

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The original inhabitants of Britain, according to the earliest and most authentic accounts, were numerous and martial, and many of them very little superior in arts and knowledge to the savages, which in later ages have been discovered in North America. It is, however, probable, that Cæsar magnified the number of Britons, either to give importance to his invasion of so distant a country, or through the want of proper information *(b)*. The number of inhabitants in every country destitute of commerce is always proportioned to the quantity of food which the soil or the neighbouring seas or rivers afford; and the produce of the British lands, in their native and uncultivated state, could not be so considerable as to maintain a numerous body of people. Where husbandry has been neglected, or the soil barren, the sea or rivers have yielded a constant or occasional supply of provisions: but the northern Britons are said to have abstained from eating fish *(c)*;

(b) Cæs. Com. de Bel. Gal. l. v. c. 12.
(c) Xiphil. Epit. Dion. p. 421.

and it is not unlikely but the ſame cuſtom prevailed among the other inhabitants of the iſland. Their martial diſpoſition may be inferred from their uncivilized ſtate, from ſome peculiar tenets of their religion, and the nature of the climate, under which they lived. Domeſtic feuds and diſſentions are frequent among all the tribes of barbarians, and kept up by that ſpirit of revenge which they conſider as one of the branches of juſtice, and of all other habits and paſſions is in them the hardeſt to ſubdue. Warm and haſty in their reſentments, they will undertake through the mere thirſt of revenge to redreſs an injury committed by a member of a neighbouring tribe, to which a more poliſhed people can be incited only through intereſt or neceſſity.

When the Romans firſt became acquainted with the Britons, the inhabitants of the ſea-coaſts in the ſouth-eaſt parts of the iſland are ſaid to have been more civilized by their intercourſe with foreigners than thoſe in the interior countries. Whilſt the latter contented themſelves chiefly with the milk and produce of their cattle,

cattle, and the flesh of such animals as they caught by hunting, and were permitted by their religion to eat *(d)*; the former practised a mode of husbandry which they had learnt upon the continent, or colonists had brought from thence. It is impossible to determine with exactness unto whom the Britons were indebted for the introduction of agriculture. We are told by Cæsar, that at the time of his invasion those parts of the island where the lands were chiefly cultivated were occupied by some settlers from Gaul *(e)*. Corn had been cultivated in the southern parts of Gaul long before the Roman invasion; and from the constant intercourse between the natives of each country, and the similarity of their customs, it may be naturally inferred, that the Britons learnt husbandry from them. Perhaps this art might be imported into both nations by the Phœnicians, for the sake of victualling their ships in the frequent voyages they made to these countries. And it is not improbable but they brought husbandmen to

(d) Cæs. B. G. l. v. c. 14.
(e) Id. c. 12.

inſtruct the natives, or ſettled colonies for the purpoſe of trade, or the convenience of ſupplying their ſhips with grain and other proviſions.

It might be imagined, that the ſpecimens of agriculture given by the ſouthern inhabitants of Britain would have been followed by the reſt, and adopted through utility or neceſſity: but improvements of this kind always make a ſlow progreſs among a barbarous people. They would, probably, have been confined for many ages to particular diſtricts, if they had not been encouraged and carried on by the Romans. Modern obſervation may aſſure us, that though hords of ſavages live in the immediate view of improved and civilized life, and diſcern the benefits of agriculture, yet they rarely adopt it without conſtraint. This mode of life requires confinement and ſtated labour, to which the ſavage is always unwilling to ſubmit. Senſible of few real wants, he prefers liberty and the pleaſure of the chace to every advantage that can be derived from a ſettled habitation and an uſeful culti-

vation of the ground. And at that time neither the climate of Britain, nor the ſtate of the lands, was favourable to a regular culture. The country, like all the northern regions in thoſe ages, was in a great meaſure covered with woods and thickets, and abounded with ſtagnant waters and moraſſes. And it cannot be expected, from the character of the natives, that a proper degree of induſtry would be exerted to clear the lands and make them both ſalubrious and profitable by a due cultivation. If they had been more attentive to the buſineſs of huſbandry than they are repreſented, the great number of woods and marſhes, and the moiſtneſs of the climate, muſt have prevented a full maturity of the beſt ſorts of grain. Theſe ſeldom ſucceed in the northern parts of Europe till the air is freed from the noxious exhalations which always attend on woody and marſhy countries.

We are ſometimes apt to conſider the deſcriptions which the Greek and Roman writers have left us of ancient Gaul, Germany, and Britain, as fabulous, and owing

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to their ignorance of these regions. A part of their accounts was undoubtedly received from merchants or soldiers, who, presuming on the ignorance or credulity of their hearers, took the liberty to magnify what they had seen or learnt from report. But the temperature of the air is so widely different in cultivated and uncultivated countries, though lying under the same latitudes, that there is no reason to distrust the veracity of these writers in the relations they have given us of the northern parts of Europe. Some countries, which were then looked upon to be almost uninhabitable through the extremity of cold, afford many conveniences of life, and produce grain and fruits which were then thought to be incompatible with the climate. And the cultivated tracts of a country will have a beneficial influence upon others that lie at a considerable distance. Every part of England and France feels the advantages of the improved agriculture of their northern neighbours, and enjoys a warmth and temperature of air unknown in former ages.

If

If ſome of the lands adjoining the ſea-coaſts in the ſouthern parts of the iſland, and a few other places, were tilled, the interior countries were left nearly in their primitive ſtate, and chiefly employed for the maintenance of cattle. All the ancient writers on Britiſh affairs are unanimous in deſcribing the greateſt part of the inhabitants as ſubſiſting chiefly on the produce of their flocks and herds; though Strabo has obſerved, that ſome of them were ignorant of the art of making cheeſe, while the Germans of the ſame age are ſaid to have made it a part of their food (*f*). And among a martial and uncivilized people agriculture is always held in the loweſt eſtimation, and uſually left to the care of women or children, or ſuch as by age, debility, or inclination, are unfit for a military life. This was the caſe at leaſt among all the northern nations in the early ages of their hiſtory. On the firſt advances of men from the ſtate of ſavages, they commonly apply themſelves to paſturage, and obtain a diſtinct property

(*f*) Strab. Geog. l. iv. p. 200. Cæſ. B. G. l. vi. c. 21.

in cattle: and in the progreſs of civilization, when they begin to cultivate the lands, vaſſalage uſually takes place, and then the buſineſs of huſbandry is conſigned to the care of ſlaves and captives. And it would be almoſt a ſingular inſtance in hiſtory to find a martial and barbarous people engaged in the cultivation of the lands or the exerciſe of the manual arts, and ſubmitting to the drudgery of occupations which they commonly hold to be mean and diſhonourable *(g)*.

Though we have no reaſon to preſume, from the ſtate of knowledge, arts, and induſtry among the Britons, that they made a great proficiency in agriculture; yet we are informed they ſo far attended to it as to diſcover that marle was a manure, and might be uſefully employed in the cultivation of lands *(h)*. At the ſame time we learn, that they laid up their corn in pits or ſubterrraneous magazines *(i)*. This was, indeed, a cuſtom not peculiar

(g) Herod. Hiſt. l. ii. c. 167.
(h) Plin. Hiſt. l. xvii. c. 6.
(i) Diod. Sic. Hiſt. l. v. p. 301.

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to them, but in use among other nations who had no intercourse with each other *(k)*. And the reason of it was probably the same in all; to secure the grain from the depredations of an enemy, or to make the discovery of it difficult to strangers. This custom may be urged as a proof of the low state of husbandry, or at least of the unsettled condition of the inhabitants, who had not skill enough to erect, or could not erect with safety, barns and other conveniences for lodging their grain, but were obliged to deposit it under the ground in so moist a climate as Britain.

According to some of our ancient historians, Dunvallo Molmutius, a British king, who lived before the invasion of the Romans, appointed what number of plows every district should employ, and made many useful regulations for the encouragement of agriculture, and construction of the public roads *(l)*. But the whole story

(k) Hist. Bel. Afric. c. 65. Varro de Re Rust. l. i. c. 57 and 63. Tacit. de Mor. Germ.

(l) Ranul. Higd. Polych. p. 196. 214. Rad. de Dicero, p. 553. Chron. Brompt. 956.

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is so inconsistent with the state of Britain in the times of this imaginary prince, that it is fit only for the credulity of the Monkish historians.

Writers have generally represented every barbarous people as trafficking by barter or an exchange of commodities with foreigners as well as each other. And, until a representative of the value of goods is established by mutual consent, trade can be carried on only in this manner. Savages must occasionally exchange their acquisitions with each other: and men in a pastoral state must have more frequent occasions to make exchanges of cattle, and other fruits of their industry, for those of another. If the exchanges of the first depend on caprice, those of the latter are often derived from necessity, and are equally beneficial to both parties. When agriculture is introduced, and the value of labour is estimated by consigning the several occupations of the mechanic and manufacturer to particular persons, silver or gold, as a representative of the price of commodities and labour, becomes in some measure necessary,

cessary. And, if the manual arts are in the hands of slaves, and husbandry is carried on chiefly by their assistance, a small quantity of specie will support the traffic of such a nation. It is only when the labourers and workmen in the various arts, necessary to improved society, become free and independent, that a great quantity of money can enter into circulation; and this will always be in proportion to their freedom, and the value of provisions and other necessaries to their subsistence. It cannot, therefore, be expected, from the state of Britain and its inhabitants in those early ages, that a considerable quantity of the precious metals could circulate for the purpose of carrying on foreign or domestic trade. It is probable, that a few coins were current soon after the time of Cæsar's invasion; and some of the most opulent inhabitants might have toys or trinkets made of gold or silver imported by foreigners, or the materials might be collected from our own mines; but the specie in currency was certainly too inconsiderable to carry on an extensive com-

commerce; and, as the other were not brought into circulation, they could be of no more service to trade than the antique coins and medals in the cabinet of an antiquary. Rings, or pieces of copper, or iron, supplied the want of gold and silver; and, though these served the purposes of exchange amongst themselves, they were very improper for carrying on a lucrative traffic with foreigners. The chief riches of the Britons, like other nations who lived by pasturage, consisted in the number of their flocks and herds; and these might supply them not only with provisions, but with every other necessary commodity, by exchanging their produce with strangers, or their own countrymen. As their wants were few, slender encouragement could be given to the merchant or artificer. Savages have few articles to exchange with foreigners, or each other; and, though the Britons had made advances towards civilization by the introduction of pasturage and agriculture in particular places, they were able to supply themselves by their own industry with almost every thing necessary to

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their ſtate and mode of life without having recourſe to foreigners. With the progreſs of civility, arts, and luxury, the real or imaginary wants of men are ſo far increaſed, as to invite merchants from abroad, and to engage the ſkill of the artizan and manufacturer at home to yield a ſupply. And though the Britons had not arrived at that ſtate of civility, which gives the fulleſt encouragement to foreign and domeſtic trade, yet they were viſited by merchants from abroad, who carried on in ſome articles a conſiderable traffic.

Before Cæſar's invaſion, the Phœnicians and Carthaginians had traded with the Britons for tin and lead; and they found the commerce ſo beneficial, that they confined it for ſome centuries almoſt entirely to themſelves. By the aid of their ſettlements in Spain, and eſpecially at Cadiz, they were enabled to carry on this traffic with greater eaſe than any other nation, and even to ſecure a monopoly. Like all other commercial ſtates in ancient and modern times, they were jealous of competitors in every branch of their trade, and

uſed the utmoſt precaution to keep it in their own hands. The ſtory of the Phœnician pilot is well known. Being purſued by a Roman veſſel, with a view to diſcover the proper courſe to the Britiſh or Scilly iſles, he ran his ſhip upon the rocks, in order to deſtroy the other, or defeat his deſign; and, for this piece of ſervice to his countrymen, he was indemnified at the public expence *(m)*. But, to judge the better of their inclination to monopolize trade, we may appeal to a barbarous law or cuſtom eſtabliſhed at Cadiz and Sardinia, which enjoined all foreign mariners to be drowned, who reſorted thither without their leave *(n)*. The Greeks of Marſeille, nevertheleſs, on the decline of the Carthaginian power, found their way to Britain, and traded with the natives both before and after they were ſubdued by the Romans.

After this commerce had been ſucceſſively carried on by ſeveral ſtates on the coaſts of the Mediterranean, the Britons were viſited by their neighbours on the

(m) Strab. Geog. l. iii. p. 175.
(n) Id. l. xvii. p. 802.

coaſts

coaſts of Gaul, for the ſame purpoſe. The Veneti, or people of Vannes, one of the Belgic tribes, beſides corn and cattle, purchaſed lead and tin, and conveyed the latter from their own country by land to Marſeille *(o)*. This troubleſome and expenſive mode of conveying ſuch heavy commodities affords a preſumption, that the quantity could not be very conſiderable, and may be adduced as evidence of the declining and imperfect ſtate of navigation at that period. But whatever regard the Britons might pay to commerce in general, they ſeem to have been very defective in the art of conſtructing or navigating ſhips; at leaſt, hiſtory affords us no authentic proofs, that they made uſe of their own veſſels in exporting their commodities, or fitted out many ſhips of war on occaſion of aſſiſting their allies, or defending themſelves. Some of their veſſels, or boats, were made of wicker, or oſier, and covered with leather; and, being compoſed of ſuch ſlight materials, they could be uſed only for tranſporting light goods or paſſengers over creeks or rivers.

(o) Diod. Sic. Hiſt. l. v. p. 302.

The principal exports of Britain were tin and lead, though the Romans on their first invasion had flattered themselves with the hope of finding more valuable commodities. Gold, silver, and pearls, were looked upon to be the products of the island; or at least this notion was propagated for very obvious reasons amongst the soldiery. But they found, on experience, that the quantity of these was too inconsiderable to answer their expectations. They were obliged to be contented with the profits arising from the sale of their prisoners, whom, according to custom, they reduced to the capacity of slaves *(p)*. Notwithstanding this disappointment, Strabo and Tacitus continued to place gold and silver among the British products. According to the first of these writers, corn, cattle, gold, silver, iron, hides, slaves, and dogs, were the chief exports; and from the Scilly islands lead and tin *(q)*. The last of these were of greater value than the others. In the time of this writer, the quantity of corn, raised for domestic use or exportation, could

(p) Epist. ad Att. l. iv. 16, 17. Ad Fam. l. vii. 7.
(q) Strab. Geog. l. iv. p. 199.

not be very conſiderable. The interior parts of the iſland were in a great meaſure overſpread with woods, though a few places might be cleared, for the purpoſe of ſowing grain, of ſupplying their cattle with herbage, or making room for their chariots. And it was not till ſome centuries after Cæſar's invaſion, that Britain became diſtinguiſhed as a corn country, and furniſhed the Roman garriſons on the frontiers of Germany with grain and other proviſions.

The article of ſlaves was, perhaps, of all others, excepting tin and lead, the richeſt branch of commerce both before and ſoon after the ſettlement of the Romans. Cæſar carried away a few priſoners as the fruits of his expedition; and, on the conqueſt of the iſland, all the captives taken in war would be expoſed to ſale, and a regular trade in ſlaves be in ſome meaſure eſtabliſhed. Almoſt all the trading veſſels of every commercial ſtate in ancient times made a part of their returns in ſlaves; and, among a barbarous people, theſe are commonly ſo plentiful as to be purchaſed at low rates. The petty clans, into which a

rude and ignorant people is always divided; often break out into hoſtilities againſt each other, either on account of encroachments made upon their territories, or of ſome injuries done to individuals; and the priſoners they take are uſually ſold to foreigners, when they have an opportunity for this purpoſe, eſpecially as many as eſcape from immediate ſlaughter, or are not deſtined to other uſes. For almoſt all the tribes of ſavages, that have held no correſpondence with civilized nations, have generally been repreſented as ſacrificing their captives to ſome favourite deity, or putting them to the moſt painful deaths. For this reaſon the execrable ſlave-trade in ancient as in modern times, though it might encourage hoſtilities among ſavages for the ſake of procuring priſoners, was, nevertheleſs, the means of preſerving the lives of many captives. On the other hand, the lucrative trade, by encouraging pirates and freebooters to carry off as many of the barbarous inhabitants in every country as fell into their hands, naturally created among an uncivilized people an averſion

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to ſtrangers, or prevented a free intercourſe with them. And it deſerves to be remarked, that, while the inhabitants of the ſea-coaſts in the weſtern parts of Europe were commonly repreſented as inhoſpitable and cruel to ſtrangers, the natives of the interior countries were uſually diſtinguiſhed for their civility to travellers and foreigners. And one reaſon for this difference of character might be, that the former had been ſo frequently injured by the depredations of pirates as to become jealous of every ſtranger; while the other, exempted from the like treatment by their inland ſituation, received every foreigner with courteſy, and entertained him with greater hoſpitality than more civilized nations. And it was perhaps for this reaſon amongſt others, that the ancient Greeks built their towns at a diſtance from the ſea-coaſts (r); and that iſlanders were repreſented by them as more fierce and intractable than the inhabitants of the continent. An ancient Greek writer obſerved, that it was a general practice among all barbarous nations to expel

(r) Thucyd. Hiſt. l. i. c. 7.

ſtrangers (s). The ſame cuſtom nevertheleſs prevailed among civilized people, as the ancient Egyptians are ſaid to have adjudged every foreigner, who arrived in their country, to death or ſlavery (t). And the natives had probably been ſo often plundered or violently carried away by pirates, as to give them an averſion to every ſtranger who landed upon their coaſts.

It is almoſt needleſs to mention other articles of Britiſh commerce. The preparation of iron, tin, and lead, requires a degree of induſtry and application, which a barbarous people ſubmit to with as much reluctance as the labours of huſbandry. And the number of dogs, which was occaſionally tranſported to Rome, and the quantity of hides and ſkins exported to other places, beſides thoſe which were neceſſary for their own uſe, could not be ſo conſiderable as to enrich the Britiſh traders, or lay the foundation of an extenſive and beneficial commerce.

As the native products of every country have been in a great meaſure invariable, it

(s) Strab. Geog. l. xvii. p 802.
(t) Diod. Sic. Hiſt, l. i. p. 61.

may

may be thought an omiſſion in Strabo and other writers, that wool was not mentioned as one of the Britiſh commodities, eſpecially as its value was then underſtood, and the Spaniſh ſheep were at that time, as they have been almoſt ever ſince, diſtinguiſhed for the fineneſs of their fleeces *(u)*. To reſolve the doubt, it will be neceſſary only to obſerve, that, though ſheep now abound in Britain, their number in ancient times was not very great, on account of the moiſtneſs of the ſoil and climate. A marſhy and woody country is of all others the moſt unfavourable to the propagation of theſe uſeful animals.

The Britiſh imports were as trifling as the exports. A people, who clothed themſelves chiefly with the ſkins of their own cattle, lived in temporary hovels, or ſheltered themſelves from the inclemency of the weather in woods and thickets, could ſtand in need of few foreign commodities for uſe or ornament. Some degree of luxury and greater induſtry than is uſually exerted by a barbarous people muſt unavoid-

(u) Strab. Geog. l. iii. p. 144.

ably

ably take place in every country, before its commerce can become extenſive, or even profitable to its inhabitants. The chief imports conſiſted of ſalt, earthen ware, kettles, and toys of braſs, iron, and amber *(w)*. Articles of this kind have commonly been more acceptable to an uncivilized people than the ornamental and even uſeful commodities in a more poliſhed ſtate of ſociety. The exchange of trifles for the native products of any country in their rudeſt ſtate has always been one of the moſt lucrative branches of commerce. And a conſiderable part of the power and opulence of the commercial cities in ancient times was derived from their trade with the uncivilized countries of Africa and Europe. They received from theſe places many uſeful commodities, in exchange for toys or goods of the loweſt value.

As rude, however, and ignorant as we may ſuppoſe the Britons to have been in their original ſtate, they muſt have poſſeſſed ſome degree of ſkill in the mechanical arts, as far at leaſt as their mode of life

(w) Id. l. iii. p. 175. Hiſt. du Commerce par Huet, p. 208.

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required. The conſtruction of their cars or chariots affords a proof of their ingenuity, and ſerves to place them above the rank of ſavages. And Stonehenge and ſimilar works in different parts of Britain equally ſhew their aſſiduity in effecting what in modern times are looked upon with ſome degree of wonder. There is nevertheleſs ſlender reaſon to believe, that they made a great proficiency in the mechanical or any other arts, that are practiſed by a people enlightened by learning and knowledge. Their buildings, utenſils, and arms, indicate their want of ſkill, as well as the rudeneſs of their ſtate. No goods or manufactures, that required application or dexterity to fit them for uſe, are enumerated among their exports; and even lead and tin were probably diſpoſed of to foreigners in their rudeſt ſtate, and in no greater quantities than to ſupply themſelves by exchange with the ſimpleſt articles of uſe or vanity. If the traffic in theſe commodities had been conſiderable, or had employed a great number of hands to prepare them for exportation, thoſe parts of the iſland, where they

they were found in the greateſt abundance, would have been the moſt populous, and the people more civilized than the reſt: and yet there is no reaſon to preſume, that in this reſpect they were ſuperior to the other inhabitants. It is probable, that few mines of tin, lead, or iron, were opened, except where the materials lay near the ſurface, or could be collected with eaſe.

How long the Britons might have remained in this uncultivated ſtate, if they had not been ſubdued and inſtructed by the Romans, is not eaſy to determine. Though it appears on the firſt view to be a work of no great difficulty to inſtil the general principles of juſtice and humanity into an ignorant and barbarous people, and to form them into regular ſocieties; yet the hiſtory of almoſt every nation informs us, that the progreſs of arts and civility has been extremely ſlow. So violent is the love of natural liberty, that it has required the experience of many ages, and the joint efforts of religion and policy, to ſubdue and confine it within the bounds of order and laws. The firſt bond of union among ſavages is commonly formed for mutual

ſafety;

ſafety; and the firſt inſtances of diſcipline and ſubmiſſion to authority have generally been of the martial kind, for their own defence, or the annoyance of their neighbours. And improvements in the art of war have ſo far preceded others, that almoſt every nation in Europe diſtinguiſhed itſelf by its military ſkill and expeditions long before it became known for its proficiency in civility and ſcience. And until theſe are in ſome degree introduced, huſbandry and commerce, which form and preſerve both foreign and domeſtic connections, will be equally neglected, or held in contempt.

However deſirable an improvement in the ſtate of the Britons may be thought, there is ſlender reaſon to believe, that they were diſſatisfied with their condition, or willing to exchange it for the ſervile but more poliſhed manners of Roman ſubjects. Moſt of them poſſeſſed the freedom attendant on a paſtoral life, in which it is ſcarcely poſſible to hold a numerous body of people in a ſtate of ſlavery. This can be maintained only where agriculture and the mechanical arts have been introduced and encou-

encouraged, and might prevail in a ſmall degree among ſome of the ſouthern Britons. As the labourers and workmen are conſtantly under the inſpection of their maſters, it is not difficult to retain them in their ſervice. In a paſtoral ſtate, the opportunity of deſerting is more frequent and eaſy, but at the ſame time leſs inviting, as the labours and mode of life of the maſter and ſervant are nearly alike. And though paſturage may be conſidered as one ſtep towards civilization, yet it participates ſo much of natural liberty, and is ſo flattering to the roving diſpoſition of a barbarous people, that it is not eaſy to draw them from it, and confine them to ſedentary occupations and ſettled abodes. Theſe ends can be attained only by building large towns, by encouraging foreign or domeſtic trade, and enlarging the number of manufacturers and workmen in the moſt uſeful articles of civilized life. The diviſion of Britain into ſmall independent cantons might likewiſe obſtruct the introduction of many arts, as it ever was the fate of petty ſtates in the early periods of their hiſtory

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to be engaged in frequent hoſtilities with their neighbours, and for that reaſon few improvements were made for a long courſe of time, except in the art of war. This was the caſe of the ſmall ſtates of Greece and Italy, in which the profeſſion of arms was more attended to than any other, and the early law-givers were employed in forming the people into ſoldiers, rather than inſtructing them in the arts of peace, and the neceſſary occupations of a ſocial life.

And this was the caſe of the ancient Britons, of their chieftains, and law-givers. There was nothing in their civil or religious inſtitutions, that promiſed an immediate improvement in their ſtate, or a more perfect civilization, without foreign aſſiſtance. In ſome countries, the aid of religion was called in, to encourage agriculture, and promote the views of legiſlators in forming men to ſocial manners. In this reſpect the ancient law-givers of Greece and Italy were ſuperior to the bards and Druids of Gaul and Britain. The poets or bards, who, in the early ages of moſt countries, had a great ſhare in forming the ſentiments

and

and manners of the people, were to the Britons either uſeleſs, or had a pernicious influence. Animating their chieftains and their clans to acts of valour and revenge by reciting the martial deeds of their anceſtors, they diverted their attention from the arts of peace, and increaſed rather than mitigated the ferocity of their manners. And the opinions and practices of the Druids, if we except their philoſophical notions, appear to have been calculated only for a barbarous and warlike people. Living amidſt the gloom and horror of the woods, that then overſpread the northern regions, and converſing with a wild and martial people, they invented or introduced thoſe tenets and modes of religious worſhip, which were beſt adapted to their ſtate and diſpoſition, and calculated to form them into a body of warriors. And on this plea we may excuſe ſome of the political inſtitutions of the Druids. Strangers to regular ſocieties, and the refinements of civilized life, they wanted thoſe patterns of legiſlation which the Grecian and Italian lawgivers had before them in modelling their

their respective states. And it is not unlikely but the primitive inhabitants of Greece and Italy were as savage in their manners, and as singular in their religious opinions, as those of the western parts of Europe, till, copying the institutions of their civilized neighbours, their ancient customs fell into disuse, and in length of time were almost totally forgotten. An alteration in civil life will introduce a change in the forms and tenets of religion; and the same spirit, which mitigates the violence of savage manners, will soften or abolish the barbarous customs which have crept into religion.

Some, however, of the British customs seem to have been derived rather from political than religious reasons. Abstinence from fish, in a country whose seas and rivers abounded with them, may be considered as a measure peculiarly calculated for encouraging the cultivation of the lands, and obliging the people to depend on their produce for a subsistence. It ought nevertheless to be observed, that the antient Greeks are said to have abstained from eating

fish (x); and that the civil and religious institutions of savages are so often derived from caprice and accidents, that it is difficult to determine, whether art had any influence in giving them an establishment. There is reason to believe, that many of the religious institutions of the Grecian lawgivers were founded on policy, and views of public interest. They borrowed their knowledge from Egypt, or the civilized states of Asia, and were free from those capricious passions, which often give birth to the civil and religious customs which prevail among savages. To the God of War, the most ancient and renowned amongst all the tribes of barbarians, they added those deities which they thought to preside over arts and sciences, and all the useful inventions of civilized life. Among these we always find the deities which were supposed to preside over agriculture held in great veneration, and placed on a level with their ancient Gods. And whenever we find, in the history of any people, that a reverence is paid to the deified patrons, or supposed inventors of husbandry,

(x) Plato de Rep. l. iii.

from

from that period we may date the beginning of civilized life.

The Grecian lawgivers were superior to the druids in many other respects. The building of magnificent temples and cities, and almost all the religious rites observed in their worship, had a natural tendency to promote society, and encourage civility among the people. The Druids, on the contrary, consecrating groves and woods, and performing the chief offices of their religion in the most gloomy and retired parts, contrived, as it were, to keep the country in its rude and uncultivated state, and to increase the natural fierceness of the people by the ceremonies as well as tenets of their religion. And so durable was the force of superstition, and so long and religiously was this veneration paid to particular places and groves in Gaul, that they were not only left in their ancient state, after the adjacent lands had been tilled, but even the offerings and treasures deposited there were preserved with equal care, till they were carried away by the Romans *(y)*.

(y) Cæs. B. G. l. vi. c. 16. Suet. Jul. Cæs. c. 54.

It ſhould ſeem, therefore, from the tenor and ſpirit of the Druidical inſtitutions, as if little improvement in uſeful knowledge and the arts of civilized life could be expected. They were calculated rather to keep the people in their wandering and barbarous ſtate, than oblige them to ſeek their ſuſtenance from the cultivation of the ground, or lead them to the happineſs of a ſettled and ſocial life, by the introduction of induſtry, order, and commerce.

CHAP.

CHAP. II.

REMARKS UPON THE LANDED AND COMMERCIAL POLICY OF THE BRITONS UNDER THE GOVERNMENT OF THE ROMANS.

IF ambition or reſentment led Julius Cæſar into Britain, the vanity of enlarging the bounds of the empire urged his ſucceſſors to complete his deſign. This is the beſt reaſon that can be aſſigned for their attempt to ſubdue a nation which could give them very little diſturbance on the continent, and would ſcarcely repay the expences of a conqueſt. A cultivated country, abounding with a rich and flouriſhing people, might have rouzed their envy, and tempted them on the ſlighteſt pretences to bring it within the pale of

their empire; but the ſtate of Britain and its inhabitants offered no ſuch inviting prize to their arms. They were ſenſible of the ſmall value of its native commodities from the time of Cæſar's invaſion, and reaped greater profit from the duties impoſed on them, when exported into Gaul, than they could hope to derive from the conqueſt of the whole iſland: for theſe reaſons, amongſt others, the Britons were permitted, till the time of Claudius, to enjoy their primitive liberty *(a)*.

Though the invaſion of a country, thro' ambition or avarice, can ſeldom be excuſed or defended, yet the Britons were in ſome reſpects obliged to their conquerors. The Romans were compelled to civilize them, in order to make them uſeful, and keep them in ſubjection; and the propagation of arts and civility among an ignorant and barbarous people extenuates the injuſtice of a conqueſt. Hords of ſavages may be deſtroyed, and a body of foreigners introduced in their room; or they may be awed into a temporary ſubjection by a ſuperior

(a) Strab. Geog. l. ii. p. 116.

force;

force: but the conquest will never be complete and durable, until they are settled in towns, possessed of a fixed property in the lands, and obliged to depend on their produce for a subsistence. This is a truth, that may be collected from the history of some tribes of Arabs. Though these have been almost incessantly engaged in hostilities, and frequently attacked by superior forces; yet they have subsisted from the earliest ages nearly in a state of independence; or if they were sometimes reduced to a temporary submission, they have never been entirely subdued. Possessed of few towns, and having no distinct property in the lands, which required their care and defence, they have always retired, with their cattle, and most valuable effects, into the wilds and natural fastnesses of their country, on the approach of a powerful enemy, and have eluded or defeated the attempts of the ablest generals. And until their mode of life is altered, and they are confined to settled habitations, they will retain a great portion of their ancient inde-

pendence. The Britons, like them, would probably have defied the Roman arms, if they had poſſeſſed ſimilar retreats, and an equal extent of country. But no places in the iſland were inacceſſible to the Roman legions; nor any ſo diſtant, to which they could not convey, or carry with them, a due quantity of proviſions. And at all times it is much eaſier to civilize the northern than the ſouthern ſavages. Theſe commonly finding an eaſy and ready ſubſiſtence from the natural productions of the ſoil, enervated by the warmth of the climate, and averſe to the degree of induſtry and labour required in civilized life, are formed with the greateſt difficulty into regular ſocieties. On the other hand, the rude inhabitants of the North, occupying a ſoil not ſo bountiful in its returns, and more accuſtomed to hardſhips and fatigues, ſettle more readily into a community, and ſubmit with leſs reluctance to the neceſſary labours of a ſocial ſtate. And it may be added, that as a property in the neceſſaries of life is much harder to acquire, and of conſequence more valuable, than in the warmer

warmer regions of the South, the inhabitants ſubmit with greater willingneſs to ſuch laws and regulations as are required to aſcertain and preſerve it from uſurpation and violence. And the ſecurity of perſonal property naturally encourages induſtry and order.

As the Romans are conſidered as the chief civilizers of the Weſtern parts of Europe, it may be of uſe to reflect by what means they accompliſhed an end ſo deſirable as almoſt tempts us to excuſe their thirſt of dominion, and to place them among the benefactors of mankind. A late celebrated writer has, indeed, ſet them in a different light. He conſiders them as the ſcourges of the people whom they ſubdued, and leading out their armies, rather with a view to plunder and deſtroy, than to inſtruct the vanquiſhed by the introduction of uſeful arts, and a more equitable and beneficial plan of government *(b)*. There is undoubtedly ſome truth in this obſervation; and it would be a vain attempt to defend

(b) Monteſq. Eſp. des Loix, liv. x. c. 14. liv. xxi. c. 12.

all

all the measures and proceedings of the Romans in every period of their history. If, however, devastations and servitude marked the progress of their arms in Greece, Asia, and the cultivated parts of Africa, the establishment of arts and useful laws and regulations attended their conquest of Gaul and Britain. And as long as we can forget the injustice of their invasion, and the violence employed to subdue the inhabitants of these countries, we may think more favourably of their proceedings, and consider their conquest as accidentally productive of some benefits to their new subjects, in return for depriving them of their ancient liberty.

The measures pursued by the Romans for civilizing, as well as retaining, the Gauls and Britons in a state of subjection, were similar to those which other nations had employed for the same purposes. Whatever arts they might introduce among a barbarous people, agriculture was the first, and in many respects the most useful, by enforcing industry, and ascertaining a distinct property in the ground, and its pro-

products. Almost all the great and flourishing states of the East had employed both political and religious motives to encourage a proper cultivation of the lands; and from this source they chiefly derived their populousness, wealth, and power. Egypt, from whence the law-givers of ancient Greece and Italy chiefly borrowed their ideas of civil polity, was distinguished for its husbandry. The fertility of its soil occasioned its populousness; and this necessarily introduced a regular government, and gave room for every effort in the various branches of legislation. For this reason it had been famous for its system of laws, and resorted to by the inquisitive Greeks long before their countrymen emerged from a state of ignorance.

As the early civilization of Egypt was in some measure owing to its peculiar situation, and the fertility of its soil, that of the Greeks, whose lands were not so fruitful, must be ascribed to other causes, besides the introduction of agriculture. Applying themselves to traffic with their neighbours instead of engaging in acts of

piracy, and cultivating their lands with greater aſſiduity, dividing the country into petty principalities, and employing all the profits and revenues of their territories to improve and adorn their capitals, more poliſhed manners and a more equitable government began to take place. Commerce neceſſarily introduces juſtice, order, and induſtry; and the ſpirit of a large and trading city has uſually been of ſo liberal a turn, as ſeldom to endure for a conſiderable ſpace of time an arbitrary governor.

Before this improvement of Greece, the inhabitants were divided into clans under the direction of a chieftain, who ſeems to have poſſeſſed a ſovereign command in civil and military affairs. When theſe ancient monarchical forms of government began to decline, and the ſpirit of liberty to animate the Grecian ſtates, we juſtly hold them in the higheſt admiration, and eſteem it as the peculiar felicity of a country, which reſembles them in zeal for freedom, and in all the arts and accompliſhments of civilized life: but amidſt the admiration of what

what is commendable, we are almoſt inſenſibly led to forget, that, while a juſt or rather an unbounded liberty reigned amongſt the freemen in the capitals of many ſtates, ſervitude and oppreſſion generally took place in every other part of their territories. If in ſome of the Eaſtern ſtates the huſbandmen conſiſted chiefly of freemen; in Greece, and in all the countries dependent on Carthage, the buſineſs of tilling the lands and all rural occupations were commonly allotted to ſlaves and captives under the direction of an overſeer or bailiff. The Elotes or Spartan huſbandmen were as abject ſlaves as the Negroes in an American plantation: and in other parts of Greece the condition of the ploughmen and labourers was nearly ſimilar. If by the fortune of war one ſtate obtained a ſuperiority over another, many of the inhabitants were uſually reduced to the capacity of ſlaves, and the chief products of their country conveyed to the capital of the victors. In this inſtance the Greeks were not ſingular. Some of the public works in Egypt were exe-

executed by prisoners taken in war (c). And it was almost an universal maxim of policy in all ancient states to make use of the people they subdued, as labourers, mechanics, or husbandmen, if the country would admit of cultivation, and its products were necessary for this use. And whenever an attempt was made to civilize a barbarous people, the utmost care was taken to instruct them in husbandry, and the various arts and occupations connected with a rural life. The civilizers of Greece and Egypt are said to have been the inventors or patrons of agriculture, and to have effected their designs by introducing or encouraging it in their respective countries. The Egyptians were so sensible of the benefits derived from their ancient law-givers, who introduced husbandry, as to advance them to the rank of deities (d). And in later times Alexander the Great, who equalled any of the ancient conquerors in the knowledge of civil government, pur-

(c) Herod. Hist. l. ii. c. 108. Diod. Sic. Hist. l. i. p. 51.
(d) Diod. Sic. ibid.

sued

sued the same measure, as the means of civilizing a barbarous people *(e)*.

Many of the Greeks, elated with their superiority over some other nations in science, arts, and political knowledge, looked upon every barbarous people as unfit for the employments of freemen, and designed by nature for servitude *(f)*. And as they could not be supplied with a proper number of slaves from their own countries, they were obliged to bring them from abroad, and oftentimes distinguished them by the names of the nations from which they were imported. Even in the age of Homer, when his countrymen were only emerging from barbarism, slaves were considered as articles of traffic, and exchanged like other commodities *(g)*. After his time the slave-trade was enlarged in proportion to their advancement in arts and luxury, and continued to be carried on as long as their governments subsisted. By the cease-

(e) Strab. Geog. l. xi. p. 786. Plut. tom. ii. p. 328.
(f) Arist. Pol. l. i. c. 2, 5, 6.
(g) Hom. Il. vii. 427.

less

leſs viciſſitude of human affairs, their deſcendents are at preſent nearly reduced to the ſame ſtate of ſervility and ignorance as the barbarians, who in their eſtimation were deſtined for ſlavery; while the Weſtern countries of Europe, which they conſidered as occupied by barbarous nations; are now become the ſeats of civility and learning, and the inhabitants poſſeſſed of all the qualities and endowments which they believed to confer a right of tyrannizing over a rude and uncultivated people.

It is not, however, to be imagined, that in Greece ſlaves alone were employed in the cultivation of the lands, or that the occupation itſelf was thought diſhonourable by men of letters and diſtinction. One of Heſiod's poems affords an evidence of the attention paid to agriculture by the ancient Greeks; and the more uſeful treatiſes on the ſame ſubject by ſucceeding writers, many of which are enumerated by Varro *(b)*, ſufficiently ſhew, that it continued to be held

(b) De Re Ruſt. l. i. c. 1.

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in some degree of repute for several ages. If any other evidence was wanting, the Oeconomics of Xenophon may be adduced as a proof of the regard which men of genius as well as eminence in the state paid to the cultivation of the lands, and of the care they took to superintend and direct their slaves and labourers in country-affairs (i). When they retired from public business to their villas or farms, this was their usual employment; and it continued to be so, till the wealth brought in by commerce, and the factions in the capitals, diverted their attention from all rural occupations. Considering the power and opulence of some of the Grecian States, it may seem surprizing, that men of rank and distinction in the government should have applied themselves for so long a time to the business of husbandry; but the landed possessions of the leading men in the administration of public affairs were usually so small, that it required the utmost care and oeconomy to draw from them a mainte-

(i) Xenoph. Oecon. c. 16, 17.

nance proportioned to their ſtation. And on this ſuppoſition we may account for their ſkill and attention to an employment, which in nations equally poliſhed is uſually neglected by men of the ſame rank.

Nor was this regard to huſbandry in thoſe early ages confined to the Greeks or eaſtern ſtates. The inhabitants of Italy, before they were ſubdued by the Romans, equalled any other people in this occupation. If any credit is due to the early hiſtory of the Romans, the little ſtates, into which Italy was then divided, were extremely populous. And it is ſcarcely poſſible to ſuppoſe, that ſuch a great number of people could have been maintained, except by a vigorous cultivation of the lands, and a degree of induſtry as well as ſimplicity of diet unknown in modern ages. But if they equalled or excelled the Greeks in this inſtance, they were inferior to them in others. Confining themſelves wholly to the profeſſion of arms and agriculture, and retaining their ancient ſimplicity of manners, the arts and ſciences were ſlightly attended to, or entirely neglected; while

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the Greeks, who lived in a country not ſo fertile, by applying themſelves to commerce, and enriching and adorning their capital cities, carried all the polite arts to ſuch a degree of perfection as to become the models of ſucceeding ages. The Tarentines alone reſembled them moſt, by adopting their manners. They were originally a Greek colony; and, led by their ſituation to engage in commerce, they made a greater proficiency in the polite arts, than the contemporary inhabitants of any other ſtate in Italy.

In ſome reſpects the Romans were ſuperior to the Greeks in the arts of legiſlation. The ancient law-givers of Greece had formed their plans of government on ſo narrow and contracted a baſis, as ſcarcely to admit of a numerous and flouriſhing ſtate of people, or an extenſive empire ruled by a liberal ſyſtem of laws. The political inſtitutions of Crete, Sparta, and particular ſtates in ancient Italy, though uſeful in many reſpects, ſeem to be calculated rather for forming a numerous body of warriors, than for propagating arts and civility, and founding a great empire by the in-

troduction of their own manners and laws. According to the spirit of these governments, every people, which fell under their domination, must either be reduced to a state of servitude; or, if they received the laws of their conquerors, must become almost independent, and be considered only as their friends and allies. Their plans of government were also calculated for a city or small district, and could rarely be established in a distant country, which they subdued, with advantage to their own state. At the same time, their institutions having too much of a military cast, served to push them on to conquests, which they were unable to preserve. The Roman republic, though formed on a more extensive plan, was not without its defects. In the early ages of this mode of government the liberty and happiness of a conquered people were as precarious and insecure as in the time of the Emperors. Under the first period, cruel agrarian laws were enacted, for dividing the lands of the vanquished states among their own citizens; and under the latter the provinces commonly fell into the hands of rapacious governors, who

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reduced the greateſt part of the people to a ſtate of poverty and ſervitude. It is only in modern times that we muſt look for an equal diſtribution of juſtice in the capital and diſtant parts of an empire. And it may be obſerved, to the honour of the preſent times, that the condition of the inhabitants of every ſtate in Europe, who have been obliged to ſubmit to a foreign power, has been much more comfortable than it would have been in the beſt ages of the Greek or Roman republics.

After theſe remarks on the policy and government of ancient ſtates, we may return to our ſubject, and conſider the means employed by the Romans for civilizing the weſtern parts of Europe. And one reaſon of the improvements made in theſe uncultivated countries may be juſtly aſcribed to the ſettlement of colonies, and the introduction of agriculture. It had been the conſtant practice of the Phœnicians, and other ancient commercial ſtates, to carry out companies of their countrymen, and place them on the coaſts of Africa or Europe. By the aid of theſe colonies

they were enabled to eſtabliſh a trade, and make an exchange of goods with the barbarous natives, and ſecure to themſelves a monopoly. And neceſſity concurred with utility in recommending this meaſure. Moſt of theſe trading cities being ſituated on iſlands, or confined to a ſmall tract of land upon the continent, could not conveniently accommodate the inhabitants with lodging and proviſions, when their commerce became extenſive, and their citizens numerous. Excepting Carthage and Alexandria, few of theſe commercial ſtates were able to furniſh their ſubjects with grain and other proviſions, without the aſſiſtance of the neighbouring nations or their own colonies. For this reaſon, corn was uſually the principal article, in which the colonies of the Greeks and other Mediterranean ſtates trafficked with the parent-country. And as far as the coloniſts extended themſelves into the adjacent lands for the purpoſe of raiſing grain, ſo far they might contribute to the civilization of their barbarous neighbours. But as they were

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led out chiefly for the ſake of trade, they generally confined themſelves to the lands contiguous to the coaſts. If they extended themſelves farther, it was commonly with a deſign to obtain the poſſeſſion of ſome valuable mines; and then it became neceſſary to ſubdue the original inhabitants. With this view the Carthaginians attacked the Spaniards, and reduced a part of their country to ſome degree of ſubjection. To theſe reaſons for ſending out colonies, we may add the neceſſity of providing for the indigent, which are commonly numerous in every commercial ſtate. No public proviſion ſeems to have been made for them, except in the city of Rhodes *(k)*. The ſtate therefore, for its own relief, would be willing to provide for them in other countries, where they might be of ſervice inſtead of a burthen to their countrymen at home. Perhaps too, as the conſtitution of theſe trading ſtates was generally republican, the magiſtrates might think it to be an act of prudence to remove the lower

(k) Strab. Geog. l. xiv. p. 653.

order of citizens, who, having votes in the public aſſemblies, might be employed to ſerve the purpoſes of a faction, or ſuffer themſelves to be governed by a ſeditious demagogue. And to this meaſure we may in ſome degree attribute the duration of theſe petty ſtates. They no ſooner ceaſed from ſending out colonies, than they were rent by domeſtic conteſts and ſtruggles for power, and the inferior citizens became engaged in ſupporting the deſigns of ſome factious leader.

The Romans had other views in their conqueſts than the intereſt of trade. This ſeems to have made no part of their deſigns in the republican times of their government. Their colonies conſiſted chiefly of veteran ſoldiers, who were requited for their ſervices with a part of the lands they had conquered, and at the ſame time were intended to keep the natives in ſubjection. Particular legions ſettled in the country they had ſubdued, formed a barrier againſt the invaſion of their neighbours, and were always at hand to aſſiſt their countrymen, when they were obliged

to maintain, or disposed to extend, their conquests. This was one of the most political measures employed by the Romans for enlarging their empire; and it was no less useful in preserving the tranquillity of the capital. In times of peace it was scarcely possible to maintain the authority of the magistrates in a state, where every leading member was ambitious to distinguish himself by military enterprises. A people almost constantly exercised in arms may be taught the utmost submission to their general as long as they are engaged in actual service; but, when they are restored to the rank and capacity of mere citizens, they are commonly factious and turbulent, and ready to dictate in all the affairs of government. This was so much the spirit of the Roman people, that the seasons of peace, though few and short, were always attended with intestine convulsions and disturbance; and no expedient could be devised more proper for quelling them than a declaration of war against some foreign power, or the establishment of colonies. The very being of the Roman

man ſtate was in ſome degree ſupported by theſe meaſures. The laws required a greater ſhare of virtue and public ſpirit to enforce their obſervance than was to be found, or could be expected, among a victorious and flouriſhing people.

Agrarian laws were for many ages agreeable to the Roman populace, and commonly propoſed by the tribunes, who courted their favour. After the times of the Gracchi, the diſtribution of the lands of a conquered country was generally oppoſed by the worthieſt part of the ſenate, out of a principle of humanity, or for the ſake of increaſing the public revenues. But the removal of an indigent and ſeditious commonalty, by the eſtabliſhment of colonies, ought to have outweighed all other conſiderations, and determined every well-wiſher to his country to have encouraged ſo uſeful a deſign. And it might have been effected without any great injury to the vanquiſhed, by taking from them, as was ſometimes done, only a part of their lands *(l)*. Confined to the city, the loweſt part of the peo-

(l) Liv. Hiſt, l. ii. c. 41.

ple

ple became the tools of every artful and ſeditious tribune, and at laſt the chief ſupport of the ambitious patricians; and, if ſettled abroad, they might have been of real ſervice to their country.

On a juſt compariſon, the love of rule and dominion, which animated the Romans, will be found more beneficial in its conſequences to every barbarous people they ſubdued, than the thirſt of gain, which poſſeſſed all the ancient commercial ſtates. Theſe aiming to ſecure a monopoly in trade, or to diſburthen themſelves of a needy and licentious populace, placed them on the coaſts of uncivilized countries, and looked upon them as their agents or factors, in trafficking with their barbarous neighbours. Unuſed to arms, their coloniſts ſeldom attempted to make any ſettlements in the interior countries, though a few merchants might reſort thither for the ſake of making an exchange of commodities. On the other hand, moſt of the Roman coloniſts, conſiſting of veteran ſoldiers, entered far into every country; they invaded, and ſpread arts and civility farther and

and more ſucceſsfully than any other conquerors. By the aſſiſtance of theſe colonies and military ſtations, they kept the inhabitants in awe, and inſtructed them in the moſt uſeful branches of civilized life. And we may aſcribe the quick civilization of the Weſtern parts of Europe to theſe meaſures. Strabo prefers the Roman colonies to thoſe of any other nation *(m)*. And one reaſon for giving this preference may be juſtly aſcribed to the choice which was made of coloniſts. Inſtead of the enervated and ſeditious citizens, ſent out by the commercial ſtates on the coaſts of the Mediterranean, the Romans, in the time of their republican government, commonly ſelected the oldeſt ſoldiers, trained up in the diſcipline of an army, inured to labour and hardſhips, and fitted for the ſervices of husbandry, and all the mechanical arts, which were neceſſary on the ſettlement of a colony. In after-ages, the legionary ſoldiers began to conſider an allotment of lands in a diſtant province as unworthy of their acceptance, and as a meaſure cal-

(m) Strab. Geog. l. v. p. 210.

culated

culated rather to banish than to reward them for their services (n). And, unhappily for the countries in which they chose to place themselves, agriculture began to be looked upon in the time of the emperors as an ignoble profession, and fit only for slaves and prisoners. During the last period of the republic, the populace of Rome was so necessary in the struggles for power, and afterwards so much caressed and bribed by largesses under the emperors, that they became unwilling to settle in foreign and uncultivated countries. They chose rather to subsist on the tribute of corn and provisions brought from the provinces of their empire, and enjoy the public shews and entertainments, than submit to the labours of husbandry in a distant and perhaps unhealthy climate.

Here let us remark the difference of opinion between the antients and moderns on the subject of colonies. The former thought them necessary to extend or secure their commerce or conquests, or to free themselves from the burthen or dangerous

(n) Tacit. Ann. l. i.

designs

designs of factious or uselesſ citizens, and at the ſame time to give room for the growth and advancement of others. Modern ſtates, equally fond of trade and empire, have been frequently diſpoſed to conſider colonization in a different light. It has been repreſented as detrimental to the parent-ſtate, by diminiſhing its internal ſtrength, and bringing on expences that are ſeldom repaid. The different nature of traffic, in ancient and modern times, has occaſioned this diverſity of ſentiments. From the greater number of people in any country it is generally preſumed, that cheapneſs of labour and manufactures muſt unavoidably follow; and this, it is urged, muſt give a preference to its merchandiſe in foreign markets, and almoſt eſtabliſh a monopoly. Among the ancients, trade, being carried on not ſo much by cheap as ſcarce or coſtly manufactures, by the productions of art or nature peculiar to ſome countries, or by an exchange of commodities, depended little on the cheapneſs of labour or the number of people. They found greater advantages in ſettling their indigent citizens abroad, than

than by any addition they could make to their commerce at home by their number and induſtry. And it may be juſtly doubted, whether the eſtabliſhment of colonies ever weakened or diſtreſſed the parent-country. The preſent ſtate of Spain is commonly appealed to on this ſubject, whoſe weakneſs is attributed to the baniſhment of the Moors, and the removal of its inhabitants to America. But it has been obſerved, by a very competent judge, that the provinces of Spain, which ſend the greateſt number of men to the Indies, are the beſt peopled *(o)*; and it is queſtionable, whether its ſtrength is not as great at preſent as in any other period, though it appears to be comparatively leſs by the advancement of other nations, which formerly were inferior to it in wealth and power. And the reaſon why it has not made the ſame progreſs as ſome other ſtates, may be owing to the deſpotic nature of its government, and the want of a proper internal policy. As far as experience can inform us, it ſhould ſeem as if no flouriſhing

(o) Uſtariz's Theor. of Com. v. i. p. 46.

ſtate

ſtate was ever injured by ſending out colonies. They may make an addition to the trade of the mother-country; and they give room for an increaſe in number and vigour to thoſe who are left behind. The vacancy, they leave, is ſo ſoon filled up under a prudent government, that in a few years it is ſcarcely diſcernible. But every modern ſtate in Europe ſeems to be ſo fat prepoſſeſſed in favour of population at home, that it is rather deſirous of increaſing the number of its inhabitants by acts of naturalization, than of diminiſhing it by the eſtabliſhment of colonies.

If we are ſurprized at the boldneſs of the Roman coloniſts in placing themſelves in an enemy's country, we have no leſs reaſon to wonder at the ſmall quantity of ground which they uſually occupied. The landed poſſeſſions of the ancient Romans were ſcarcely equal to the garden of a moderate family in the preſent times; and when the lands of a vanquiſhed ſtate were divided among the citizens, the ſhare of each was ſo trifling, as to require an uncommon degree of induſtry and ſkill in agriculture, in order

order to derive from it a maintenance for their households. The smallness, however, of this allotment enabled them to unite more readily for self-defence, and to protect their possessions with greater ease. On their first settlement they formed a camp adjoining the lands they proposed to cultivate; and this by degrees was converted into a fortified town, to which they might retire in the time of danger with their cattle and effects. The great quantity of ground required by modern colonists, in order to supply them with provisions and other necessaries, has exposed them to many inconveniences, and made their possessions less defensible against the attacks of an enemy.

But, besides the advantage of occupying such a small portion of ground, the colonists, in the early ages of the Roman state, had been employed during a respite from military service in rural occupations, and were in every respect qualified for improving the lands where they settled, and for instructing their ignorant neighbours in the most useful branches of husbandry.

 This

This had been the favourite employment of the most distinguished Romans in the virtuous ages of their history, and one of those arts in which they were ambitious to excel. A good husbandman was held in the highest estimation, and considered as an useful member of the state *(p)*. On the taking of Carthage, they preserved the writings of Mago on agriculture, and ordered them to be translated into their own language *(q)*. Even so late as the age of Tully, agriculture was held in some degree of repute, and recommended by him as a liberal profession, and not below the attention of a senator *(r)*. But from his time the spirit of it began to decline so fast as no longer to be considered as a polite amusement. The spoils of the conquered countries, the imitation of Asiatic and Grecian manners, and the import of corn and provisions from the provinces, first brought this occupation into neglect, and in a few years into contempt. The care of the lands

(p) Cato de Re Rust. c. 1.
(q) Varro de Re Rust. l. i. c. 1. Col. l. i. c. 1.
(r) Tull. de Off. l. ii. c. 42. De Senect. c. 15.

was

was consigned to slaves, and the lowest of the people; and husbandry and hunting, which had been the amusements of the early Romans, were, by a contemporary of Tully, placed among the servile and ignoble employments *(s)*: and agriculture never recovered its credit so far as to engage the attention of the Roman people. Augustus, and some of the best of his successors, encouraged it through views of policy. Virgil recommended it to his countrymen; and cloathed the most useful of its precepts in all the beauties of poetry; and succeeding writers laid down rules for the management of lands, which they had borrowed from Greek or Latin authors, or their own observation and experience: but their efforts proved ineffectual. The nobles were sunk in effeminacy, and oftentimes derived their safety from their sloth and vices: and the servile and lazy populace of Rome had too long been maintained by the products of the conquered countries to submit to the labour of cultivating their own lands.

(s) Salust. Bell. Cat. c. 1.

Agriculture, thus almoſt baniſhed from Italy, flouriſhed in the provinces of the empire, and ſupplied Rome with the greateſt part of its proviſions. Sicily, Africa, Egypt, and other countries, ſucceſſively ſent immenſe quantities of grain thither; and the more diſtant provinces paid their tribute of corn to the troops which were quartered there. Agriculture was therefore encouraged in the provinces both through intereſt and neceſſity. Whether it was, that the Romans looked upon the offices of huſbandry as ſervile, or that the employment was beſt calculated to keep the people in ſubjection; it ſeems to be certain, that it was enforced in the provinces, and in ſome againſt the inclination of the inhabitants *(1)*. Something muſt be attributed to each of theſe reaſons. Every people, which cultivates its lands, muſt be in a great degree dependent on the will of their conquerors. As it is eaſy to deprive them of their property and ſubſiſtence, it is eaſy for the ſame reaſon to bind the chains of ſervitude the more cloſely. And by a natural

(1) Strab. Geog. l. vii. p. 315.

re-

revolution in the manners of the Romans, the idea of ſlavery became annexed to an occupation, which was once conſidered as the badge of freedom. In the early ages of their hiſtory, almoſt every branch of trade and all the mechanical arts were allotted to ſlaves, and liberty allowed only to the profeſſion of arms and agriculture. But when their conqueſts became extenſive, ſlaves alone under the direction of an overſeer were employed in all the offices of huſbandry. Every corn country abounded with them. In Sicily, and all the cultivated parts of Africa, their number was almoſt incredible; and under the Emperors many of the provincial ſubjects were reduced nearly to the ſame ſtate, and employed chiefly in raiſing corn for the uſe of the capital, or of the forces which were ſtationed there to keep them in ſubjection.

The ancient Romans, indeed, like moſt other nations, made great uſe of ſlaves in the cultivation of their lands; and as long as they directed and aſſiſted them in perſon, they treated their fellow-labourers

with ſome degree of humanity; but when huſbandry began to fall into contempt by the influx of wealth and the ſpoils of foreign nations, the rigors of ſlavery were increaſed. Among the rules laid down for the management of lands by writers on huſbandry, directions are given how to employ the ſlaves in the moſt beneficial manner, and derive the greateſt profit from their labours. They were allowed to marry; to poſſeſs a peculium or private property; and the female ſlave, who reared above three male children, was emancipated *(u)*. When ſick or infirm, they were expoſed by their maſters upon an iſland in the Tiber, and had the wretched conſolation to reflect, that with the recovery of their health they might regain their liberty *(w)*. But notwithſtanding they enjoyed ſome privileges, dictated rather by policy than humanity, their condition was far from being eaſy and comfortable. Cato, in his book on huſbandry, lays it down as a rule of œconomy, to diſpoſe of ſlaves in caſe of

(u) Columell. de Re Ruſt. l. i. c. 7.
(w) Suet. Claud. c. xxv.

debi-

debility or old age, like ſuperannuated cattle, and replace them by others, who were younger and more vigorous *(x)*. And yet this writer was diſtinguiſhed for integrity and ſimplicity of manners; qualities, that are generally ſuppoſed to be indications of an humane temper, or at leaſt inconſiſtent with a ſevere and cruel behaviour to inferiors and dependents. But men of rigid and inflexible virtue, biaſſed by the prevailing manners of thoſe times, were frequently leſs diſpoſed to feel and relieve the ſufferings of another, than thoſe who were debilitated by vice and effeminacy. The ſale of ſlaves at Rome was always conſiderable, and charged with a tax by one of the Emperors *(y)*. Some of theſe ſlaves were born in the families of their maſters, and others were purchaſed in foreign countries, or reduced to ſlavery by pirates or the fortune of war. According to the maxims of thoſe ages, the rights of conqueſt were carried ſo far, that the vanquiſhed were entirely at the diſpoſal of

(x) Cato de Re Ruſt. c. ii. Plut. vit. Cat. Maj.
(y) Tacit. Ann. l. xiii.

the victors, and the grant of life itself even in a state of slavery was considered as a favour.

As soon as the Romans were furnished with corn and provisions from their provinces, they began to follow the Grecian mode of employing their slaves in other occupations besides husbandry. In ancient times, every family supplied itself with the chief necessaries of life by their own industry and the assistance of a few slaves. As the capital and luxury increased, many articles of use or ornament, which were formerly unknown or neglected, became fashionable, and yielded a considerable profit to the artists and workmen, who were employed to supply the markets with them. In Athens, and some other Grecian states, slaves were employed in all the mechanical arts, and maintained their masters by the produce of their industry. In the time of the Peloponnesian war above twenty thousand Athenian slaves, chiefly mechanics, deserted their masters; and from hence we may infer, that they must have been extremely numerous at Athens (z). And other states of Greece

(z) Thucyd. Hist. l. vii. c. 27.

equally

equally abounded with them *(a)*. In the later ages of the republic, the Romans began to employ their ſlaves in the Grecian manner. Craſſus and Atticus entertained many in their ſervice, and received great ſums from the ſale of their labours. A part of the wealth of both was derived from this ſource; at leaſt they found greater profit by employing them to ſupply the city with articles of luxury than in cultivating the lands. And this is one reaſon why the moſt worthleſs and intractable of their ſlaves were engaged in the management of their farms, or ſent into the country by way of puniſhment *(b)*, while the more dextrous and obſequious were retained in the city, to ſupport the grandeur of their maſters, or to enrich them by their labours. In length of time, when the Romans began to entertain a great number of ſlaves for oſtentation and ſhew, they occaſionally treated them with great cruelty, and puniſhed them ſeverely for the ſlighteſt offences. The Athenians on the other hand

(a) Thucyd. l. viii. c. 40.
(b) Columell. de Re Ruſt. l. i. c. 1.

employing them chiefly in manual arts, found it to be their intereſt, on account of the profit derived from their induſtry, to treat them with mildneſs and humanity *(c)*.

From theſe remarks on the hiſtory of Roman manners, it may be inferred, that the period of time when Claudius invaded Britain was very unfriendly to the cauſe of liberty, and the eſtabliſhment of juſt and equitable laws among a conquered people. Deſpotiſm had ſeized all the departments of the ſtate, and ſervitude had ſpread itſelf over every art and occupation, which required induſtry and attention. If, however, the civilized countries which fell under the domination of the Romans, ſuffered every ſpecies of oppreſſion, the Britons derived ſome advantages from their invaſion, by applying themſelves to agriculture and other uſeful occupations, and learnt the rudiments of civilized life.

The Roman coloniſts, who ſettled in Britain, would undoubtedly apply themſelves to the cultivation of the lands in their neighbourhood, and endeavour to

(c) Plut. Theſ. De Superſtit. Monteſq. Eſprit des Loix l. xv. c. 16.

teach

teach the natives by example their own mode of husbandry as far as it was applicable to the soil and climate. But the number of colonists was too small to have an extensive influence. Equal benefits arose from the legions, which were quartered in different parts of the island. As soon as the natives were reduced to submission, the soldiers would either till, or oblige them to assist in tilling, the adjacent lands, in order to supply themselves with better provisions than the coarse food of the inhabitants. In process of time, villages were built near these military stations; and such of the natives, as chose to imitate the manners of the Romans, put themselves under their protection, and cultivated their lands in greater security from the inroads of their countrymen than they could in many other places. And, for the better protection of the people, the troops were quartered in such parts as were best adapted for maintaining the internal peace and tranquillity of the provinces. As many Britons had retired into Wales and the northern parts of the island, and annoyed both the Romans

mans and their countrymen by their incurſions, the military forces were ſo diſpoſed as to guard againſt them in the moſt effectual manner. The legions ſtationed at Glouceſter, Cheſter, and Carliſle, and the walls and ramparts thrown up by Adrian and Severus, are inſtances of the care they took to preſerve domeſtic tranquillity.

Writers have not told us with exactneſs what were the particular taxes or impoſitions, which the Romans laid upon the Britons. Horſes, cattle, and grain, are ſaid to have been paid as tribute; but corn was undoubtedly the principal article, and the moſt uſeful to the Romans. Their troops required it for their ſubſiſtence; and it appears, that they compelled the natives to bring in a ſtipulated quantity, and ſometimes, through diſguſt or by way of puniſhment, obliged them to deliver it at inconvenient places *(d)*. This tribute of corn, and the induſtry and labour required to raiſe it, were for a long time ſubjects of complaint amongſt the natives, and gave occaſion to inſurrections.

(d) Tacit. Vit. Agric.

Their

Their leaders animated them to rebellion by dwelling upon these topics, which were heard with great disgust, as recommending labour and a settled residence, and thereby depriving them of their ancient mode of living by hunting and pasturage *(e)*. And, to aggravate this imagined grievance, the Romans began a few years after their settlement in Britain to export grain to the continent. Being almost constantly engaged in hostilities with the Germans, corn became a necessary article to the troops employed against them; and Britain, by its situation, fertility, and certainty of its crops, was best adapted to afford a supply. And considering the state of the Britons at that period, this was the most useful and judicious tax that could be imposed. By obliging them to certain abodes and stated labours, it imperceptibly laid the foundation of civilized manners.

And wherever a successful civilization of a barbarous people has taken place, the same policy has been generally pursued.

(e) Ibid. Xiphil. Epit. Dion. p. 280.

They

They have been inſtructed in the arts of huſbandry, and compelled to bring in a ſtipulated quantity of grain to the troops who were appointed to keep them in ſubjection. And it would have been a meaſure equally fortunate to the natives of North America and our coloniſts there, if the example of the Romans in this inſtance had been followed, and either intereſt or humanity had led us to inſtruct the inhabitants in agriculture and manual arts. Though they have now lived almoſt two centuries in the neighbourhood of our colonies, a ſlender change has been made in their diſpoſitions and mode of life. They have adopted and improved upon ſome of the European vices; and, being ſupplied with ſtrong liquors and arms, they are become more intractable, and leſs diſpoſed to order and ſobriety. Conſiderable ſums of money have been collected for the purpoſe of inſtructing them in civility and religion: but there are no regular towns or villages to ſhew as the fruits of national benevolence. This is an event not to be expected, till the number of wild

wild beaſts is reduced, and the inhabitants are compelled to have recourſe to the annual products of the ground for a ſubſiſtence. And, before this happens, the number of ſavages will, probably, be ſo far reduced, as to make room for European ſettlements. Unhappily for the ſavages and the coloniſts, the intereſt of trade and the purſuit of gain led the latter to encourage in the other their uſual paſſion for the chace, and ancient manner of living. The exchange of furs and peltry for Britiſh commodities was found to be moſt beneficial and agreeable to both. And as long as theſe continue to be the chief articles of traffic, there is greater reaſon to expect, that the natives will be deſtroyed by domeſtic wars and foreign luxuries and diſeaſes than reduced into regular ſocieties. The Romans are ſaid to have civilized and inſtructed in the uſeful arts of life every barbarous people whom they ſubdued (*f*); it may therefere be juſtly doubted, whether their care in theſe reſpects was not more advantageous to an ignorant and ſa-

(*f*) Strab. Geog. l. ii, p. 127.

vage

vage people than the ſpirit of trade, which has now poſſeſſed almoſt all the nations of Europe, and whoſe immediate intereſt is preferred to every other conſideration.

Nor were the Romans leſs uſeful to the Britons, in making public roads, and opening a ready communication with the moſt diſtant ſtations of the ſoldiers. In the care of theſe, they were ſuperior to moſt other nations *(g)*. And though they were made for their own convenience, they became of equal ſervice to the natives. Some public advantages too aroſe from the deſtruction of the woods by the introduction or improvement of ſalt works and forges in different parts of the kingdom. The woods had formerly ſerved as a ſhelter to the inhabitants from the inclemency of the weather, and afterwards encouraged them to rebellion by affording a retreat from the purſuit of their enemies. And, at the ſame time that this deſtruction of woods made room for paſturage or the growth of corn, it helped to leſſen the number of wild ani-

(g) Strab. Geog. l. v. p. 235.

mals

mals and beasts of prey, which, like the natives, found a safe retreat under the trees and thickets, which then covered a great part of the island. The inhabitants, indeed, before the arrival of the Romans were in some measure obliged to confine the woods for the sake of providing fodder and herbage for their cattle; and the use they made of chariots sufficiently shews that there were some open grounds; but these were few, and some of them unfit for tillage in many places of the north till the settlement of the Romans in those countries. And even with their encouragement and assistance many centuries elapsed before the woods were confined within proper bounds, and room made for a more extensive cultivation of the lands. But, however slowly or imperfectly this work might be carried on, it was so far executed as to enable the Romans to hold the people in subjection; and by destroying many of the wild animals, on which the natives partly subsisted, they obliged them to supply the defect by an additional

quantity of corn or a greater number of tame cattle.

Camden and others have imagined, that the Romans planted vineyards, and made considerable quantities of wine. In his account of Gloucestershire he tells us, "we "are not to wonder, that so many places "in this county from their vines are "called vineyards, because they formerly "afforded plenty of wine; and that they "yield none now is rather to be imputed "to the sloth of the inhabitants than the "indisposition of the climate (b)." It is not improbable but the Romans might make a tryal how far vineyards would succeed in Britain. Tacitus, indeed, had observed, that our climate was unfit for ripening grapes, olives, and other fruits peculiar to the warm countries (i). But points of this kind are sometimes better determined by experiments than by reflections on the nature of the soil and climate. In favourable seasons our vines might yield a small quantity of ordinary wine, but such

(b) Camd. Gloucest.
(i) Vit. Agric.

as

as would ſcarcely repay the expences of cultivation. From later tryals it is now well known, that the obſervation of Tacitus ſtill holds good; and, as the editor of Camden's Britannia very juſtly remarks, our vines are more proper for ſhade than fruit.

If the Romans did not find the ſucceſs they expected in planting vineyards, they met with it in the culture of many fruit and timber trees, which they brought from Italy or Gaul. It is almoſt univerſally agreed, that all our valuable fruit trees were gradually brought from abroad, as many of them had been formerly removed from other countries into Italy itſelf. And we are perhaps not leſs indebted to the care of the Romans for ſome of our timber trees, though they are now looked upon as coeval with the ſtate of ancient Britain.

Many foreigners uſually flocked into a conquered country, not only for the ſake of plunder and the purchaſe of ſlaves and captives, but to carry on a more honourable traffic; and, as few and trifling as the

commodities of Britain were in those times, the number of Romans a few years after their settlement here was very considerable. In the general massacre of them under Boadicea they are said to have amounted to eighty thousand (*k*). And even at that early period London was distinguished for its trade (*l*). And though the genius of the Romans was not calculated for promoting commerce in Italy or the provinces, trade would nevertheless be so far encouraged in Britain as to be in some degree beneficial to the natives, by shewing them the use and value of their own products, which had been formerly overlooked, or collected only in small quantities. Mines of copper would be opened, salt-works erected, and the ancient mines of tin, lead, and iron, would be wrought to greater advantage by the assistance and instructions of the Romans. And at the same time the quantity of these and all other articles of traffic

(*k*) Xiphil. Epit. Dion. p. 277.

(*l*) Tacit. Ann. l. xiv.

would

would be enlarged, in order to ſupply the new wants of the natives, or gratify the avarice of their maſters. The Britons, in their original ſtate, not feeling the want of any other clothing than the ſkins of their own animals, or unacquainted with the uſe of many foreign commodities, could not make trade an object of their concern, or intereſt themſelves farther in it than to acquire by barter a few trifling articles. With the progreſs of civility their wants increaſed, and required a ſupply from their own induſtry, or by imports from abroad in exchange for their own productions. In their primitive ſtate, as the mere neceſſaries of food and cloathing were their principal wants, a ſlender degree of labour and application would furniſh an adequate ſupply; but, when they began to imitate the Roman manners, their wants became more numerous, and called for attention and diligence, to gratify them even in a very imperfect manner. Richer cloathing, more convenient buildings, and a more elegant and expenſive mode of living, gave occaſion to many arts, and the exercise of an induſ-

try unknown to their ancestors. But it seems to have been the policy of the Romans in all their conquests rather to oblige the people to be contented with their native products and manufactures, than to encourage an exchange with other nations. If commerce alone, according to the modern maxims of Europe, can lay the foundation of a naval power, the fleets of the Romans, in the republican times of their government, must appear to be very extraordinary. Neglecting or despising all the advantages of a trade with foreigners for several centuries, they contented themselves chiefly with their own coarse manufactures, and the productions of their own country. Few merchants were able to find a sale for the rich manufactures of the East, or even for those articles which are usually looked upon as necessaries in a state of polished manners. And, as the early Romans had few wants that required a supply from abroad, they had as few commodities to give in exchange. Frugal, parsimonious, and plain in their dress and diet, they held the greatest part of the

 imports

imports from foreign countries to be articles of luxury, and tending rather to corrupt their manners, than add to the ease and accommodations of life. Slaves were the most considerable article in their imports; and, in later times, an immense quantity of corn and provisions from the provinces of their empire. Their riches flowed in from the spoils and revenues of the countries they had enslaved, and not from any industry of their own to acquire them by traffic; and, if their naval power appeared formidable at any time under the emperors, it was rather owing to the encouragement they gave to the import of corn, and the care they took to depress trade in the provinces, and prevent the rise of a marine that might cope with their own, than to wealth brought in by foreign commerce. It was not till after the conquest of Carthage, Greece, and Egypt, that the interest of trade became an object of their attention; and even the little regard that was then paid to it was more owing to particular governors of provinces or to private

persons, than to any assistance or care bestowed upon it by the state.

In ancient times almost every Roman family supplied itself with the chief articles of food and cloathing by their own industry. The female part of the family manufactured the apparel, while the other part of it was employed in the cultivation of the lands. In later ages, each of these offices was allotted to slaves and domestics, who were retained for these purposes, and were oftentimes extremely numerous. How necessary they thought them to be for their interest or grandeur, may be collected from a particular instance. On the destruction of Corinth and Carthage, the immense sums of money which fell into their hands were chiefly laid out in the purchase of slaves *(m)*. So great was the demand for them, that ten thousand were sometimes sold at Delus, in Cilicia, in one day *(n)* Though the Romans were incessantly boasting of their liberty, they

(m) Strab. Geog. l. xiv. p. 668.
(n) Ibid.

were

were labouring to reduce their neighbours to a ſtate of ſervitude; and the number of their ſlaves in almoſt every period of their hiſtory equalled or ſurpaſſed the number of citizens. In ſuch a nation it was almoſt impoſſible that trade ſhould flouriſh. The unequal diviſion of riches and property, and the mean and narrow circumſtances of the people, formed inſuperable obſtacles to its progreſs. Wherever ſlaves alone are employed to ſupply their maſters with the principal articles of food, cloathing, and other neceſſaries; and at the ſame time where the freemen in general are held in a ſtate of poverty and dependence; it is vain to expect a vigorous commerce. This requires the moſt extenſive freedom, and almoſt entirely depends on an equal diſtribution of riches among the ſeveral members of the ſtate. An opulent nobility, attended and ſupplied by a train of ſlaves, and a needy and dependent commonalty, muſt always check the ſpirit of trade, and keep it in a very languid condition. The principal imports will chiefly conſiſt of mere luxuries, which always employ a

ſmall

ſmall number of veſſels, and meet with few purchaſers. And, if we except corn, the chief imports of the Romans, even in their moſt flouriſhing ſtate, were of this kind. They were brought from the Eaſt, and procured by remittances of gold and ſilver, inſtead of being exchanged for the manufactures and productions of their own country. They had, indeed, ſuch a ſmall number of commodities to give in exchange, that an extenſive trade would ſoon have reduced them to a ſtate of bankruptcy, if they had not been ſupported by the plunder and revenues of their provinces.

As the ſeverity and ſimplicity of manners among the ancient Romans made commerce almoſt unneceſſary; ſo obſervations on the genius and fate of trading ſtates gave them a diſguſt to it as long as the republic ſubſiſted. Carthaginian perfidy, which paſſed into a proverb, was not ſo much owing to the breach of treaties, or the unſteadineſs of a democracy, as to the ſpirit of a trading nation, that was always ready to ſacrifice every thing to immediate gain. The ſame ſpirit took poſ-

ſeſſion

ſeſſion of the Greeks as ſoon as their commerce became extenſive, and brought them under the ſame reproach. The philoſophers were diſguſted at the maxims and manners it introduced; and, in their ideal forms of government, proſcribed it as uſeleſs or pernicious, or referred it to the care of ſlaves (o). What the Grecian philoſophers recommended in their viſionary plans of policy, the Romans in a great meaſure put in execution. So long had this unjuſt notion of trade prevailed, and ſo deep an impreſſion had it made, that it ſubſiſted to the time of Tully. He ſpeaks of agriculture with the greateſt reſpect, and places it among the liberal profeſſions; and at the ſame time treats the merchant with a kind of ſlight, and the retale trader with the utmoſt contempt (p). Reflections of this ſort might become a philoſopher; but in modern times they would be thought ſurpriſing in a man, who was con-

(o) Plato, de Rep. l. ii; de Leg. l. viii. Ariſt. Pol. l. iii. c. 4. l. vii. c. 9. l. viii c. 2.

(p) De Offic. l. i. c. 42.

verſant

verſant in public life, and underſtood the intereſts of a ſtate. He is writing, indeed, to his ſon, to whom every branch of traffic might be conſidered as diſhonourable, and inconſiſtent with his ſtation. On this ſubject Tully's rank, philoſophy, and love of ancient manners, tempted him to lay down ſuch rigid maxims in the conduct of trade as were incompatible with the general ſpirit of a commercial people *(q)*. His ſentiments on this ſubject do honour to him as a man of probity, and might be gravely inculcated in a company of philoſophers, but would be ſlightly attended to on every exchange in modern Europe.

When we reflect on the riches and extent of the Roman dominions in the later ages of the republic, or under the emperors, we are juſtly ſurpriſed at the low ſtate of commerce. An empire ſo populous, and ſo connected in all its parts, it might be imagined, would have carried on a prodigious traffic, and furniſhed a marine ſuperior to that of any modern ſtate. And

(q) De Offic. l. iii. c. 12, 13.

yet

yet it may be doubted, whether the present trade of England, France, or Holland, is not more extensive, and does not employ a greater number of vessels, than the whole commerce of the Roman empire in any period of its history. And one reason is, that though many subjects were extremely opulent in the time of the emperors, yet the number of slaves was not diminished: and the body of the people in the capital and provinces was in too mean and indigent a condition to encourage an extensive commerce by the purchase of foreign commodities, or too slothful, through penury or oppression, to supply the markets abroad with their own manufactures. The only branches of commerce, which seemed to merit the public attention, were the Indian and corn trade. The duties and imposts which were levied on the former tempted the emperors to promote it, and the constant wants of the city obliged them to the care of the other. The capital of this mighty empire, by its populousness, and the neglect of agriculture in Italy, was dependent on its provinces for the greater

part

part of its bread and provisions, which being sometimes with-held by the governors, reduced the people of Rome to great distress. The utmost attention was therefore paid to the corn trade by the emperors, and particular indulgences granted to the merchants and mariners who were engaged in supplying the city with grain. And, in some respects, the policy of levying a considerable part of the provincial taxes in corn, instead of money, was not without its use. Almost all the provinces were by this means stocked with husbandmen, and in this capacity met with some degree of encouragement and protection: and the natives of many countries, where agriculture had been slightly attended to, were trained up in an useful occupation; and, though treated almost as slaves, were gradually enured to a state of order and civility.

This was the case of the Britons. They were obliged to apply themselves to the cultivation of the lands, and in length of time reaped considerable advantages from it. If the first accounts of Britain represent

ſent it as wild and uncultivated, and the inhabitants as ignorant and barbarous, later writers have given us no diſagreeable deſcriptions of both. The Britons began to imitate their maſters in dreſs, letters, and other accompliſhments; and, though theſe are the proper inſtruments for eſtabliſhing ſervitude, they are the means of civilization, and the neceſſary attendants on a ſtate of poliſhed ſociety (r). Regular towns and villages were built long before the Romans quitted the iſland; and the Britons are ſaid to have made ſo great a proficiency in the mechanical arts, that Conſtantius, after the victory over Allectus, removed many Britiſh artificers and mechanics into Gaul, to carry on ſome public works he had begun in that country (s). And if the Britons ſurpaſſed the Gauls in this reſpect, they equalled or excelled them in agriculture. The country was ſo well cultivated as to become the granary of the weſtern parts of Europe.

(r) Tacit. Vit. Agric.
(s) Paneg. Max. Aug. dict. p. 250.

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The Roman garrisons on the frontiers of Germany were usually supplied with corn from hence; and though this trade met with some interruptions, yet the emperor Julian removed them, and made the conveyance more easy. He employed eight hundred small vessels in transporting corn to the continent (*t*). From this circumstance we may form an idea of the British agriculture in those times, and of the great improvements that were made in it by the aid or instructions of the Romans. And it deserves to be remarked, though no uncommon event in the revolution of human affairs, that the trade in corn, which then distinguished Britain, like some great river long diverted from its course, should, after an interruption of above a thousand years, return to its former channel, and enrich the same country.

If the conjectures of some learned antiquaries may be depended on, equal care was taken of the inland trade in corn. According to them, a navigable canal was

(*t*) Zos. Hist. l. iii. Amm. Marcell. l. xviii. c. 2.

made

made from Peterborough to York, by which grain was conveyed from the ſouthern counties with greater eaſe and expedition than it can be at preſent. A work of this kind would have done honour to the Romans in the moſt flouriſhing ages of their empire; but the reality of ſuch a navigable canal is liable to ſo many objections, that few perſons will be diſpoſed to believe it, unleſs the evidence for it was clearer, or better authenticated (*u*).

At the time of Cæſar's invaſion few of the Britiſh inhabitants, except ſuch as had removed from Gaul, or adopted the modes and faſhions of that country, wore any other clothing than the ſkins of animals; and though the ſame dreſs might for a time prevail after the Roman conqueſt, yet this would gradually give way to the uſe of woollen garments, and introduce or improve the natives in the art of weaving. We have nevertheleſs ſlender reaſon to preſume, that the manufacture of wool was ſo far carried on as to admit of exportation,

(*u*) Drake's Hiſt. of York, p. 37.

though a quantity of cloth might be made ſufficient to ſupply the ſoldiery, and ſome of the natives (*w*). And the ſame remark may be applied to almoſt all other articles of traffic that required attention and induſtry to fit them for uſe. Men, who have been enured to a vagrant life, or have ſubſiſted chiefly by paſturage and the acquiſitions of the chace, are not eaſily brought to ſubmit to application and labour in a ſedentary profeſſion. Civilization, and the numerous train of wants it introduces, can only produce this effect, and make induſtry as habitual as it is neceſſary in this ſtate. If it ſhould be ſuppoſed, that the Britons were inclined to exert all the ſkill and diligence required among a trading people, the military and deſpotic power exerciſed over them by the Romans was not calculated for promoting commerce at home or abroad. To carry on this with ſucceſs, many privileges and immunities were neceſſary both to the merchants and

(*w*) Camd. Brit. vol. i. p. 96. 137.

peo-

people. And, as these indulgences were generally thought to interfere with the rights they assumed over a conquered nation, they were rarely granted in so ample a manner as to answer this purpose.

Amidst, however, these and other discouragements to the propagation and advancement of arts and industry, we have authentic proofs, that the value and importance of Britain were so well understood by the emperors, as to engage their care to preserve the civilized parts from the invasions of the Scots and Saxons. At the same time, its fertility and the number of its flocks and herds were made subjects of panegyric, and it seemed to vie in useful riches with the best provinces of the empire. So lavish were some writers in its praises, that they looked upon it as one of the fortunate islands, which was as likely to be found here as in any other part of the then known world (x). After making all due allowance for the characters and

(x) Paneg. Const. Constant. fil. dict. p. 223. et Max. Aug. p. 242.

ſituation of theſe panegyriſts, who ſeldom ſcrupled to compliment their maſters at the expence of truth, we may ſafely conclude from their accounts, that Britain had received great improvements, and abounded with all the neceſſaries and conveniences of life.

Before we proceed to the Saxon hiſtory, it may be of uſe to make a few remarks on the effects of the Roman government in the conquered provinces. Though the civilization of a barbarous people, by whatever means it is accompliſhed, may be conſidered as beneficial, it is nevertheleſs commonly attended with ſome diſadvantages, when introduced by force, and the exerciſe of a foreign power. Checking the native genius of the people, and compelling them to imitate rather than invent, few nations have excelled in the arts and improvements of life under theſe circumſtances. Such of the Grecian ſtates as were unawed by a foreign power, and gradually improved themſelves in civility and ſcience, gave room to the efforts of genius, and excelled every nation that was inſtructed by

the Romans in arts and humanity. Among a people just advancing from barbarism, it has rarely happened, but some remarkable productions of superior abilities have appeared, and for a time become national models. Self-taught, and unconstrained by rule, they give way to the sallies of genius, and, though irregular in their productions, have been the admiration of more enlightened ages. But neither the Britons, nor any of the Northern nations, which fell under the Roman yoke, distinguished themselves by superior attainments in arts or science. Ruled by a military power, and reduced to the capacity of slaves and dependents, they adopted the barbarous taste of their masters. Nor could such a violent government have a more benign influence on trade, husbandry, or even the mechanical arts. Commerce can never flourish where the greatest part of the people is held in a state of servitude. And husbandry, when carried on by slaves, will always continue in a languid state, and feel the pernicious effects of a despotic power. Self-interest in this, as in every other oc-

cupation, muſt animate the labourer, and lead him to exert his abilities and induſtry in making every improvement that promiſes to terminate in his own benefit. And it may be added, that by ſtocking the lands with a great number of ſlaves, in order to derive a profit from their labours, and obliging the provincial ſubjects to apply themſelves almoſt wholly to agriculture, with a view to retain them in ſubjection on the eaſieſt terms, many inconveniences reſulted from this policy. On the invaſion of an enemy, the greater part of the inhabitants, flattering themſelves with the hope of regaining their liberty, or of improving their condition, was always ready to revolt, or to make a feeble oppoſition. We may aſcribe to this cauſe the facility with which Sicily was ſo often conquered or invaded by different ſtates, and the cultivated parts of Africa were ſubdued by the Romans. And it was in ſome meaſure owing to this ſervile application to huſbandry by the inhabitants of Gaul and Britain, that they were ſo eaſily conquered by the Northern Barbarians. Moſt of the people held in a

ſtate

ſtate of vaſſalage, and having ſcarcely any property of value to defend, or few of thoſe inducements which animate men to exert themſelves in the defence of their country, either fled with their maſters on the appearance of an enemy, or tamely ſubmitted after a ſlight reſiſtance.

If in theſe reſpects Britain ſhared the fate of every other country, which fell under the domination of the Romans, in ſome inſtances it enjoyed peculiar advantages. Divided from the continent, and ſecured from the depredations of the Scots and Saxons, it had poſſeſſed a ſtate of tranquillity unknown to almoſt every other part of the Roman empire, and improved in arts and knowledge; while more civilized nations under the ſame government, after the loſs of liberty, ſunk into a ſtate of ignorance and barbariſm. And in ſome degree this became the fate of the Britons by the long continuance of a foreign power, and the exerciſe of a policy over a conquered country, that produced in the end the moſt pernicious effects. It was almoſt an invariable maxim in the Roman govern-

ment to deny the uſe of arms to every people they ſubdued, and oblige them to depend on their aſſiſtance and protection againſt invaders. Such of the natives as had a martial ſpirit were admitted into their troops, or formed into legions; but they were generally employed in foreign ſervice, and never left at home to rouze their countrymen to ſhake off the yoke, and aſſiſt them with that military ſkill and diſcipline they had learnt from their maſters. Neceſſity juſtified the expedience of this meaſure as long as the ſpirit of rebellion ſubſiſted in the country they had lately ſubdued; but, as ſoon as this was extinguiſhed, true policy required the purſuit of different meaſures. The Romans having nothing to depend on but a number of turbulent and factious troops, that were placed on the frontiers of the empire, expoſed their ſubjects to all the ravages of the Barbarians on a ſingle defeat. The inhabitants, unable to defend themſelves, or aſſiſt the Imperial forces, ſerved only to add to the conſternation, or joined themſelves to the invaders, in hope of partaking of the plunder.

plunder. If, instead of debarring the subjects from military service, and enuring them to all the enjoyments of ease and servitude, they had been permitted to avail themselves of their own courage, and instructed in the use of arms, in order to defend their native country, a stronger barrier would have been formed against the attempts of their enemies than could have been made by their mutinous legions. Perhaps a regulation of this kind might have helped to restrain the insolence of the soldiery, and occasionally preserved the tranquillity of the whole empire. The severity of military discipline had maintained the reputation of courage in the Roman troops, which was once the portion of all the citizens of Rome, and the produce of public spirit; and it subsisted in the army after it had been almost entirely lost in the citizens, and a blind and implicit submission to the will of the emperor was considered as the most valuable quality in a subject. And there is no doubt but the servile spirit, which so universally prevailed, was introduced by the continued exercise of a military power,

power, that gradually extinguiſhed a ſenſe both of liberty and virtue.

On the departure of the Romans, the Britons found themſelves in the ſame ſtate as the inhabitants of the frontier-countries in the Weſtern empire; diſpirited, cowardly, and fonder of eaſe than of independence and freedom. They had now ſo far degenerated from the ſpirit of their anceſtors, that they were unable to defend themſelves againſt their Northern neighbours, whom they had once reſembled, and equalled in military ſkill and courage. And it is not unuſual in the tranſition from ſavage to civilized manners, when made by a foreign power, that men ſhould be as puſillanimous in the latter ſtate as they were intrepid in the other. A native ferocity prevails among all the ſavages of the cold countries; and a reſolute and ſteady courage is commonly to be found in a more improved ſtate of life. The firſt quality is the gift of nature; but the latter can be acquired only by experience and the uſe of arms.

CHAP.

CHAP. III.

REMARKS UPON THE LANDED AND COMMERCIAL POLICY OF ENGLAND UNDER THE ANGLO-SAXON GOVERNMENT.

IF the Romans have been cenſured for the ſervitude they introduced in all their conqueſts, the Saxons and other Northern nations have been commended for their ſpirit of freedom; or at leaſt they have been conſidered as ſcattering the ſeeds of that liberty which, in ſucceeding ages, were brought to maturity *(a)*. Their military ſkill and even their virtues were much greater than could be expected from

(a) Monteſq. Eſp. des Loix, l. xvii. c. 5.

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the rudeneſs of their ſtate. Though poſſeſſing all the fierceneſs of Barbarians, they excelled the ſubjects of the Roman empire in the obſervance of many moral duties. With the loſs of liberty theſe had contracted the vices of ſlaves, and all the proper qualities for keeping them in a ſervile condition. But, whatever reſpect theſe hardy invaders from the North may obtain on account of their martial qualities, or particular virtues, the regard which they paid to the liberty of the people they ſubdued, or even to their own commonalty, ſeems not to have been ſo great as to deſerve equal commendation. The freedom they enjoyed or granted to their new ſubjects was rather a conſequence of their manner of life, and imperfect notions of government, than the reſult of deliberation and deſign. The Romans, in order to keep a conquered people in ſubjection, compelled them to ſettle in cities and villages, and to cultivate the ground. On the other hand, the Saxons and Northern barbarians, deſtroying many of the cities and populous towns in the countries they invaded, and

addicting themselves chiefly to pasturage and hunting, must necessarily abolish a great part of the servitude established by the other. If any other people, equally barbarous, should settle in a flourishing and populous country, and introduce the same mode of life, the consequence would be nearly the same. Most of the natives must either be exterminated or banished, whilst their conquerors lived in that savage freedom which is generally attendant on a martial and pastoral life.

In every hord of savages an unbounded freedom must take place. Authority can be derived only from age, experience, or approved courage; and though these may persuade, they can never compel. And wherever men subsist by pasturage, it is scarcely possible to divest them of the rights of freemen. If there is any exception to this remark, it is to be found among the Tartars, over whom their chieftains are said to exercise an authority much greater than seems to be consistent with their mode of life (b); but yet their

(b) Montesq. Esp. des Loix, l. xviii. c. 19.

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condition is far from being ſervile. The openneſs of the country, rankneſs of the ſoil, and conſequent populouſneſs, enable their leaders, who are commonly diſtinguiſhed for their wealth, to uſurp a more extenſive juriſdiction over their inferiors than is uſually the caſe in woody and mountainous countries, where the inhabitants are neither ſo numerous nor ſo tractable. Among theſe the power of the chieftain is extremely limited; and the form of government, if it deſerves the name, approaches to a democracy. It is chiefly in countries where agriculture is exerciſed, and large towns have been built, that deſpotiſm can be eſtabliſhed. It has ſeldom prevailed among nations who derived a great part of their ſubſiſtence from paſturage and hunting. For this reaſon the Germans, and other nations of the North, poſſeſſed a greater degree of freedom than the more civilized inhabitants of the South, till they adopted their arts and manners. Averſe to living in cities, and unſkilled in huſbandry and commerce, and all thoſe ſedentary occupations which tend

to

to introduce vaſſalage, they muſt unavoidably retain a great portion of their original freedom, in whatever country they ſettled, as long as they confined themſelves to their ancient mode of life. This is the chief merit they can claim as aſſertors of liberty and enemies to deſpotiſm. They no ſooner applied themſelves to huſbandry, and ſettled in regular towns, than they reduced the inferior orders of people to the ſame ſtate of dependence and vaſſalage as the Greeks and Romans had done before them in their ſeveral conqueſts.

It is not poſſible to collect, from any authentic records, what form of government was eſtabliſhed among the Saxons in their native country, or what regard they paid to commerce, or the cultivation of the ground. Among their neighbours, the Germans, whom they probably reſembled in character and manners, huſbandry was held in the loweſt eſtimation *(c)*. Preferring the exerciſe of arms to every other occupation, and annexing honour and free-

(c) Cæſ. B. G. l. vi. c. 21.

dom

dom to this profeſſion alone, they looked upon all the branches of agriculture as beneath their notice, and fit only for the employment of ſlaves, or of the old and infirm. One of their tribes left the care of their lands to their vaſſals or captives, or to ſuch of their countrymen as were unfit for a military life, or obliged to ſubmit to ſo ſervile an office. Allotting to each of theſe a ſmall parcel of land, they received a ſtipulated quantity of corn, cloth, or a certain number of cattle, in lieu of rent. Neither would they allow of a fixed and diſtinct property in their lands, but annually divided them among the people. The nobles or chieftains allotted to each a certain portion; and, after one year's reſidence, removed into other parts of the country *(d)*. Like many other barbarous nations they depended for ſubſiſtence upon their flocks and herds, and the natural productions of the ſoil, rather than the labours of the huſbandman. And it ſeems to have been a prevailing notion, among

(d) Cæſ. ubi ſupra. Tacit. de Mor. Germ.

all

all the Northern nations, that too great attention to agriculture tended to introduce manners, which they looked upon as infallible steps to effeminacy and servitude.

We learn from Tacitus, that one of the hords in the Northern parts of Germany attended more to the cultivation of the lands than such of their countrymen as lived on the borders of the Roman empire *(e)*. As the soil was less fertile, or the climate more unkind, they were obliged to be more industrious in providing a maintenance; but it is doubtful whether the Saxons ought to be placed in this number. It is, however, extremely probable, that they followed the customs of the Germans, and left the management of the lands, and the exercise of manual arts, to slaves and captives. Many years before the final departure of the Romans from Britain, all the North-west coasts of Europe, not immediately in their possession, were the rendezvous of pirates and freebooters, who subsisted chiefly by rapine and plunder. In these Northern

(e) De Mor. Germ.

countries there were troops ready to embark in any enterprize that afforded a prospect of ſpoil, or a ſettled abode. The Saxons, in ſome meaſure debarred by their ſituation from ſignalizing their courage by land, became pirates; and, during the declining ſtate of the Weſtern empire, diſtinguiſhed themſelves by their depredations on the coaſts of Britain, and the Southern parts of Europe. And as the inhabitants of the North had been conſtantly increaſing from the time that the Romans invaded ſome provinces of the Eaſt and Germany, ſo they had been improving in military ſkill and navigation, and preparing themſelves for the execution of greater projects than pillaging the defenceleſs towns on the coaſts of Gaul or Britain.

If the Romans had been ſucceeded in Britain by a nation which underſtood the art of making a conquered country uſeful, many of their laws and regulations might have been adopted, on account of their utility; but the Saxons were either too ignorant in the art of government, or too much devoted to their ancient manners, to

follow

follow the example or institutions of their predecessors in conquest. And in some respects their measures could not be exactly pursued. The Saxons, like other northern nations who emigrated into the south, were attended by their wives and families; and, having no idea of making a vanquished people useful, except in the capacity of slaves, saw no other advantage of a conquest than in the settlement and subsistence it afforded immediately to themselves and their households; and on account of their want of skill in husbandry, and passion for the chace, a large tract of land was required for these purposes. They therefore endeavoured to exterminate or banish the inhabitants, wherever they proposed to settle, not only that they might live in security, but enjoy the pleasures of the chace with greater freedom.

How justly the Saxons were branded with cruelty may be in some measure collected from their language. Wherever the Romans settled, the introduction of their own manners and tongue was employed as

one of the means of civilization; and the more rude and ignorant the natives were, and of conſequence the more ſcanty their language, the greater number of Latin words muſt of courſe be introduced; and yet there is ſcarcely a country, wherein the Romans reſided ſo long as in Britain, in which there appear fewer marks of their ſettlement than in the language of the Saxons. If a conſiderable number of Britons and Romans had been permitted to live in the country, the effects of their languages would have been more diſcernible in the Saxon tongue. The names of ſuch arts and utenſils as were uſed by the natives, or communicated by the Romans, would have been retained by the common people, who ſeldom entirely change the names of things that are of general uſe, but frequently preſerve them amidſt the violence and revolutions of a conqueſt. Some words, indeed, of a Roman origin, are obſervable in the Saxon language; but many of them were introduced after the eſtabliſhment of the Chriſtian religion; and

and they are ſo few as to afford a preſumption that, according to the accounts of hiſtorians, the greateſt part of the Britiſh and Roman families was either baniſhed or put to the ſword. For this reaſon we may juſtly expect to find more German than Roman cuſtoms in the Saxon management and application of the lands.

As the attendants and companions of the Saxon chieftains or generals in their military expeditions entered voluntarily into the ſervice, it is natural to infer that they would conſider themſelves as partners with them in plunder or conqueſt. And it ſeems to have been a cuſtom among all the northern nations, on their ſettlement in the Roman provinces, either to divide the lands by lot, or aſſign to each a portion according to his rank, intereſt, or valour. After the allotment to the leader or general, the nobles or officers in the army ſeized or took poſſeſſion of other portions, and divided them among themſelves and their followers. And as the armies of the northern nations uſually conſiſted of a kind

of clans or families united together; on their dispersion over a conquered country they endeavoured to keep up the alliance, and settle in the neighbourhood of their chieftain, as well through affection as to be in readiness to attend him on every military summons,

This mode of dividing the lands is natural enough among a barbarous people, uninstructed in the form of a regular government, and conquering only for the sake of a settlement. To provide for their safety against the attempts of the natives, their first institutions must necessarily have a martial cast, and dependence and subordination be enforced rather on military than civil motives. When assistance was required against foreign or domestic enemies, all persons qualified to bear arms were convened, and the plan of proceeding settled according to the sentiments of the majority *(f)*.

As it was impracticable to levy pecuniary aids, for the maintenance of the

(f) Tacit. de Mor. Ger.

prince

prince or chieftain, among a people whose trade was carried on chiefly by barter, and consequently where money was scarce, a portion of land was allotted to him for this purpose. This was a custom established among one of the ancient tribes in Germany *(g)*; and it prevailed in a great degree among all the princes of the Anglo-Saxon race. The demesnes of the crown were extensive, and afforded all, or the greatest part of, the necessaries required for the support of the king, without levying taxes on the subjects. A part of the fines for trespasses and offences, which were settled by law or custom, was paid to the king; and in later times, on the invasion of the Danes, when the crown-lands had been very much diminished by grants to the nobility and religious houses, a land-tax was levied under the name of Danegelt. Notwithstanding these contributions of the subjects, the chief supplies for the king's maintenance were drawn from the lands annexed to the crown. There is an

(g) Tacit. de Mor. Ger.

ordinance ſo late as the time of Canute, wherein he enjoins, that his houſehold ſhould be ſupplied from his demeſnes, and nothing taken from the ſubjects without their conſent (*b*). And the ſame order continued to be obſerved till the time of the Norman conqueſt.

The ſame force of military diſcipline, which kept the early Saxons in ſome degree of ſubordination, would at the ſame time introduce an inequality in riches as well as in rank and power; and in the diviſion of the lands the ſame inequality would be readily admitted. As all lived on their own portion of land, without paying ſtated levies to their leader or his officers, it became neceſſary to ſubmit to an inequality in the diſtribution of the conquered lands, that every one might hold them free from the impoſts and duties required in more civilized countries. And the reſpect paid to the nobility, and the honourable deſcent of the Saxon generals from a race of princes,

(*b*) Leg. Ang. Sax. p. 144.

whom

whom they revered as gods, would for a time create a diſtinction in their favour on the allotment of the lands, and entitle them to a ſhare proportioned to their rank.

On the firſt diviſion of the country, the principal part of the demeſnes of the king or general were probably contiguous to his uſual place of reſidence; but in later times they conſiſted of particular farms and diſtricts, that lay at a great diſtance from each other. After the diſſolution of the heptarchy, the kings had eſtates and cuſtomary rents in money, proviſions, or ſervices, in almoſt every county. But the ancient Saxons were ſo far from having an idea of rents paid in money, that, antiquaries have obſerved, the word *feorm*, or farm, originally ſignified victuals or proviſions (*i*).

The arable lands were uſually divided into hydes, and theſe again into leſſer portions. An hyde is generally ſuppoſed to have contained about an hundred and

(*i*) Spelm. Gloſſ. v. FIRM.

twenty

twenty acres; but, as the real quantity was uncertain, it is commonly described to imply such a portion of ground as was sufficient to employ a yoke of oxen, or maintain the family of a freeman *(k)*. On whatever account this division was brought into use, it was applied to other purposes besides the admeasurement of lands. As the possession of a certain number of hydes was usually required to entitle any person to the rank of a thane, and as every order of men had their price or weregild on occasion of murder, and the credibility of their oaths in some judicial cases was estimated according to their estates; this division was of use in settling these points. And it is not unlikely but it was originally designed, as it was in later times employed, to determine with what number of men and horses every landowner should attend the army, when called into service; and, some time before the Norman conquest, it served to regulate the land-tax or Danegelt.

(k) Chron. Bromt. p. 887. Ann. Waverl. p. 133.

The kings thus retaining ſuch a portion of land as was neceſſary for ſupplying their houſehold with proviſions, divided it into farms, ſome of which they let to the ceorles or ploughmen, according to the cuſtom of the Germans, on the condition of delivering to their officers a certain number of cattle, a ſtipulated quantity of corn, and other proviſions for the kitchen and ſtable *(l)*. Theſe were brought at ſtated times to the king's place of reſidence, and probably regulated in ſuch a manner as to ſucceed each other.

But the number of theſe ceorles, or farmers, ſeems to have been very inconſiderable. It was almoſt a general cuſtom among the great landowners to take a large part of their eſtates under their own management, and ſtock them at their own expence with men, cattle, and all the inſtruments required in huſbandry. The farms were then put under the care of a reeve or overſeer, who either received the chief profits for the uſe of his maſter, or agreed by

(l) Gerv. Tilb. p. 399.

con-

contract to ſupply him with a certain quantity of grain and other proviſions. In this reſpect they were widely different from modern farmers. As they entered upon the lands already ſtocked with plowmen, cattle, labourers, and all the implements of huſbandry, when the leaſe expired, or the principal tenant was willing to relinquiſh the farm, an order or law was made on what terms he ſhould leave it. If he rented twenty, ten, or three hydes, he was enjoined to leave one half of them ſown. It was alſo ordered, that ſheep ſhould not be clipped before Midſummer, or that the fleece ſhould be ſold for two pence (*m*). It appears very probable, from theſe regulations, that the lands in general were ſtocked by the owners; and the tenants obliged, on quitting them, to leave them in the ſame ſtate wherein they found them upon their admiſſion. To prevent frauds among the tenants, when they relinquiſhed their farms, a time was fixed by law for clipping their ſheep. And for the ſame reaſon it may be inferred, that the cottagers,

(*m*) Leg. Ang. Sax. p. 25.

glebe

glebe tenants, and ſlaves, who were the real managers of the lands, as well as the utenſils of huſbandry, were conſidered as annexed to the premiſſes, and not removeable, when the leaſe of the principal tenant expired.

In the laws of Ina we have an account of the rent or quantity of proviſions which every hyde was appointed to furniſh, tho' the weights and meaſures are extremely uncertain. The occupier of ten hydes was enjoined to pay ten barrels of honey, three hundred loaves, twelve ſtands of Welch ale, and thirty of a weaker ſort, two oxen or ten wethers, ten geeſe, twenty hens, ten cheeſes, a barrel of butter, five ſalmons, twenty wey of fodder or provender, and an hundred eels (*n*).

Though this law is ſuppoſed to fix the rents of lands in general, it is much more likely that it refers only to particular tenants, and was never univerſally obſerved by the kings or their ſubjects. As the Saxons, like moſt of the Northern nations,

(*n*) Leg. Ang. Sax. p. 25.

were

were fond of mead, a quantity of honey was an usual rent imposed on tenants; and salted fish being very much used as a winter provision, was equally required; on which account fisheries in the rivers or upon the coasts became of considerable value.

The rent or provisions required by this law of Ina serve to shew, that the ease or convenience of the tenants was in some measure consulted. And without a regulation of this sort the expence of the carriage of rents in kind to the landlord's place of residence, if at a considerable distance, must have exceeded the prime cost of the provisions, and rendered the estates belonging to the king or nobility in places very distant from their mansion-houses either useless to them, or the payment of rent very burdensome to the tenant. But it ought to be observed, that the princes, as well as the gentry of those times, had seldom any fixed abode. The king and nobility had commonly an house in their demesne towns, where they occasionally resided. And they often removed from one seat to

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another, in order to enjoy the pleasures of the chace, or to reap with greater ease the profit of their farms in different parts of the kingdom.

Among the various modes of estimating the value of lands, the most singular is, that of letting or computing their profits by the rent of a night, a day, or a certain number of days (*o*). It is not easy to determine, whether this custom arose from dividing their estates in such a manner as to yield a constant annual supply, as was usual in the monasteries (*p*); or whether it was not derived from a calculation how long each of their farms would maintain them and their retinue, when they lodged there upon a journey. According to either of these suppositions, the tenants were obliged to furnish their landlords with a quantity of provisions sufficient to entertain them the stipulated time, or deliver it, for their use, to their stewards or bailiffs. In length of time this custom was found so inconve-

(*o*) Spelm. Gloss. v. FIRM.
(*p*) Hist. Elienf. p. 504.

nient

nient to the kings and their tenants, that, as we learn from Domesday-book, the value of many of these rents was computed, and paid in money.

Besides making provision for the king's maintenance, and the support of his household, large tracts of land were converted into forests and chaces, for the pleasure of hunting. The princes and nobility of those times, unacquainted with the amusements and diversions of more civilized nations, spent the greatest part of their time in hunting, hawking, or other sports of the field. They found in these something resembling a military life; and the exercise which these rural diversions occasioned, prepared them for enduring the fatigues of war. All the Anglo-Saxon princes, as well as their contemporaries in France and Germany, were extremely fond of hunting, and so careful to preserve the game, that the laws enacted for this purpose were drawn up with great exactness. We have in Spelman's Glossary the forest laws of Canute, which, though of doubtful authority, seem to have been translated from the

the Saxon language by a Norman writer. They are, in ſome articles, ſimilar to thoſe of other nations upon the continent, and afford an evidence of the great attention that was paid to the preſervation of the game in thoſe barbarous ages. According to theſe laws of Canute, the chief foreſters were choſen out of the nobility, and particular privileges granted to the ſubaltern officers. Even a ſlave, when admitted to the honour of being a keeper or ſervant in the foreſt, obtained his freedom at the king's expence. If a freeman, by accident or deſign, purſued a beaſt of the chace till it was out of breath, he forfeited ten ſhillings; if an inferior perſon, was guilty of the ſame offence, he was fined twenty ſhillings; if a ſlave, he was puniſhed by whipping. If a ſtag, or royal beaſt, was thus treated by any of the perſons abovementioned, the firſt was to be impriſoned for a year, the ſecond two years, and the ſlave was outlawed: but, if any of theſe perſons killed a ſtag, the firſt forfeited his arms, the ſecond his liberty, and the ſlave his life. It was likewiſe ordered, that no

disturbance should be given to the game, by cutting down the woods, or depriving them of cover, unless by particular command. Even wolves and foxes were not allowed to be hunted within the precincts of the forest. Nor was any one permitted to keep grey-hounds, unless they were maimed, within ten miles of the forest, under a penalty of forfeiting one shilling for every mile he approached nearer. And though leave was given to keep a particular species of dogs, yet if any of them became mad, and was found within the forest, the owner was fined in the sum of two hundred shillings, the price or weregild of a freeman: if he bit any beast of the chace, the penalty was twelve hundred shillings, the price of a thane; but, if he bit a stag or royal beast, the owner of the dog was deemed to be guilty of the greatest crime (q).

Besides these laws, the king, or his foresters, were at liberty to establish any other for the preservation of the game. And soon after the Norman conquest, and

(q) Spelm. Gloss. v. Forest.

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probably before, every forest was considered as forming a kind of distinct principality, and governed by its own laws; it was neither admitted to be a part of any county or parish, nor subject to civil or episcopal jurisdiction, nor even to the payment of tithes for the assarts or cultivated spots, unless disposed of in charity, or by the particular order of the king (r). And as proper fences were oftentimes wanting to the forests, and the boundaries were uncertain, they were frequently extended into the neighbouring country, at the pleasure of the keepers. It was a great relief, as well as benefit, to the land-owners in after-ages, when the severity of these laws was mitigated, and the bounds of the forests were exactly determined.

On the first division of the lands, the shares of the nobility and officers in the Saxon army were undoubtedly much less than in later times, when they had subdued a considerable part of the island, and attained to a greater degree of opulence and

(r) Spelm. ibid. Madox's Hist. of the Exch. v. i. p. 348.

power. Though nobly born, the possession of forty hydes was required in the later periods of their history to place them in the rank of nobility (s). So that we may justly imagine, the principal thanes possessed a much greater number. In general their landed possessions were so large, that in those ages, when their rents were paid chiefly in kind, they could not be applied entirely to their own use. For this reason, they sometimes disposed of a part of their estates to the theodens or lesser thanes, or other persons, who held them by a kind of military tenure. Property of every sort was so insecure, that it could be maintained only by the sword; and the feuds and animosities that incessantly broke out among so licentious and independent a body as the nobility, would oblige them to consult their own safety, by retaining in their service a great number of vassals, whom they could employ in defending themselves, or distressing an enemy.

As hunting was the favourite diversion of the nobility, a part of the lands conti-

(s) Hist. Elienf. p. 513.

guous

guous to their manſion-houſes was uſually laid out in parks and warrens; and the remainder of the lands in the neighbourhood was commonly kept in their own poſſeſſion, and cultivated by their plowmen and ſlaves. But it was almoſt a general cuſtom among the principal landowners to ſtock a great part of their eſtates at their own expence, and receive the entire profits, except the pittance of proviſions, or ſmall parcel of land, which they allowed to their labourers and tenants, in return for their ſervices. The lands thus retained in their own occupation were called inland, or bordland; that is, ſuch as were immediately applied to the maintenance or board of the family. Other parts of their eſtates, ſituated at a diſtance from their dwelling-houſes, were called utland or outlands, and ſometimes let to tenants on the condition of ſupplying them with a certain quantity of grain or proviſions, a ſmall ſum of money, or aſſiſting them in works of huſbandry. If, however, any independent plowmen or ceorles were ſettled upon their lands under certain rents and

ſervices, it was ſcarcely poſſible to maintain the rights of freemen under the powers and juriſdiction exerciſed over them by the nobility. The ſlender authority of the laws obliged many of the freemen to enter into aſſociations for their own defence, or to put themſelves under the protection of ſome powerful neighbour, and repay it by ſervices in huſbandry, or other marks of his juriſdiction and their dependence.

As it was not uſual to maintain a regular body of forces in the pay of the prince, lands were ſometimes granted to particular perſons, on the condition of military ſervice, and fines levied upon them for non-attendance in time of war (*t*). Among the laws of Athelſtan, there is one which enjoins, that every plow-land, or hyde of land, ſhould maintain two good horſemen and horſes (*u*). It is nevertheleſs uncertain, whether this was the uſual condition on which the landowners in general, or only ſome military tenants, held their eſtates. But whatever obligations the freemen might

(*t*) Leg. Angl. Sax. p. 23.
(*u*) Id. p. 59.

be

be under in this respect, it seems as if they were always prepared, according to the custom of the Germans, for military service. The right of bearing arms belonged only to a freeman, and he seldom appeared in public without this badge of his rank. The use of arms was so general among the ancient Saxons, that their armies commonly consisted of the whole body of freemen, who either voluntarily, or by the tenure of their lands, were obliged to attend in every military expedition. In later times, when their ancient manners fell into disuse, and the number of free-men was very much reduced, few of the inhabitants were called to military service, except those who were retained by the king or nobility for this purpose, and were either maintained by them, or enjoyed some portion of land for their attendance in time of war.

The Anglo-Saxon tenants, who most resemble modern farmers, were the ceorles. These were of greater note than other occupiers of the lands, on account of their wealth or freedom. And if they were sub-

ject to military ſervice, yet this was oon-ſidered in thoſe ages as honourable, and the principal means of preſerving their freedom and property. The eſtimate of their perſons or weregild in ſome countries was two hundred ſhillings, or the ſixth part of the price of a thane; and particular fines were impoſed upon ſuch as maltreated them (*w*). On ſome occaſions theſe ceorles ſeem, like the ſlaves and glebe-tenants, to have been conſidered as annexed to the eſtate; and, though conveyed with it on a gift or ſale, were allowed to have ſo much intereſt in it, as to retain the poſſeſſion of it, with all the privileges they had formerly enjoyed. Lands held on theſe advantageous terms were undoubtedly not very common; but they were the lot of ſome tenants of the crown, nobility, and monaſteries.

So much regard was paid to the ceorles, and the promotion of agriculture, that when they could obtain the poſſeſſion of five hydes of lands, a church, kitchen, bell-houſe, a ſeat in the king's court, or a diſtinct office in his hall, they were allowed

(*w*) Leg. Angl. Sax. p. 42. 64.

the

the rank of a thane (x). It was not possible, that many plowmen should arrive at this honour under the descent of lands according to the custom of gavel-kind. This was probably the tenure of all the lands belonging to the commons; and in every country where it takes place, it must gradually bring the people nearly to a level. In a republican state, debarred from foreign commerce, and possessed only of a scanty territory, such a descent of lands may be a means of keeping the inhabitants in a state of equality, and prevent the accumulation of landed property. The same custom prevailed among the Welch (y). In later times, a similar one took place in the island of Candia; and the consequence has been, that the ancient landowners are reduced to poverty (z). And it was probably owing to the same cause, that the number of freeholders was so small in the later times of the Anglo-Saxons, and that the government inclined so much to an

(x) Leg. Angl. Sax. p. 70.
(y) Leg. Wall. p. 149.
(z) Pococke's Travels, vol. II. p. 266.

aris-

ariſtocracy. The nobility, poſſeſſing a right of conveying their boclands to any of their children or relations, were enabled to maintain the rank and ſplendor of their family; while the owners of all other lands, by being ſometimes obliged to divide them among a numerous progeny, gradually fell into poverty, or the condition of cottagers.

Some of the ceorles, or plowmen, rented farms according to modern cuſtoms under fixed rents and ſervices for a term of years, or under certain fines on the renewal of their leaſes; but the landowners in general ſeldom choſe to ſettle ſuch independent tenants on their lands, unleſs they lay at a great diſtance from their abode. They found greater advantages, as already obſerved, in ſtocking their eſtates with all the neceſſaries of huſbandry, and appropriating their whole profits to their own uſe, except the maintenance or pittance of land allowed to their labourers. Or if they permitted ſome of their principal tenants to continue upon their farms under ancient rents, they frequently made additions to

their

their ſervices, levied fines, or exacted heriots on every ſucceſſion to the tenancy, or employed other modes of oppreſſion, ſo as to reduce them to a ſtate of dependence.

The cottagers, or bordars, who rented ſmall parcels of land, were much more numerous than the ceorles, and, excepting bind days and ſervices, which they owed to their landlords, were not unlike the lower rank of farmers and labourers in modern times. Theſe paid the greateſt part of their rent in ſervices or perſonal labour for the benefit of their landlords; and, though they are commonly ſuppoſed to have been freemen, their condition and circumſtances were ſcarcely ſuperior to thoſe of the ſlaves or glebe-tenants (*a*). Their extreme poverty neceſſarily kept them in a ſtate of dependence; and the laws afforded them a ſlender protection in defence of their rights, or even of their liberty, againſt the violence and tyranny of an arbitrary landlord.

(*a*) Spelm. Gloſſ. v. BORDAR.

The

The barbarous ages in the history of almost every nation are generally distinguished for the spirit of liberty. As every freeman is allowed the use of arms, it is difficult to enforce an absolute submission to the will of the chieftain, or to establish any other than an aristocratical or popular form of government. The limited power of the Anglo-Saxon kings affords an evidence of the attention that was paid to the liberty of particular subjects; but this liberty was far from being universal. While a few were enjoying the benefits of freedom, the greatest part of the people was held in a state of dependence or vassalage. On the first approaches of men to civility and a regular government, if some particular families have maintained their liberty, the common people have generally been so unfortunate as to be reduced almost to the capacity of slaves. This was the case of the ancient Greeks, and in Cæsar's time the state of the Gauls (*b*). The theowes, or slaves, in every period of the Anglo-

(*b*) Thucyd. Hist. l. i. c. 8. 17. Cæs. de B. G. l. vi. c. 12.

Saxon

Saxon hiſtory, formed a numerous body, and were employed not only in works of huſbandry, but in moſt of the mechanical arts that were of general uſe. It was, indeed, almoſt impoſſible to employ them in any other manner. A rude and unpoliſhed people can have little occaſion for the perſonal attendance of ſervants (*c*); and for this reaſon they have uſually employed the captives taken in war in cultivating the lands, or in ſuch offices as require induſtry and confinement. To the mortification of the Romans, their officers, and ſoldiers, after the defeat of Varus, were deſtined to theſe uſes (*d*). In this inſtance, the effects of poliſhed and barbarous manners are alike, that ſtated labour is conſidered as a mark of ſlavery. Among a barbarous people the ſlaves will occaſionally be treated with great ſeverity, and feel every degree of violence and inſult from a capricious and tyrannical maſter (*e*);

(*c*) Tacit. de Mor. Germ.
(*d*) Senec. Epiſt. 47.
(*e*) Tacit. de Mor. Germ.

while, on the other hand, among polished and luxurious nations, many of them live more at their ease than the lowest rank of freemen who subsist by their labour. As the captives among the Germans were usually taken from nations more civilized than themselves, they would excel their masters, not only in husbandry, but in all the arts of improved life: and there is no doubt but the Germans would avail themselves of the skill and industry of their prisoners, and employ them in such works as they were unable to execute themselves. The Northern nations, by reason of their uncultivated state, could not employ their slaves in such a variety of arts and occupations as the Greeks and Romans; and yet they made great use of them, and established marts and laws for regulating their sale. Three things were required on the sale of a slave; that he should be sound at the new and full moon, free from the falling sickness, and not older than the seller engaged him to be (f). These cus-

(f) Leg. Angl. Sax. p. 107. note.

toms

toms of the North probably prevailed among the Saxons, and were brought by them into Britain, or adopted ſoon after their ſettlement. If at firſt a few freemen were employed in tilling the lands, in later times their number was very much reduced. Almoſt all the lands were in the occupation of glebe-tenants, whom the owners conſidered as their property, and claimed almoſt an unlimited authority over their perſons and effects.

Writers have commonly diſtinguiſhed the ſlaves among the Anglo-Saxons, as well as the early Normans, into two kinds; ſuch as were annexed to the lands, and not liable to be ſold or removed; and ſuch as belonged to the perſon of their maſter, and were entirely ſubject to his diſpoſal. Moſt of the vaſſals ſettled on the king's demeſnes were of the firſt ſort; and, when the nobility let their eſtates to the ceorles, proviſion was commonly made, that the ſtock of families ſettled upon their lands ſhould not be diminiſhed. And the ſame obligations were probably laid upon the ſteward of every opulent landowner.

As

As the ſlaves and glebe-tenants were conſidered as a part of their maſter's ſubſtance, they were diſpoſed of by will, or their effects were ſeized for his debt. And for the ſame reaſon, when the lands they occupied were expoſed to ſale, they were generally valued as yielding profit like a ſtock of cattle. Their condition and occupation were therefore commonly enumerated on the conveyance of lands, when writings came into uſe, and their families and effects transferred to the purchaſer. An early Norman writer has given us a form of this kind, wherein we find a bailiff, ſmith, carpenter, fiſherman, and miller, with their families and goods, conveyed as parcel of the eſtate *(g)*. Many inſtances of a ſimilar nature occur in our ancient writers. On an exchange of eſtates, we are told, that one exceeded the value of the other by an hundred ſheep, fifty-five hogs, two men, and five oxen *(h)*. And on a purchaſe of lands we learn, that the men, cattle, and corn, were valued at ſeven pounds *(i)*.

(g) Ingulph. Hiſt. p. 87.
(h) Hiſt. Elienſ. p. 481.
(i) Id. p. 478.

Though

Though the occupiers of the lands were thus rated like cattle, it is not to be ſuppoſed that all of them were ſlaves, or ſubject to ſale at the pleaſure of their landlords. Some of them were freemen, who owed only certain rents and ſervices; and even the glebe-tenants, like ſome of the ſlaves among the Romans, enjoyed a property of their own. Excepting a few, who were retained about the ſeats of the nobility, or the monaſteries, for domeſtic uſes, the greater part, according to the cuſtom of the Germans, was ſettled with their families in cottages, to which a ſmall parcel of land was annexed, and permitted to enjoy ſome of the fruits of their induſtry. The ſervices and fines required from them, and even their hydegild or pecuniary mulct to exempt them from being whipped, ſeem to indicate as if they were conſidered as a kind of petty tenants, and permitted to poſſeſs ſome effects, which were allowed to be their own, or were ſeldom wreſted from them. But the beſt evidence of their poſſeſſing a property of their own may be col-

lected from the purchase which they sometimes made of their freedom. By improving their peculium, some of them were enabled to redeem themselves from slavery. Many instances of this kind are mentioned by Hickes, which are so far subjects of curiosity, as they shew the value of slaves in those ages. One slave, we are told, bought of the abbot and monks of Bath his own liberty, and that of his children, for five ores and twelve sheep (*k*). Another obtained his freedom, and that of his wife and children, for fifteen shillings. The liberty of a woman was purchased at the price of ten shillings; and a man obtained it at the same rate. Another paid two pounds for the liberty of himself, his wife, children, and grandchildren. A man and his brother bought their freedom for seven marks, including the toll. Sometimes the liberty of a single person was valued at five shillings, ten shillings, or the half of a pound; and at other times it was estimated

(*k*) Hickes, Dissert. Epist. An ore was equal to twenty pence of Saxon money, or about four shillings and eight pence half-penny of ours.

at

at a pound (l). To account for this difference of prices, their ages, abilities, occupations, and circumſtances, were probably taken into conſideration; and ſomething, perhaps, ought to be aſcribed to the favour or indulgence of their maſters. There is, however, no reaſon to doubt, but their condition was attended to, and their value regulated by it, whenever they purchaſed their freedom, or the eſtates on which they were ſettled were expoſed to ſale. When the ſerfs, or glebe-tenants, belonging to the monaſteries, obtained their freedom, a memorandum was generally made of it in a vacant leaf of the Bibles, or other books depoſited in their library; and in other places their freedom was recorded in the toll-books, as a toll was uſually paid on theſe occaſions in the ſame manner as upon the ſale of cattle or merchandiſe. But in general, when their maſters or landlords were diſpoſed to make them freemen, the buſineſs was diſpatched at the hundred or county-courts, according to a form pre-

(l) Hickes, Differt. Epiſt. p. 13, 14, 15, 22.

ſcribed for that purpoſe, and regiſtered like the conveyances of lands (*m*).

Though the poſſeſſion of property, and ſome other rights enjoyed by the Anglo-Saxon ſerfs, ſeem to place them above a ſtate of abſolute ſlavery, yet their maſters were always ſuppoſed to have ſo much intereſt in them as to be entitled to a part of the fine that was levied on their murderers (*n*). And the power of the thane over his vaſſals was uſually extended ſo far, that without his leave they could not go to work out of his demeſnes, or marry their daughters out of his juriſdiction, without the payment of a fine. Theſe inſtances, though conſiſtent with perſonal freedom, are ſufficient to ſhew the low and dependent ſtate of the theowes or ſerfs, and place them almoſt on a level with the ſlaves in our American iſlands.

Landed property being conſidered by the Saxons as of no other uſe than as the means of ſupplying them with proviſions,

(*m*) Hickes, Diſſert. Epiſt. p. 14.
(*n*) Spelm. Gloſſ. v. MANBOTE.

and

and the common neceſſaries of life, without being obliged to purchaſe them of others, it was diſpoſed of in ſuch a manner as to anſwer theſe ends by dividing it into ſmall parcels, and exacting a ſum of money, or a portion of the product, from ſome tenants, and labour, or particular ſervices, from others. The demeſnes of the lords and gentry were commonly ſufficient to furniſh them with corn and cattle for the maintenance of their families; and other parts of their eſtates were diſpoſed of on ſuch terms as to ſupply them with carriages and labourers. To ſome tenants a ſmall portion of land was granted, in conſideration of working particular days for their landlord; others were bound to carry out the manure to his demeſne-lands; to reap, mow, or carry his corn or hay; to ſhoe his horſes, and find the iron; to fence a few yards of his park, or to fetch timber from the woods; to ſupply him with a quantity of honey or malt; to carry his proviſions when he travelled, or at particular times to treat his ſteward or bai-

liff *(o)*. In ſhort, every tenant, according to his circumſtances, was obliged to lend aſſiſtance to his landlord. The ceorles aſſiſted him with their plows and carriages, and the cottagers and ſerfs with their labour. Whenever theſe ſorts of tenants were obliged to attend, it was commonly fixed, how many hours they ſhould work, and how much they ſhould pay for the neglect; what quantity of meat or drink ſhould be allowed, and at what times they ſhould work without any gratuity. Sometimes particular days were appointed for their attendance, and at other times they were obliged to attend on the ſummons of the bailiff *(p)*. As the ſervices, duties, and fines, of the tenants, were ſo various, care was taken by the great land-owners to note them down in a land-book or rental. This not only marked the boundaries of particu-

(o) Somner, on Gavel-kind, p. 115, and other places.

(p) Spelm. Gloſſ. v. PRECAR. The two old proverbs, *Run a muck*, and *Run a tilth*, or, as commonly pronounced, *tilt*, may perhaps be derived from the hurry and confuſion occaſioned by a numerous body of tenants, when ſummoned to carry out the manure, or to plow the demeſnes of their landlords.

lar lands, but contained an account of the terms on which every parcel of land was let to the tenant. A land-book, or ſurvey of the crown-lands, had been made by one of the Anglo-Saxon kings; and William the Conqueror ſo far improved upon the plan, as to make a ſurvey in Domeſday-book of all the lands in England.

It was this demand of ſervices from tenants, that ſecured to the ſerfs and cottagers ſome degree of property, or at leaſt the uſe of ſuch implements as were neceſſary to diſcharge the works and duties which they owed to their landlords. And it was thought to be ſo uſeful a reſerve on occaſion of their maſter's arreſt for debt, that it afterwards found a place in the great charter. After the introduction of Chriſtianity, many laws and regulations were made in favour of the ſlaves. The church, in one of its conſtitutions, had prohibited their ſale into foreign countries, leſt they ſhould fall into the hands of heathens. And the biſhops, in their reſpective dioceſes, were enjoined to ſettle the quantity of work

to be performed by them, and to exhort their maſters to permit them, at particular times, to work for their own profit. On the death of a biſhop, all his Anglo-Saxon ſlaves were required to be ſet at liberty; and every biſhop and abbot was commanded to give freedom to three ſlaves *(q)*. If this humane and uſeful deſign had been put in execution, the ſtate of the ſlaves would have been more comfortable, and the number of them gradually reduced. But the influence of the clergy was not ſo ſucceſsful as to bring the people to ſubmit to regulations in favour of an order of men which they looked upon to be as much at their diſpoſal as their cattle. Though the Chriſtian religion, and a more regular government, had ſoftened the ferocity of the ancient manners of the Engliſh, it had not effected ſo great a change in their treatment of the ſlaves in the period immediately preceding the Norman conqueſt as might have been expected. The wife of earl Godwin, the ſiſter of king Canute, bought

(q) Leg. Ang. Sax. p. 90. 107. 120. 134. Spelm. Conc. v. I. p. 330. 405.

a great

a great number of boys and girls in England, and either ſold them in Denmark, or proſtituted the girls at home for gain. This gave ſo much offence to the monks, that they conſidered her death by lightning as an act of divine vengeance *(r)*. And it appears from other inſtances, that about the time of the Norman conqueſt the Iriſh were ſupplied with a great number of ſlaves from England *(s)*. As the glebe-tenants were permitted to occupy a ſmall portion of land, their condition was not ſo deplorable as that of the ſlaves. The diviſion of landed property into ſmall parcels, in order to accommodate them with petty farms, ſubſiſted a long time after the ſettlement of the Normans; and even at preſent many of the common and undivided fields in different parts of the kingdom ſhew, by the intermixture of the ridges or ſellions of the ſeveral proprietors, that they had once been occupied by a great number of perſons, and divided into ſmall farms.

(r) W. Malmeſb. p. 46. 57. H. Knyghton, p. 2. 333.
(s) W. Malmeſb. p. 62. Angl. Sacra, tom. ii. p. 258.

It

It is to this abject ſtate of the commons that we may aſcribe the territorial juriſdiction exerciſed over them by the nobility, and other land-owners. Theſe being poſſeſſed of large tracts of land, and ſtocking them with ſlaves, or letting them to cottagers, or to freemen whoſe circumſtances were extremely low, reduced all their tenants to a ſtate of dependence. And on this principle we may account for the diſtinction of lands into bocland and folkland. The tenure of the firſt was the moſt honourable, and almoſt peculiar to the nobility and monaſtics. It is difficult to determine at what period of time this diſtinction took place, though it muſt have been very anciently in uſe.

On the firſt ſettlement of the Saxons in Britain, and many years afterwards, every chieftain or military officer, if he followed the cuſtom of the Germans, would conſider himſelf not only as the proprietor of his portion of land, but as entitled to an extenſive juriſdiction over his tenants and vaſſals, at leaſt on common ſubjects of diſpute (*t*).

(*t*) Tacit. de Mor. Germ.

And

And in thoſe martial ages, and imperfect ſtate of government, it cannot be expected, that the nobility, in caſes of controverſy among their vaſſals and dependents, would permit an appeal to any court, except their own. They ſeem in general to have aſſumed, unleſs on extraordinary occaſions, the ſole power of determining moſt cauſes within their reſpective diſtricts; and their authority would be readily ſubmitted to, as the greateſt part of the people, ſettled on their lands, conſiſted of their clients, tenants, or ſlaves. And where the property of the people was inconſiderable, as was generally the caſe, few ſubjects of diſpute would occur which might not be referred to the determination of the courts held by their lords.

In later times this extenſive juriſdiction claimed by the nobility was very much abridged, and appeals allowed to the courts of the king's reeve, alderman, or earl. An exemption from the juriſdiction of theſe courts of the king was a privilege, that could be obtained only by a charter, or

grant of the crown, confirmed by the nobility and prelates. The consent of these was generally required to create bocland. This seems to have been exempted from all taxes and services, except such as were common to all the lands, military expedition, and the repairs of bridges and fortresses. The owners also, if they were laymen, possessed the privilege of alienating it, or devising it by will, except in some particular cases (*u*). At the same time, they had power of trying and capitally convicting offenders, and claimed a right to the fines and forfeitures for crimes and misdemeanors committed within their territory; they possessed a jurisdiction over the children of their vassals, and sometimes a right to receive fugitives; in short, they seem in many respects to have enjoyed *jura regalia*, or every privilege belonging to the crown. The boundaries of these lands were always distinctly marked out, in order to confine the owners within their own districts, and inform the inhabitants under

(*u*) Leg. Ang. Sax. p. 43. Hickes, Diss. Epist. p. 60.

whose

whoſe juriſdiction they lived. As the nobility would not permit the king to alienate his eſtates, or to grant particular privileges and immunities to a ſubject, which intrenched upon their own, as was the caſe on the creation of bocland or charterland, it became neceſſary that they ſhould confirm the grant; and when writings came into uſe, to ſign the deed or charter.

All other lands were denominated folkland, or lands of the commons, though they might be the property of the thanes or nobility. The owners or tenants of theſe lands were liable to all public burthens, obliged to attend the court of the reeve or earl, ſubject to the payment of forfeitures to the king's officers, and in later times to the tax of Danegelt (*v*). Nor could folkland be deviſed by will, but deſcended by the cuſtom of gavel-kind, to all the male children of the proprietor. It was alſo ſubject to ſo many duties and ſervices to the thanes, who from thence took occaſion to claim an intereſt in it, that it could

(*v*) W. Malmſb. p. 345. Dalrymple on Feudal property, p. 12. 14.

rarely be sold or alienated without their consent. And though the jurisdiction of the nobility was very much limited by permitting appeals to the king's courts, yet they continued to hold inferior courts, where they tried petty trespasses and offences, and made regulations for the management of the arable lands and common pastures; and by introducing particular laws and customs into their courts, and insisting on a variety of duties and services from the freeholders, they gradually wrested their property from them, or reduced them to a state of dependence. It appears from Domesday-book, that in the time of Edward the Confessor there were only sixty-six freeholders in Norfolk (*w*). And in this respect there is no reason to believe, that this county was distinguished from the rest. So that if the nobility lost some share of their power, by suffering appeals to be made to superior courts, they employed the propereſt measures to extend the authority of the courts they were still

(*w*) Spelm. Gloss. v. Domesd.

per-

permitted to hold. And the people in general were too much dependent upon them to make a ſucceſsful reſiſtance to their claims. Theſe petty courts, however, were not entirely uſeleſs. They ſerved to keep the lower claſſes of the people in ſome degree of order, by puniſhing miſdemeanors and trifling crimes, which paſſed unnoticed as ſoon as they ceaſed to be regularly held, or loſt a great part of their ancient authority.

It will be needleſs to inquire in what manner the monaſtics, or religious houſes, managed their eſtates, as in this reſpect, it may be juſtly preſumed, they would follow the example of the nobility. They had their ceorles, bordars, and ſerfs, which they found upon the lands they purchaſed, or on the eſtates beſtowed upon them by the kings or other benefactors, and they treated them nearly in the ſame manner. Sometimes they were ſo humane as to give freedom to ſome of their ſlaves, or conſider them as petty tenants, like the bordars (x);

(x) Chron. Bromt. p. 798. H. Hunt. p. 192.

and

and they might ſo far conform to the laws enacted in their behalf as to exempt them from ſale into foreign countries. The corn ariſing from the farms, which they poſſeſſed in the neighbourhood of their monaſteries, was lodged in their granaries; and upon their eſtates at a diſtance they built houſes and granges, which ſerved them as a kind of inns in their journeys, or maintained ſome of the fraternity, who occaſionally reſorted thither to hold their courts, or for the ſake of health or diverſion *(y)*.

In ſome other reſpects the conduct of the clergy and monaſtics deſerves notice. The allotment or diſtribution of the lands on the firſt ſettlement of the Saxons neceſſarily created a diviſion of property; and the juriſdiction exerciſed by the landowners over the occupiers equally required, that the boundaries ſhould be aſcertained. And the diviſion of the kingdom into pariſhes was a well-concerted meaſure for civilizing the rude inhabitants, by obliging

(y) Kennett's Paroch. Antiq. Gloſſ. v. MANSIO.

them

them to a fixed residence. In every respect it answered the same ends as the settlement of colonies and stationary legions made use of by the Romans for the same purpose, and effected the same design by less violent means. It brought the inhabitants together, and in some measure confined them to the cultivation of the adjacent lands. Almost all the laws and regulations of Alfred, so well calculated for the state of the people in his time, were founded on this partition of the lands, and could be enforced only on its establishment; and it succeeded so far as to bring the people, as far as so wild and martial a people could be brought, to order and regularity.

The building of monasteries seems to have been prior to this division of the country into parishes, and in some measure to have answered the same ends. Monastic institutions are generally supposed to have been the product of persecution, and of the gloomy temper so natural to the natives of Egypt, where they took their rise,

or were held in the greateſt eſtimation. They imperceptibly made their way thro' the greateſt part of Europe, and gained voluntary proſelytes, where their progreſs was not aided by the ſame cauſes. The violence and barbarity of manners, ſo common in the weſtern parts of Europe, effectuated the ſame ends as the climate and perſecution in other countries. Men were glad to retire into thoſe places of ſecurity, where they might exerciſe all thoſe forms of devotion which, among an ignorant people, will be always looked upon as of equal value with the practice of the moral and ſocial duties of life. In the general eſtimation the monaſtic life was reckoned to be the moſt perfect; and the diſorders of ſociety gave ſome degree of authority to this opinion.

Nor was the building of monaſteries totally uſeleſs with reſpect to the improvement of the lands. Many places in Britain were left by the Romans in their primitive uncultivated ſtate; and the wars and devaſtations, that enſued after the arrival of the Saxons, added to the number of waſtes. Theſe were proper places for the reli-

religious exercises of the first monastics, as affording the privacy which they thought essential to the worship of God. Erecting cells in these deserts, and collecting a number of followers by their admonitions, or admiration of the austerity of their lives, they afterwards built more spacious dwellings; and having obtained possession of the lands in their neighbourhood, by donations of the princes, or other benefactors, they improved them by their labour, and made them more salubrious and profitable. And, if we consider the general sloth and poverty of the people, it is easy to believe, that many tracts of land would have remained in the state of nature, and served only for a shelter to wild beasts, if they had not been improved by the industry of the monastics. On the first institution of religious houses in England and other countries, the monks were generally obliged to labour, and to take their turns in the cultivation of the lands which belonged to their monastery (x). Learning was then a

(x) Chron. Brompt. p. 968. 994.

very rare accomplishment; and the interval of their devotional acts could not be more usefully laid out than in the business of husbandry. The monks of Bangor, according to the accounts of historians, were employed in works of this kind. While a part of their fraternity was engaged in the management of their farms, the remainder was attending on the offices of the church *(a)*. And similar regulations probably took place in other societies of this sort, on their first institution. In after-ages, when their acquisitions were sufficient to maintain them in idleness, they spent their revenues in decorating their buildings, or in hospitality and luxury. In the last instance they followed the example of the nobility and gentry: in others they excelled them. The learning and knowledge of those times, as scanty and trifling as they may appear, fell chiefly to their share; and, if we are offended at the legendary tales of their saints and founders, we are nevertheless indebted to them for transmitting and preserving many valuable

(a) Camd. Brit. v. I. p. 687.

writings

writings of ancient authors, which no other order of men thought worthy of regard *(b)*. In erecting their buildings, as well as ornamenting their churches and ſhrines, they generally employed the moſt ſkilful workmen that were to be found in Europe *(c)*, and taught and preſerved many arts, which, although ſimple, were extremely uſeful, and, without their care, would have been entirely loſt. And the frequent viſits which the clergy and monks made to the court of Rome, on account of buſineſs, or through a ſpirit of ſuperſtition, might be the means of importing ſome uſeful arts. Italy, though ravaged by the northern Barbarians, ſtill maintained a ſuperiority in all the arts of civilized life, and might give ſome uſeful inſtructions in commerce, manufactures, and agriculture, to the rude inhabitants of the weſtern parts of Europe.

Upon the converſion of the Saxons to the Chriſtian faith, many of their laws

(b) Hume's Hiſt. v. III. p. 311. Matt. Paris, Vit. p. 57. 93.

(c) Sim. Dunelm. p. 293.

were borrowed from the Pentateuch. And the Christian religion, wherever introduced, by the practical virtues it inculcated, would amend the worst, and improve the best, mode of government; but, being designed to incorporate with the civil constitution of every state, besides other reasons, it prescribed no particular form of a civil government; recourse was therefore had to the Old Testament; and such laws being singled out as were most applicable to the state and genius of the people, they were incorporated with their ancient customs. And as many of the Jewish laws were merely ceremonial, they would be more readily admitted by the clergy and laity. The Savage and Barbarian will be always attached to the forms of Religion; and for a time these may be of use, by introducing a regard for it, and lay a foundation for a better knowledge of their duty to God and each other. And the moral duties of life, though infinitely preferable on political as well as religious views to rites and ceremonies, will neither be perfectly understood,

ſtood, nor can be ſucceſsfully enforced, till men have attained to ſome degree of civility and refinement in the commerce of life, and made a progreſs in learning and knowledge. The churchmen, therefore, the chief lawgivers in thoſe ages, unacquainted with the models of government left by the Greeks and Romans, and biaſſed in favour of the laws of Moſes, took him for their guide in many of their civil and eccleſiaſtical inſtitutions. And almoſt every part of Europe was at that time in ſo unſettled a ſtate, as to afford no patterns of a regular government. And, as ſingular as ſome of the religious inſtitutions of the Anglo-Saxons after their converſion to the Chriſtian faith may appear to us, they were preferable to thoſe barbarous rites obſerved by their countrymen abroad. The Chriſtian religion, under the groſſeſt abuſes and corruptions, was more beneficial to the people, than the religious cuſtoms eſtabliſhed by the Northern law-givers. Though debaſed by a mixture of ſuperſtitious practices, it preſerved a regard for ſocial manners; and, by keeping up a reve-

rence for these, it provided in some degree for the order, peace, and happiness, of society. It would be folly to plead for the superstitious modes of worship that prevailed in those ages of ignorance; and yet even on political views it was a fortunate circumstance to the people that the Christian religion took place of the Saxon, and taught, amidst all its corruptions, principles more consistent with reason, justice, and humanity.

Before this subject is dismissed, it may be proper to observe, that the religious houses were a kind of fortresses, to which the neighbouring inhabitants retired in times of public danger, and lodged there their most valuable effects. So that, if they sometimes protected such as fled from justice, they secured others from violence and oppression. Such as resorted thither on these accounts were commonly retained by the abbots, and employed in the capacity of labourers or soldiers. In the abbey of Croyland the number of these fugitives once

once amounted to two hundred *(d)*. The laws, indeed, had prohibited the ſubjects from receiving the ſlaves of others (*e*) : but the owners of bocland, or charterland, ſometimes claimed an exemption from them. And the power which the abbots poſſeſſed, of impriſoning and trying offenders within their juriſdiction, enabled them to keep ſuch a numerous and licentious body in ſome degree of order. The power of the clergy in thoſe ages, uſually laid out for their own aggrandizement, was in this inſtance of public ſervice, and, by opening ſanctuaries, afforded a place of refuge to the oppreſſed commons. It has been obſerved, that in more civilized countries the church has ſometimes reſtrained the violence of the monarch, and put bounds to his tyranny *(f)*; and in thoſe barbarous ages the right of ſanctuary muſt have been of equal utility, and almoſt neceſſary.

(d) Ingulph. Hiſt. p. 14. 20. Abb. S. Pet. de Burg. p. 15.

(e) Leg. Ang. Sax. p. 19. 60.

(f) Monteſq. Eſp. des Loix, l. ii. c. 4.

We

We have very imperfect accounts of the trade carried on by the Anglo-Saxons; but we may be assured, that it could not be very considerable, as neither the state of the people nor of Europe would admit of an active or extended commerce. The greatest part of the inhabitants was held in a state of vassalage, and from the meanness of their circumstances was unable to purchase any goods of value from natives or foreigners. And almost every part of the Western empire was in such a state of confusion, as scarcely to admit of a regular trade with the English, or any other nation, if an attempt of this kind had been made by some enterprizing prince at home or abroad. After the irruption and settlement of the Northern nations in the Southern parts of Europe, the little commercial intercourse which had been formerly carried on between the several provinces of the empire, was almost totally destroyed, and no new connections were formed in their stead. The Romans had long been jealous of the Germans, and other inhabi-

tants

tants of the North, and were unwilling to engage too deeply in traffic with them, leſt they ſhould invite them into the empire, by ſhewing them the value of their commodities. This was a meaſure unworthy of the Roman name; and, by expoſing the feeble condition and fears of the ſubjects, ſerved rather to accelerate than retard an invaſion from a martial people.

The conqueſt of a neighbouring ſtate has ſometimes been the means of enlarging commerce, by breaking the obſtacles which prevented a free intercourſe with each other; but the conqueſts made by the ſeveral nations of the North were attended with a very different effect. The petty principalities, into which the Weſtern empire was divided, ſcarcely kept up any intercourſe with each other, but contented themſelves chiefly with their own manufactures and products. And with the loſs of commerce all other connections ſeem to have been obliterated. Conſtantinople was almoſt the only place in Europe, where any remains of ancient trade were to be found; and even this was confined chiefly to the

Eaſtern

Eaſtern parts of the Mediterranean. All other countries in Europe, excepting perhaps ſome parts of Spain, were engaged in domeſtic wars, or in ſo unſettled and deplorable a condition as to exclude all commercial connections with foreigners. Upon the ſettlement of the Saxons in Britain, the ancient trade of the nation was almoſt entirely extinguiſhed; and, during the whole period of their hiſtory, never recovered its priſtine vigour. The navigation of the rivers, which had been opened by the Romans, was obſtructed by weirs or other obſtacles; and, if ſome of the ports continued in their ancient ſtate, it was more owing to nature than the care of the princes or ſubjects to keep them in order. In length of time, trade began to revive. Foreign merchants attended with their goods at the fairs, which were held in ſome of the moſt populous towns on the coaſts; and our merchants, though ſcarcely ſuperior in wealth to modern pedlars, viſited the continent, and imported ſome of its commodities. Wines, ſpices, fruits, and linen, were the principal imports; and, as

theſe

theſe could be purchaſed only by a few opulent land-owners or the clergy, the demand for them could not be very conſiderable. No new articles were added to the ancient exports of Britain; but the number was probably diminiſhed; and it may be juſtly preſumed, that the quantity was too ſmall to employ a great number of veſſels, or even to influence the value of lands. But, as trifling as the commerce of the Anglo-Saxons appears to have been, it may be collected, from a few inſtances, that it was held in ſome degree of repute. There is a law of Athelſtan, which allows every one the honours of a thane of the ſecond rank, who had made three voyages to the continent at his own expence (g). And another ordinance may be alledged to the ſame purpoſe. It permits every merchant-ſhip ſafely to enter any of the Britiſh ports, and even an enemy's ſhip, unleſs forced in by tempeſtuous weather; and in the laſt inſtance it directs both the ſhip and cargo, on certain conditions, to be reſtored to the

(g) Leg. Angl. Sax. p. 71.

owner.

owner (*b*). This law ſeems to have given occaſion, in ſucceeding ages, to an article in Magna Charta. The biſhops ſometimes employed veſſels in trading to the continent (*i*); but it may be preſumed, that as they chiefly imported books, reliques, pictures, and other ornaments of churches, there were not many articles of general uſe that were publicly expoſed to ſale, and added to the national commerce. The intereſt of trade, however, ſeems to have ſo far engaged the attention of the Anglo-Saxon princes, that they ſometimes took the merchants under their protection when they were ill treated by foreigners (*k*).

Though there is no reaſon to believe, that the navy of the Anglo Saxons was in any period of their hiſtory either numerous or formidable, it was ſometimes much more ſo than could be expected from the low ſtate of their commerce. Before their ſettlement in Britain, they are ſaid to have been dextrous in the management of their

(*b*) Leg. Angl. Sax. p. 104.
(*i*) Hickes, Diſſ. Epiſt. p. 62.
(*k*) Ibid. Anderſon's Hiſt. of Com. v. I. p. 32.

ſmall

ſmall veſſels, and to have attained to ſome degree of ſkill in maritime affairs; but it was almoſt entirely extinguiſhed with the ſpirit of piracy. Some time after their ſettlement in Britain, their navy was ſo far ſuffered to decay, as to be unable to defend them againſt the invaſions of the Danes and other freebooters of the North. Theſe frequently made deſcents upon the coaſts, and plundered the villages, though their attacks were generally made againſt the monaſteries, as affording the richeſt ſpoils. All attempts to repreſs theſe Northern pirates ſeem to have been unſucceſsful, till the reign of Alfred, who is ſaid to have improved the navy by building ſhips on better models than were then in uſe, to have made diſcoveries in the Northern parts of Europe, and opened a correſpondence with ſome Chriſtians in the Eaſt Indies *(l)*. And his known abilities leave us no juſt reaſon to doubt the truth of theſe relations. After his deceaſe, the memory of his diſ-

(l) Chron. Sax. p. 98. Aſſer. de reb. geſt. Alf. p. 17. W. Malmeſb. Geſt. Pont. p. 141.

coveries

coveries was almoſt entirely loſt, or at leaſt they were never applied to any uſeful purpoſes; but the improvements he made in the marine were more durable. The navy of ſome of the ſucceeding princes was much greater than in former ages. King Edgar's fleet is ſaid to have conſiſted of a great number of ſhips, and to have been ſo well ſtationed as to protect the ſubjects from the depredations of pirates (*m*); but after his reign the navy gradually fell into ſuch a weak ſtate, that the Danes obtained a ſuperiority, and in length of time got poſſeſſion of the crown. In the North, piracy had long been the ſupport of a navy; and ſome ages elapſed before a marine could be formed on the baſis of a regular commerce in England, or the Weſtern parts of Europe.

Notwithſtanding the encouragement given to merchants by the abovementioned law of Athelſtan, trade made a ſlow progreſs both at home and abroad. The cir-

(*m*) Chron. Mailros, p. 150. Chron. Brompt. p. 869 Ethel. Abb. Ricv. p. 360.

cumſtances

cumſtances of our merchants who exported English commodities were not ſo opulent as to enable them to carry on a large traffic. Many of them in foreign countries aſſumed the dreſs of pilgrims travelling to places of devotion, in order to avoid the payment of the cuſtomary duties. And in this capacity it cannot be ſuppoſed that they carried with them a large quantity of goods, though Charlemagne thought proper to put a ſtop to frauds of this kind within his dominions (*n*). At the ſame time, the ſtate of the burgeſſes, who were the principal tradeſmen in thoſe times, was held to be ſo mean, that they were placed on a level with the cottagers and glebe-tenants, and looked upon as equally baſe and ignoble. If they enjoyed ſome ſecurity from ſudden attacks by living in fortified towns, as moſt of the boroughs were, and poſſeſſed particular immunities and franchiſes, their circumſtances were too low to carry on an extended commerce. It appears from Domeſday-book, that, in order

(*n*) W. Malmeſb. p. 17.

to trade with ſecurity, they were obliged to put themſelves under the protection of the crown, or ſome potent thane, and make an annual acknowledgement for their favour and ſupport (*o*). And it was the profit ariſing from the tolls in the markets, port-duties, or fees received from the burgeſſes, rather than the intereſt of trade, that engaged their patronage.

The cities and boroughs were the chief places where markets were permitted to be held: and no goods, except of the loweſt value, were allowed to be ſold there but in the preſence of witneſſes (*p*). This is a law, which is often repeated, and was calculated as much for levying the tolls, as the ſecurity of the buyer. Cattle were undoubtedly the chief commodities expoſed to ſale; and as the practice of ſtealing them was frequent, vouchers to the character and honeſty of the ſeller were thought neceſſary (*q*). As money was ſcarce, and traffic was chiefly carried on by barter, in

(*o*) Brady on Burghs, p. 8. 10. 20.
(*p*) Leg. Angl. Sax. p. 9. 18. 48. 103.
(*q*) Id. p. 80.

Wales,

Wales, and in ſome of the Northern countries in Europe, a value was ſet upon every ſort of goods, that the exchange might be made with the ſame facility as in places where money was plentiful. And it is not unlikely but the ſame cuſtom prevailed among the Anglo-Saxons.

As the riches of the people in thoſe ages principally conſiſted in the number of their ſlaves and cattle, the laws adjudged what compenſation ſhould be made for every injury that was done to them. A ſlave in ſome countries was eſtimated at a pound; and a fine, or manbote, was paid to the maſter for his murder (*r*). Particular limbs of cattle, when maimed or injured, had alſo their prices ſettled by law (*s*). And as they were frequently ſtolen, if they were traced into any perſon's lands, the owner was obliged to ſhew the places where they were driven out, or to make ſatisfaction for them (*t*). And it was ordered, probably for the ſame reaſon, that the hides of cattle

(*r*) Leg. Angl. Sax. p. 105. Spelm. Gloſſ. v. MANBOTE.
(*s*) Id. p. 24.
(*t*) Id. p. 63. 68. 81.

should be kept three days in the hands of the owner before they were sold (*u*).

If trade had been encouraged among the English more than it really was, many difficulties occurred in carrying it on with vigour. Every person who rode to a fair or market was obliged to give notice to his neighbours of his intention; and on his return to acquaint them with his purchase (*v*). If a foreigner was found wandering out of the highway, and neglected to shout or sound an horn, he was considered as a robber, and liable to be arrested or imprisoned (*w*). And every foreign merchant, as soon as he arrived at any port, was obliged to give an account of the number of his men, and to bring them before the port-reeve in order to be examined, or to levy the duties or imposts (*x*). These instances are sufficient proofs how difficult it was to travel into the interior countries in order to traffic with the natives, and with what suspicion every

(*u*) Chron. Bromt. p. 897.
(*v*) Leg. Ang. Sax. p. 81.
(*w*) Id. p. 12. 18. (*x*) Id. p. 41.

foreigner was received who landed on the coasts. Nor were proper regulations made for levying the duties upon goods imported or exported. Though the duties were commonly low, yet, if we except the city of London (y), they seem to have been collected in most other places in a very irregular manner. And the want of a book of rates must in every country be the bane of commerce, and effectually retard its progress.

If foreigners found it dangerous to go beyond the towns upon the coasts, the natives, whether tradesmen or others, could not travel to places at a distance without submitting to many inconveniences. As there were few inns or houses of entertainment on the road for the accommodation of travellers, the kings and nobility, when they removed to places at a distance, usually carried their provisions with them, or resorted to such of their estates as they had let on the condition of supplying them and their attendants with provisions for a

(y) Anderson's History of Commerce, p. 52.

ſtipulated time; and when theſe conveniences were wanting, they took up their quarters in the monaſteries, which uſually had an hall and lodgings for the accommodation of ſtrangers. This want of public houſes was one reaſon for the conſtant uſe of ſalted proviſions. At the beginning of winter, the bailiffs of the great landowners took care to ſalt the fleſh of the oxen and ſheep which were fed upon their eſtates, and kept it in readineſs for the uſe of their maſters, when they reſorted thither, or conveyed it along with them in their journeys. But, beſides this proviſion for their maintenance on the road, the nobility uſually travelled with dogs, nets, hawks, and all the implements of hunting. This mode of travelling probably gave occaſion to the clauſe in the charter of foreſts, which permits the nobility and prelates to kill a buck in ſuch of the foreſts as they paſſed through when called on to attend the national councils. And it is equally probable, that the cuſtom of travelling like ſportſmen gave riſe to many ancient tenures of lands, by the ſervice of

ſup-

ſupplying the king or lord with an horn, bow, arrows, dogs, or other requiſites in hunting, when he viſited that country. Though moſt of theſe tenures are ſuppoſed to be poſterior to the Norman conqueſt, yet, there is the greateſt reaſon to believe, they were derived from Anglo-Saxon cuſtoms. As every foreigner, in order to prevent himſelf from being ſeized as a robber, when he rambled from the highway, was obliged to ſhout, or to blow an horn; it is not unlikely but the ſervants of the gentry made uſe of an horn for the ſame purpoſe, when they travelled into remote parts of the kingdom. An horn and hounds were alſo frequently employed in purſuing ſtolen cattle.

Though the nobility and gentry found lodging and entertainment in the monaſteries, yet the ſame hoſpitality was not exerciſed towards all other travellers. Theſe were either entirely excluded, or relieved with victuals at the gate, for which purpoſe lands were often bequeathed to religious houſes. When theſe accommodations were wanting, they made uſe of the

houses of strangers, put their horses on the waste or common, and usually departed in the morning without paying any thing for their lodging and entertainment (x). Most barbarous nations have been distinguished for their hospitality; and, if the Anglo-Saxons were not remarkable for this virtue, it was owing to the want of proper occasions for the exercise of it. The common people seldom rambled from home, unless to visit some place of devotion. And the tolls that were levied in passing the forests, particular roads, rivers, or bridges, the custom of requiring security for a stranger after two nights lodging (a), and the suspicion entertained of every unknown person, that he was a pirate, robber, or slave who had deserted his master, must necessarily confine the tradesmen and inferior class of people to their own dwellings, and prevent a free and constant intercourse between the several parts of the island.

(x) Spelm. Gloss. v. Robar.
(a) Leg. Ang. Sax. p. 9. Hen. Hunt. p. 345.

Amidst

Amidst the neglect of many useful occupations, the manual arts seem to have possessed some sort of esteem. Every priest was obliged to learn some handicraft (*b*). The later Saxon kings enjoined their daughters to learn letters, spinning, and needlework; and the consort of Edward the Confessor is said to have embroidered the apparel of her husband (*c*). The same story is told of the daughters of Charlemagne (*d*). The chief luxury in dress and furniture of rooms consisted mostly in works of embroidery; but they were principally designed for the use of the clergy, or employed in adorning the altars and shrines of the churches and convents. Articles of this kind, however elegant and useful they might be thought, were confined to a few, and seldom exposed to sale; and such was the general poverty of the people, that their circumstances would not enable them to purchase any costly manufactures of foreign or domestic workman-

(*b*) Leg. Ang. Sax. p. 83. Chron. Bromt. p. 878. 968.
(*c*) R. Higd. Polychron. p. 259. Chron. Bromt. p. 878.
(*d*) Rad. de Dicet. p. 448.

ship.

ſhip. They were generally obliged to be contented with the coarſe and clumſey fabrics in their own neighbourhood: and as there could be no competition where the workmen were few and divided from each other, and the prices of their goods were extremely low, ſlender advances muſt be made towards improvement. If any commodities of value were expoſed to ſale, it was only at ſome annual mart or fair, which was held in the neighbourhood. This was commonly much frequented by the people, who uſually ſupplied themſelves with ſuch goods as were not to be purchaſed at any other time in the neighbourhood.

The great quantity of golden and ſilver utenſils lodged in the monaſteries and cathedrals affords a preſumption, that a much more lucrative commerce was carried on with foreigners than is here repreſented. As there is no reaſon to believe that theſe riches were gathered from our mines, it is concluded, that the balance of trade was greatly in our favour. In ſome countries the influx of the precious metals is an evidence of an extended and beneficial com-

merce; but whether this was the case among the Anglo-Saxons is extremely doubtful. Upon their conquest of the Southern parts of Britain, considerable sums of money must have been collected from the natives; the greatest part of whose wealth gradually fell into the hands of the victors. And there is some reason to believe, that a great part of the gold and silver possessed by the English was derived from hence rather than from a traffic with foreign nations; few of whom held any commercial intercourse with them, or abounded so much with the precious metals as to give them in exchange for British commodities. In countries equally destitute of trade and mines, the churches and convents frequently appeared rich and splendid beyond what might be expected from the general poverty of the people. Such was the superstition of those ages, that a great part of the national wealth, from whatever sources it was derived, gradually fell into the possession of the clergy or monks, where it accumulated in a course of time to a considerable amount, and became

came in some measure useless, till it was brought into circulation by necessity, or some victorious invader. The want of gold and silver, deposited in the churches and religious houses, was supplied by the custom of trafficking by barter, or an exchange of goods, and no more diminished the national trade than the bills of modern merchants.

From the low state of trade and manufactures, and the abject condition of the commons among the Anglo-Saxons, it is natural to infer, that husbandry could not flourish; and on inquiry we shall find as many impediments to a full cultivation of the lands, as to improvements in commerce and the mechanical arts.

The peasants in general were too ignorant to give any remarkable proofs of their skill in agriculture. This occupation requires the assistance of other arts, and a greater degree of knowledge than fell to the share of the husbandmen in those ages, in order to carry it towards perfection. Their skill rarely extended farther than to raise the ordinary sorts of grain, oats, rye, or barley. Wheat required a better preparation

tion of the ſoil, to cultivate it ſucceſsfully, than theſe; and, though it might be grown in conſiderable quantities in ſome parts of the South, it was extremely ſcarce in Wales and the Northern counties. Barley, rye, or oaten bread, was the uſual food of the lower claſs of people; and wheaten bread was looked upon as ſo great a delicacy, as to be almoſt entirely confined to the opulent.

But though huſbandry might be very imperfectly carried on by the Anglo-Saxons, yet, like more civilized people, they derived many advantages from it. If it ſerved to introduce vaſſalage, and increaſe the number of ſlaves, it aſſiſted in civilizing the people, and in keeping up the form of a regular government. Induſtry and confinement to certain abodes are required to raiſe grain; and for this reaſon, on the firſt advances of men to a civilized ſtate, this occupation has been uſually allotted to ſlaves, as unworthy of the care of freemen. The antient Britons and Germans lived chiefly on the produce of their flocks and herds; and, long after the ſettlement of the

Saxons

Saxons in Britain, flesh-meat was the chief food of the Irish, Welsh, and Scots. And as long as they confined themselves to pasturage, they must necessarily retain a great portion of their ancient barbarity of manners.

The cheapness of flesh-meat, compared with the price of corn, was undoubtedly one reason for its general use in those ages. From the great quantity of grass-lands included within the forests, chases, parks, and wastes, in almost every part of the island, it may be justly presumed, that the price of flesh-meat, during the summer, must have been extremely low; and as the custom of salting it for winter-use was universally practised, it must at all times have been proportionably cheaper than grain, except in very plentiful years. The woods abounded with hogs, which fed a part of the year on mast, or acorns; and all the parks, warrens, and wastes, were partly stocked with neat cattle and sheep. The woods seem to have been more valuable on account of the cover they afforded the game, and the maintenance of hogs, than

than for any other uſes. The great number of woods made timber extremely cheap; and on this account, as well as the want of workmen to build with ſtones, almoſt all the houſes, except a few belonging to the nobility and monaſtics, were built with timber.

Among the various impediments to a vigorous cultivation of the lands, we may reckon the foreſts. Theſe were ſecured from the encroachment of the ſubjects by ſuch ſevere laws as were a terror and ſcourge to the whole neighbourhood; and at the ſame time they were ſo numerous and extenſive, that it was not eaſy to avoid them in travelling to any place at a diſtance. At particular times, travellers were ſcarcely allowed to paſs through them on any terms; and at all times the keepers, like the modern Arabs, levied contributions on every paſſenger who travelled through their territories. As the foreſts belonged to the crown, the nobility were indulged with parks and warrens, and allowed the liberty of hunting, as long as they kept at a proper diſtance from the

royal

royal forests. Large tracts of land were therefore laid out for these purposes in every part of the kingdom. Soon after the Norman conquest, it is said, there were sixty-eight forests, thirteen chases, and seven hundred and eighty-one parks, in England (*e*). Such large parcels of waste ground, and the constant trespasses of the deer, through the want of proper fences on the cultivated lands in the neighbourhood, must undoubtedly contribute to diminish the quantity of corn; but the low state of commerce, and the small value of land, made the loss of so much ground to be scarcely felt by the prince or the subjects.

Besides this impediment to a general cultivation of the lands, there were few of those incentives to industry and improvements that take place in modern times. In every country, where the nobility have obtained possession of the greatest part of the lands, and the products have neither been sent abroad, nor arts, manufactures,

(*e*) Spelm. Gloss. v. Forest.

and

and population, encouraged at home, the moſt careleſs huſbandry has been the uſual conſequence. And this was in a great meaſure the caſe of the Anglo-Saxons. The landed poſſeſſions of the nobility were ſo large, that the rents or products muſt have been almoſt uſeleſs, if they had not been employed in maintaining a great number of idle domeſtics and retainers. A more equal diſtribution of the lands, and a more numerous body of inferior freeholders, are neceſſary in every country to a full cultivation. And in all ages the beſt huſbandmen have always been the owners of ſmall parcels of ground, who have been obliged to cultivate them with their own hands, and permitted to apply the whole profits to their own uſe. The ancient Romans afford us an inſtance how ſmall a portion of land, under the management of an induſtrious owner, is ſufficient to maintain a family. Their farms oftentimes conſiſted of no more than four or five acres. The inferior tenants among the Engliſh generally occupied a larger quantity of land; but

they were neither the proprietors, nor possessed of the skill and industry of the Romans; and, if they had really possessed these qualities, it was scarcely in their power to exert them to advantage. The division of the arable fields was very inconvenient to an enterprizing and industrious farmer. The intermixture of property in almost every parish prevented all innovation in the succession of the crops, and checked every improvement. And for the same reason a slovenly husbandry is still to be found in almost all the undivided and common fields in the kingdom; and it is generally the worst where the farms are small and most numerous.

Though it is possible that agriculture may flourish where slaves are the chief cultivators, yet the poverty of tenants is always a great obstacle to its progress and improvement. The Roman husbandmen, indeed, employed a great number of slaves; and in Sicily the number of the latter was almost incredible; and yet this island was for a time the granary of Rome, and the best

beſt cultivated country in Europe. And the reaſon was, that grain was exported in large quantities; and, bringing conſiderable profit to the land-owners, they aſſiſted their ſlaves in perſon, or liberally ſupplied them with every thing neceſſary in agriculture. Afterwards, when they would neither ſuperintend them, nor furniſh them with proviſions and inſtruments of their buſineſs, the ſoil ſeemed to have loſt its ancient fertility ſo far as to oblige the Romans to have recourſe to other countries for a ſupply of grain. On the contrary, among the Engliſh, agriculture was ſlightly attended to; and the tenants were left to purſue their own mode of cultivation, without receiving aſſiſtance or inſtructions from their maſters or landlords. And from perſons in their ſituation and circumſtances the moſt negligent huſbandry might be juſtly expected. A ſpirit of induſtry and emulation could never take place ſo long as they were unable to purchaſe the neceſſary ſtock of cattle, and the moſt uſeful inſtruments of their profeſſion.

And this was usually the case of the English peasants. The farms in general, whether occupied by the ceorles or other free tenants, were too small to encourage industry. They afforded little more than a scanty maintenance to the tenants, and necessarily kept them in a state of poverty. And the great number of services to which they were bound must often oblige them to trespass on a due attention to their own business. And we may add, that the payment of rent in kind must sometimes be inconvenient to the tenant. For though it may seem to be of little moment, whether he discharges his rent by a certain portion of the product of his farm, or by the payment of a sum of money; yet, to omit other inconveniences, the conveyance of corn to the landlord's place of residence, when he lived at a distance, must be troublesome and expensive.

It has been already observed, that, according to a law of Ina, the tenants were obliged to leave a portion of their land sown when the term of their lease expired. And an order of this kind must unavoidably

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occaſion a very negligent culture. Thoſe, who were not permitted to reap, would be very careleſs about the ſucceeding crop. But the law was probably calculated for the eaſe and convenience of the new tenants, who were unable to ſtock the lands upon their admittance, and affords a proof of the general poverty of the farmers.

The payment of tithes to the clergy, which is frequently enjoined in the Anglo-Saxon laws, was not ſo detrimental to agriculture in thoſe ages as it is generally reputed to be at preſent. Wherever the lands are tilled chiefly by ſlaves, or the rents are diſcharged by a certain portion of the produce, it is a matter of indifference to the tenant, whether he conveys a tenth part to the barn of the landlord, or the parochial clergy. It is ſometimes more convenient to deliver a part of his corn at home, than carry it to his landlord at a diſtance. Tithes were nevertheleſs paid with great reluctance, and the clergy were obliged to uſe all their intereſt and authority to enforce the payment. In later ages,

when the rents of lands were discharged in money, and the payment of tithes was referred to the tenant, this incumbrance has been thought detrimental to husbandry. And it would have been of benefit to the clergy, if a portion of land had been allotted for their maintenance instead of tithes. Modern parliaments, on the inclosure of common fields, have usually pursued this measure; and in the event it will be found equally conducive to the ease and influence of the clergy, and the promotion of agriculture.

But the low state of husbandry may be attributed, in a great measure, to the want of a proper number of artizans and manufacturers, to consume the products of the lands. The connection between the landed and commercial interest is so intimate in most countries, that they must flourish or decay together. A numerous body of workmen in all the manual arts will create a numerous peasantry; and both will subsist by a mutual exchange of the products of their labours. And in general both foreign and do-

domeſtic trade depends on the circumſtances and condition of the people. Wherever the lands are cultivated chiefly by ſlaves, and the greateſt part of the ſubjects is held in a ſtate of poverty and dependence, the domeſtic trade muſt be very inconſiderable. The artificer, wanting a market for the ſale of his commodities, will become ſlothful; and the huſbandman, unable to diſpoſe of his grain, will be inclined to a careleſs culture. To promote the induſtry of both, and increaſe their number, it is neceſſary to place them and the people in general in eaſy and independent circumſtances, that they may be enabled to purchaſe the commodities of each other, and to ſpend more than is uſually allotted to ſlaves. In ſome ancient ſtates, the corn-trade, arts, and manufactures, flouriſhed, though the labourers conſiſted chiefly of ſlaves; but it ought to be obſerved, that the freemen in general were in affluent circumſtances, or that foreign nations purchaſed their grain, and other products of their induſtry. The Anglo-Saxons poſ-

ſeſſed none of theſe advantages: they had no conſtant market for their grain abroad, nor for any other commodities that required a great number of hands to prepare them for uſe. And the general mode of living among all ranks, and the mean condition of the commonalty, gave ſlender encouragement to induſtry in any occupation. The nobility and gentry ſupplied themſelves with proviſions from off their own lands, without having recourſe to the markets; and purchaſed few manufactures of value from native or foreign workmen. The inferior freeholders maintained themſelves nearly in the ſame manner, and either manufactured a great part of their own coarſe cloathing, or bought it of the neighbouring weavers. And it was the endeavour of all ranks to furniſh themſelves with every neceſſary of life, without being obliged to purchaſe of each other. And wherever this is the caſe, huſbandry, manufactures, and commerce, cannot lend that mutual aſſiſtance, which is required to give vigour to each.

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The manners of the Anglo-Saxons, in general, were not calculated for promoting trade or agriculture. During every period of their hiſtory, the government was ſo unſettled, and the people ſo ignorant and barbarous, that no laſting regulations could be made, for the adminiſtration of juſtice, or the encouragement of induſtry. Engaged for a long time in wars with the Britons or each other, they were obliged to maintain ſomething of the ferocity of manners they brought with them; and this muſt undoubtedly check all improvements in the arts of civilized life. Governed by ancient cuſtoms, they had little occaſion for written laws; and when theſe were admitted, the turbulent diſpoſition and power of the nobility prevented them from producing any other than a partial effect. The lower order of freemen was not poſſeſſed of a landed property ſufficient to counterbalance the power of the ariſtocracy, and obtain that influence in the government which was required for the ſupport of general liberty. Though the Normans were not eminent for their accompliſhments, or

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ſkill in the polite arts, they affected to deſpiſe the Engliſh for their drunkenneſs, and the coarſeneſs and barbarity of their manners (*f*). And there was too much reaſon for this charge againſt them. When the nobility were freed from public or private contentions, or diſmiſſed from the national councils, they retired to their caſtles or ſeats, and diverted themſelves with hunting, or other rural pleaſures, or rather made them their principal employment. Surrounded in theſe aukward and gloomy manſions by a train of vaſſals and dependents, they conſumed the rents and products of their lands in intemperance, and a coarſe hoſpitality. There was nothing in their mode of living or manners conducive to the advancement of trade, arts, or ſcience.

As to the common people, they were generally in too abject and dependent a ſtate to advance themſelves by their induſtry to that degree of wealth as to attract

(*f*) Gerv. Tilb. p. 420. Chron. Bromt. p. 953. H. Knyghton, p. 2367.

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the notice of their ſuperiors, or attain that ſuperfluity which is neceſſary to promote foreign or domeſtic trade. The merchants and tradeſmen were few and poor, and dependent for protection on their opulent neighbours: the farmers, who were placed in the rank of freemen, were unable, under the powers exerciſed over them by their landlords or nobility, to make any great addition to their circumſtances; and the ſerfs, or glebe-tenants, who were the chief cultivators of the lands, and formed a very numerous body, were ſtill more depreſſed, and obliged to be contented with a bare ſubſiſtence. Their ſtate, in many reſpects, was ſimilar to that of the ſlaves in other countries, except that its rigors had been ſoftened by the introduction of the Chriſtian religion. But the caſe of the freemen in England was widely different. In ancient Greece and Rome, the oath of a freeman in judicial cauſes was admitted as evidence, without diſtinction of rank: among the Anglo-Saxons, the credibility of every one was commonly eſtimated by his fortune and ſtation, as if veracity depended

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on wealth, and could be expected only from its poſſeſſors. So partial and unjuſt a diſtinction between freemen, in every country where the law is vague, muſt neceſſarily contribute to keep the execution of juſtice in the hands of the opulent, and eſtabliſh oppreſſion and tyranny over the inferior ranks of people. If the power of the princes was limited, the benefit accrued principally to the nobility, who exerciſed an authority over their inferiors more oppreſſive than that of the monarch. And under ſuch a mode of government there was a ſlender proſpect of improvement in the condition and circumſtances of the people. Commerce was in too low a ſtate to bring about a revolution of landed property and power, and transfer them to the lower claſs of ſubjects, in defence of public freedom.

Conſidering the length of time which the Anglo Saxon government ſubſiſted, and the little diſturbance which the people met with from foreign nations, it is natural to aſk, what could be the reaſon of the ſlow progreſs of civilization, arts,

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and knowledge? Many of the Greek and Asiatic states, in a much shorter period, made a greater proficiency in the arts of improved life. The manners of the Greeks and Saxons, in their primitive state, were equally barbarous; and, what may be thought more remarkable, they were both of them first distinguished in history by their acts of piracy. By accounting for the rapid advancement of arts and learning among the Greeks, we are enabled to assign the causes of the slender proficiency made in them by the Saxons, and other barbarous nations, who settled in the Western empire. The progress of civilization will be always quick, wherever men are obliged to live in cities, and commerce is introduced and encouraged. In both cases, a regular police, laws, and order, are required, and enforced by necessity. And as most of the petty states on the coasts of the Mediterranean were addicted to commerce, and the utmost care was taken to people and adorn the capitals, laws, humanity, and polished manners, were the consequences, and from thence diffused into the neighbouring

bouring country. On the contrary, the Saxons, and all the Northern nations, being fond of hunting, averſe to a conſtant reſidence in cities, and diſregarding commerce, muſt unavoidably make a ſlow progreſs in the arts of civilized life, and employ, as it were, the propereſt means to keep themſelves in a ſtate of ignorance and barbariſm. It was ſcarcely poſſible for England, or any other principality in Europe, to attain a reſemblance to the ancient ſtates of Greece in arts and elegance, till commerce had introduced a regular policy, and the capitals were made the chief reſidence of their princes, their courts, and officers, and conſidered as the centers of decency and politeneſs. And there is greater reaſon to aſcribe the preſent flouriſhing ſtate of Europe to theſe cauſes, than to the views of its legiſlators, or the efforts of policy.

CHAP.

CHAP. IV.

REMARKS UPON THE LANDED AND COMMERCIAL POLICY OF ENGLAND, FROM THE NORMAN CONQUEST TO THE ACCESSION OF HENRY THE THIRD.

THOUGH the Normans are ſaid to have been more poliſhed in their manners than the Anglo-Saxons, yet they poſſeſſed few of the requiſite talents for making improvements in agriculture and commerce. In many reſpects they conformed to the uſages and regulations of the Engliſh in both theſe articles. And if they had been diſpoſed or qualified to improve them, the merchants and land-holders were under too many reſtrictions, and the ſubjects in general in too mean and oppreſſed a ſtate,

a ſtate, for executing ſuch a deſign. It is much more eaſy to enumerate the diſcouragements given both to trade and huſbandry, than to point out the regulations made in their favour.

Soon after the battle at Haſtings, the conqueror took poſſeſſion of the demeſnes of the crown, and afterwards enlarged them by adding ſome of the confiſcated eſtates of the Engliſh nobility. We are told by hiſtorians, that he reſerved for his own uſe above fourteen hundred manors, beſides ſeveral parcels of land in different parts of the kingdom. In ſome reſpects he conſidered himſelf as the ſole proprietor of all the lands, in right of conqueſt; and, if he permitted any of the Engliſh to retain the poſſeſſion of their eſtates, it was looked upon as a favour that might be reſumed at his pleaſure, and the inheritance withheld from their children without injuſtice (*a*). If, however, the Anglo-Saxon nobility felt all the hardſhips of a conqueſt, the tenants of the royal demeſnes were

(*a*) Gerv. Tilb. p. 392.

permitted

permitted to hold their farms nearly on ancient terms. According to the Anglo-Saxon mode of letting lands, the king reserved upon every lease a stipulated quantity of provisions, and enjoined them to be delivered at stated times to the officers of his household. He nevertheless made some addition to the ancient rents; and, without regarding former contracts, let them to the highest bidder (*b*). The low state of the land-holders in those times will not permit us to imagine, that the real occupiers of his demesnes entered into these leases: it is more reasonable to suppose, that such persons, whose circumstances enabled them to give security for the performance of the contract, collected the rents of the several tenants, and delivered the due quantity of provisions at the stipulated time. And, as many of the royal demesnes were already stocked with plowmen, villains, cattle, and implements of husbandry, it was necessary that the lessees

(*b*) Chron. Sax. p. 188. Ann. Waverl. p. 134. Chron. Brompt. p. 981. Hen. Hunt. p. 212.

ſhould enter into covenant to leave them in the ſame ſtate at the expiration of the leaſe. Theſe tenants of the crown afterwards abuſed their power ſo much, that an ordinance was made, that the huſbandmen ſhould not be diſtreſſed or ejected, except in default of paying their cuſtomary rents and ſervices (*c*). But it cannot be ſuppoſed, that an order of this kind, ſo favourable to the Engliſh tenants, would be ſtrictly obſerved by the Normans.

On the firſt view, it ſhould ſeem as if this ample proviſion for the king might have been of great ſervice to the land-owners, by relieving them from the neceſſity of aids to the crown. The produce of the royal demeſnes, and the revenue ariſing from fines, reliefs, and other claims of the king, were ſufficient to defray the ordinary expences of his houſehold, and even to carry on any public undertaking, without applying for the pecuniary aſſiſtance of the ſubjects. Taxes were nevertheleſs levied, un-

(*c*) Leg. Ang. Sax. p. 225.

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der the name of Danegelt, for some time after the Conquest; and the occupiers of the lands were so much oppressed by these levies, and other exactions of the officers of William the Second, that, if we will believe the historians of those times, the cultivation of the lands was neglected, and of course succeeded by dreadful famines *(d)*.

This mode of letting the demesnes of the crown continued in use till the reign of Henry the First, who, wanting money for executing his designs on the continent, appointed proper persons to make an estimate of the value of the provisions which his tenants were obliged to furnish. These were settled according to the following rates, which were extremely low. A quantity of wheat sufficient for making bread for an hundred men was computed at one shilling; a fat ox, at the same price; a ram, or sheep, at four pence; and oats or provender for twenty horses, at the same sum *(e)*. The sheriffs of each county were

(*d*) Chron. Sax. p. 205. 212. H. Knyghton, p. 2366.
(*e*) Gervas, Tilb. p. 381.

uſually charged with the care of collecting theſe rents, or farmed them at a certain ſum, and accounted for them at the Exchequer *(f)*. As the coin at that time was very much diminiſhed, the king required the additional ſum of ſix-pence in every pound *(g)*. This alteration in the payment of the rents due to the crown was extremely beneficial to the tenants who lived at a diſtance from the king's place of reſidence, as the carriage of ſome ſorts of proviſions muſt have been troubleſome and expenſive. And after the Conqueſt, this burthen was increaſed, as the kings did not remove from one ſeat to another ſo often as their Saxon predeceſſors. And it is ſaid, that not only the want of money for the king's uſe, but the relief of the tenants was one reaſon for making this alteration. Whenever the plowmen met the king in his progreſſes, they held up their plowſhares, in token of the declining ſtate of

(*f*) Madox's Hiſt. of the Exchequ. v. II. p. 137. 151. 162.

(*g*) Gerv. Tilb. p. 381. Spelm. Gloſſ. v. LIBR.

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husbandry, which, among other reasons, was ascribed to the expences incurred by the payment of rents in kind (*h*). As the nominal value of money was incessantly decreasing, and the rents of consequence decreasing in the same proportion, this commutation would have been very advantageous to the tenants of the crown, if the kings had not claimed a power of imposing arbitrary talliages upon all their ancient demesnes (*i*). These levies were commonly settled by the sheriffs, justices itinerant, or other officers of the crown, and were so excessively high, that the tenants petitioned, though without success, to be assessed as other land-owners (*k*). One advantage, however, attended this change in the payment of rents, that it introduced a greater quantity of money into circulation. As long as the rents were paid in kind, cash must have been extremely scarce, and almost needless, as no more could en-

(*h*) Gerv. Tilb. p. 381.
(*i*) Madox's Hist. of the Exch. v. I. p. 412. 612. 700.
(*k*) Id. v. I. p. 723.

ter into the general currency than what was required for other uſes; and from the low ſtate of trade, and indigence of the people, it may be inferred, that the national ſtock of caſh was very inconſiderable. The payment of rents in kind, in ſome meaſure, reduced the ſubjects to the ſtate of thoſe barbarous nations who traffick by barter; and, as money among them is almoſt needleſs, it cannot be ſuppoſed to be plentiful.

This regulation of Henry the Firſt is generally ſuppoſed to have extended to almoſt all the demeſnes of the crown, and to have unalterably fixed the rents of the tenants for the future: and, if theſe had been numerous, it muſt have had a great influence on the ſtate of the occupiers, by creating a kind of tenants in villainage, under fixed and moderate rents, and who enjoyed, in ſome reſpects, advantages equal to freeholders; but the number of theſe tenants ſeems not to have been very great. The cottagers and glebe tenants, who paid their rents chiefly in the ſervices of the plow, or perſonal labour, remained in their former

former ſtate; and many of the manors and lands of the king, which had formerly been managed by his officers, ſeem to have been ſtill entruſted to their care, and were either let under annual rents, or ſtocked by them with cattle, and other neceſſaries of huſbandry. This regulation therefore was far from producing ſo beneficial and extenſive an effect as might have been expected, even if it had not been defeated by the arbitrary aſſeſſments impoſed by the crown. When theſe talliages were remitted, the boroughs, many of which had formerly been the king's towns, were commonly taxed higher in the public aids than other towns *(l)*. And it might perhaps be owing to theſe extraordinary aſſeſſments and arbitrary exactions of the crown or nobility, that the tradeſmen ſecreted their money *(m)*. To make, as it were, ſome compenſation for theſe exactions, the king's towns, as long as they remained in his hands, had the privilege of conferring freedom upon the

(l) Brady on Burghs, p. 66. 69. 77.
(m) Gerv. Tilb. p. 435.

villains who had fled thither, and resided there a year and a day (n). And the tenants of the demesne-lands of the crown, though originally annexed to the glebe, were possessed of some liberties and immunities that distinguished them from the tenants of the subjects. They were acquitted from the payment of tolls and passage in fairs and markets for goods bought and sold there that were the produce of their lands, or necessary for their cultivation, but not for merchandising (o); and they could not be impanneled, or put upon juries and inquests, for any lands held there, except in their own towns. And in later times they were exempted from parliamentary taxes and contributions to the knights who attended in parliament (p).

Besides these ancient demesnes, all the considerable landed estates in the kingdom occasionally fell into the hands of the king, by the failure of heirs, forfeitures, wardships, or in virtue of rights claimed by the

(n) Fitzherbert's Nat. Brev. p. 181.
(o) Id. p. 52. (p) Id. p. 31. 520.

crown.

crown. And whenever this happened, they were diſpoſed of as the royal demeſnes, by letting them to particular perſons, or entruſting them to the care of the ſheriffs, or officers of the king's revenue. And as the trade of the nation was inconſiderable, and there were in thoſe times ſcarcely any other means of acquiring riches, except from the profits of the lands, the kings virtually poſſeſſed the powers of the moſt deſpotic monarchs, by the rights which they occaſionally exerciſed over the eſtates of their wealthieſt ſubjects.

We have an inſtance in what manner the eſtates of the king's wards were managed in the time of Richard the Firſt; and it deſerves notice, as it was probably the ancient rule in letting the demeſnes of the crown. After an enquiry had been made how many oxen and beaſts of the plow every manor and each hyde or plowland required for a proper cultivation, a contract was made with the officers of the court of eſcheats and wards to ſtock them according to the eſtimate. But as moſt

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estates were stocked with cattle when the tenant was admitted, he was obliged, at the expiration of the lease, to leave the same number on the premisses, or to make satisfaction for them according to the following rates. The price of a labouring ox was computed at four shillings; a sheep of fine wool at ten-pence, one of coarse wool at six-pence, and an hog at twelve-pence. When the term of the lease expired, the tenant was allowed to take with him all his effects and cattle, except such as were the property of the king's ward, and to pay according to the prices abovementioned for all such cattle as were wanting, or to purchase others in their stead (q). Notwithstanding these regulations, the estates, which fell into the king's hands during the minority of the heir, were commonly impoverished, by the waste of goods, loss of tenants, cattle, and implements of husbandry. As a great part of the estate was usually occupied by the owner, and stocked at his expence, it was much easier to com-

(q) W. Malmesb. p. 424.

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mit waſte than if the rents had been paid in money. And, to aggravate the evil, the crown frequently let the lands of minors through favour, or preſented them to ſome needy dependant, who was to raiſe or repair his fortune by the plunder of the eſtate: and even the minors themſelves were ſometimes diſpoſed of in marriage for a valuable conſideration.

The reliefs of lands on the admiſſion of the heir, though for ſome time after the Conqueſt very uncertain, may be conſidered as a kind of fines, and were not, for this reaſon, ſo oppreſſive as the court of wards, and the guardians appointed by the crown.

The Normans, like the Saxons, were extremely fond of the diverſions of the chace, and made it one of their principal amuſements. William the Firſt increaſed the ſeverity of the ancient game-laws, and carried his paſſion for the chace ſo far as to deſtroy thirty villages to make a foreſt. And if ſome of his deſcendants mitigated the rigour of theſe laws, it was only done

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to serve a purpose, and seldom of long continuance. Henry the First made particular trespasses in the forest equal to homicide, and punished offenders with the loss of eyes, or imprisonment (*r*). And though Henry the Second, and some of his successors, abated the severity of these laws, yet, on every occasion of disgust against the barons or people, they were put in execution, and immense sums levied by commutations for trespasses (*s*). Richard the First, equally rapacious and profuse, employed them to extort money from the subjects. And John, on his return from York, ordered the fences of the forests to be levelled, and the deer to be let loose into the neighbouring fields; on which account the abbey of Peterborough paid thirteen hundred and twenty marks for disafforesting some lands belonging to the monastery (*t*): and there is no doubt but other landowners were obliged to pay large sums for

(*r*) Chron. Hemingford, p. 478.

(*s*) Id. p. 513. Rad. de Diceto, p. 587. Madox's Hist. of the Exchequ. v. I. p. 395. 541. vol. II. p. 131.

(*t*) Mat. Par. p. 228. Swaph. Hist. Cœn. Burg. p. 108.

obtaining

obtaining the ſame favour. Such was the paſſion for the chace, that treſpaſſes were inceſſantly committed in the foreſts; the fines for which made no inconſiderable part of the royal revenue. Every perſon of rank travelled with hounds and hawks, and all the implements of ſportſmen. And in this inſtance they were followed by the prelates and dignitaries of the church, though forbidden by one of its conſtitutions (u). The ſubjects in general could not be more ſeverely ſcourged for any offence than by letting looſe the foreſters upon them. Inceſſant complaints were made againſt the land-owners, in the neighbourhood of the foreſts, for purpreſtures, or encroachments; and, as the boundaries of the foreſts were not in thoſe times aſcertained by perambulations, the people were, on theſe accounts, liable to fines or litigations with the keepers. All the woods within the precincts of the foreſts, though the property of the ſubjects, were wreſted from them, or rendered uſeleſs, under the pretence of pre-

(u) Chron. Gerv. p. 1456,

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ſerving the game. What was deemed waſte in theſe woods ſeems to have been very early ſettled, and the manner of determining this point was ſo ſingular as to deſerve to be mentioned. When any one ſtood on the ſtump of a tree, and could ſee five other trees cut down, it was adjudged to be waſte, and the owner of the wood liable to a fine (*v*). So careful were all the foreſters to prevent treſpaſſes, that the houſes within the foreſts were oftentimes ſearched for bows and nets; the dogs were maimed, and the hogs were with difficulty permitted to gather the maſt and acorns. Even the bees, as an old writer humourouſly obſerved, were ſcarcely allowed to wander over theſe privileged waſtes without envying their ſpoils. Sometimes, by a petition to the crown, and the payment of a ſtipulated ſum of money, particular places ſubject to the foreſt-laws were exempted from the juriſdiction of the foreſters; and, when this favour could not be obtained, the boundaries of particular foreſts were

(*v*) Gerv. Tilb. p. 396.

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aſcertained by a perambulation. But theſe privileges were neither general, nor could they be obtained without great expence to the ſubjects. In ſhort, a charter of liberty in thoſe ages would have been almoſt uſeleſs to the people, unleſs aided by a charter of the foreſts; both were therefore demanded, and eſtabliſhed, nearly at the ſame time.

Though theſe laws of the foreſts are now grown obſolete, or feebly executed, yet ſome of the evils ariſing from theſe waſtes ſtill ſubſiſt. Many of the foreſts remain in their original uncultivated ſtate, and yield no more profit to the nation than in the days of thoſe tyrannical foreſters. If they were properly incloſed and cultivated, they would be of greater utility to the public than the peopling of a province in Nova Scotia. And it muſt be looked upon as extreme negligence in a nation diſtinguiſhed for its huſbandry to permit ſuch extenſive tracts of land to lie waſte; and at the ſame time endeavour, at a great expence, to people the wilds in North America. The waſtes

wastes in our own country, if put under cultivation, would afford employment and provision to a great number of people. And it may be observed, that the forests yielded in those ages as much, and probably greater profit than at present. Particular spots, under the name of assarts, were allowed to be cultivated, on certain terms, so early as the time of Richard the First. The annual rent of an acre sown with wheat was estimated at one shilling; and the same quantity sown with barley, peas, or oats, at six-pence (*w*). The sheriffs were usually allowed to make these contracts in their respective counties, and had the care of collecting the rents. And though in ancient times a greater extent of cultivated land would have been of little service to the prince or people, as increasing only the number of vassals, it would at present make an addition to the number of freemen, and in the same proportion encourage industry, and enlarge the national commerce.

Among other grievances complained of by the husbandmen in those ages, purvey-

(*w*) Gerv. Tilb. p. 394. W. Malmesb. p. 446.

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ance for the uſe of the king and royal family was not one of the leaſt. Whenever the king removed from one ſeat to another, his retinue aſſumed a right to pillage the lands of the crown, and ſometimes the neighbouring country, of all ſorts of neceſſaries, under a pretence of providing for him. Horſes, carts, victuals, and every thing that could be of the leaſt uſe, were ſeized by his officers; and though promiſes of payment were made, they were ſeldom obſerved. His domeſtics too, when ſent upon buſineſs into diſtant parts of the kingdom, claimed the ſame privilege, and demanded a ſupply of proviſions wherever they lodged, and in almoſt every town through which they travelled. The beſt remedy which the people could apply againſt this evil was, upon notice of the king's progreſs, to retire, with their effects, into the woods, or unto places at a diſtance from his route (x). Henry the Firſt endeavoured in vain to relieve the people, by fixing the prices of proviſions,

(x) Eadm. Hiſt. p. 212. W. Malmeſb. p. 91.

and the prises of his officers. The custom continued, with some mitigations, and was not entirely abolished till some centuries after his reign.

All the lands of the subjects, under the Anglo-Saxon government, were liable to the repair of castles, as necessary to the defence of the realm; but these fortified places were not then very numerous. The Normans found it necessary to increase the number; and for this reason called upon the people first to erect, and then to repair them *(y)*. Nor did the grievance rest here. The keepers of these castles generally plundered the whole neighbourhood, in order to supply themselves with timber, provisions, and other stores. This custom, like the other, though subject to some limitations by the great charter, was not totally laid aside till the time of the Stuarts.

If the subjects had just reason to complain of the exactions of the purveyors and castellans, they had equal reason, in some instances, to condemn the proceedings of

(y) H. Hunt. p. 216. H. Knyghton, p. 2373.

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the ſheriffs, as not leſs oppreſſive than the other. When the ſheriffs were called upon to diſtrain the cattle of the farmers, for debts due to the crown or ſubjects, they uſed great ſeverity in the exerciſe of their power, and commonly appraiſed and ſold them at low rates (z). So beneficial was this branch of their office, that in ſome counties it was claimed by an hereditary right *(a)*. And, to aggravate the oppreſſion of the people, the ſheriffs were allowed, in travelling through their counties, to take up their lodgings gratis, wherever they thought proper *(b)*. This grievance was ſo far redreſſed, under a ſucceeding reign, as to limit the number of horſes and attendants (c).

If we may conclude from theſe accounts, that the juriſdiction exerciſed by the kings over their tenants and ſubjects was not favourable to a due cultivation of the lands, the barons and great land-owners will not afford us inſtances of better regulations in

(z) Madox's Hiſt. of the Excheq. v. II. p. 196.
(a) Ibid. (b) Id. p. 147.
(c) Ibid. Stat. Weſtm. i. c. 1.

the management of their eſtates. In this reſpect they ſcarcely excelled the Anglo-Saxons. Many of their eſtates were retained in their own hands, and ſtocked at their expence with villains and cattle under the direction of their ſtewards. The caſtles or manſion-houſes of the barons were commonly ſurrounded with a park, warren, and groves, which maintained a great number of cattle; and corn and other proviſions were brought in at ſtated times by their plowmen and tenants. Large granaries were built for laying up the corn, and veſſels or troughs prepared for ſalting their fleſh-meat, and ſtoring it up for uſe during the winter.

It has been already obſerved, that the poſſeſſion of forty hydes of land was required to qualify an Anglo-Saxon for the honour of a thane of the firſt rank; and though the ſame landed qualification was not neceſſary to entitle a Norman to an earldom or barony, yet many of them poſſeſſed more ample eſtates *(d)*. William

(d) Madox's Hiſt. of the Exch. v. I. p. 572. 590.

the

the Firſt was extremely liberal to ſome of his attendants, in dividing the ſpoils of the Engliſh, and gave them ſuch extenſive tracts of land as could be of no uſe, except in maintaining a great retinue of followers and dependents. And in rude and uncultivated ages this is uſually the firſt ſpecies of luxury, and the only way in which the large incomes of the nobility can be conſumed. And this was in ſome meaſure the caſe of the early Norman nobility. Unacquainted with thoſe foreign expenſive commodities and faſhionable articles, which exhauſt the revenue of the opulent landowners in modern times, they were obliged to ſpend the chief profits of their eſtates in hoſpitality, and the maintenance of a numerous train of followers. And the want of a foreign market for the principal products of the lands, and the cuſtom of receiving a great part of their rents in kind, enabled them to maintain, on the eaſieſt terms, a retinue of ſervants in proportion to their incomes, and made ſuch a mode of luxury almoſt neceſſary.

The Normans, immediately after the Conqueſt, were obliged to ſpread themſelves over the kingdom, and ſettle in every part with a company of armed attendants. The barons and great land-owners might, in this reſpect, be compared to ſo many generals, who governed their reſpective diſtricts by a military force, and at the ſame time aſſumed the cognizance of almoſt every ſubject of diſpute among their dependents. Many of their courts were equal in authority to thoſe of the king (*e*); and though divers attempts were occaſionally made by the crown, for ſome reigns after the Conqueſt, to reduce the power of the nobility; yet ſo little regard was paid to the benefit or liberty of the ſubjects in this deſign, that they were often obliged to pay a fine, in order to have their cauſes heard in the king's courts (*f*). Intereſt or neceſſity kept the barons within reaſonable bounds during the reigns of the two Williams; but they had no ſooner won over

(*e*) Madox's Hiſt. of the Exch. v. I. p. 107.
(*f*) Id. v. I. p. 98. 104. 118. 120. 426. 443.

the

the natives to their party, or depreſſed them beyond a poſſibility of reſiſtance, than they aſſumed almoſt an unlimited authority over their tenants and dependents, Henry the Firſt ſaw the error of his father's conduct, in making grants of ſuch extenſive territories and powers; and endeavoured in vain to bring about a more equal diſtribution of property. Under ſome of the ſucceeding reigns, the princes were obliged to court the aſſiſtance of the barons againſt their rivals to the throne by confirming their claims. Theſe conceſſions, indeed, were afterwards commonly revoked; but the barons ſubmitted no longer than till a favourable opportunity offered to reſume them. The policy of ſome of the kings, and the weakneſs of others, kept the power of the nobility in a fluctuating ſtate, though the ableſt princes could not entirely raviſh it from them, and transfer it to themſelves. Or if by art or violence they gained a ſuperiority over the barons, their ſucceſſors were frequently willing to grant, for a valuable conſideration, or thro' favour, all the privileges annexed to boc-

lands, under the Anglo-Saxon government. In length of time the nobility had the addreſs to get many of their demands confirmed by Magna Charta; and in limiting the claims of the crown over themſelves, almoſt undeſignedly laid the foundation of general liberty. The compoſition for military ſervice, called ſcutage, the deſtruction of caſtles under Henry the Second, and the appointment of juſtices itinerant, were meaſures well calculated for depreſſing the power and martial ſpirit of the nobility, if a ſucceſſion of foreign and domeſtic wars had not, in ſome meaſure, defeated their effects. Military expeditions, both at home and abroad, were, however, ſo far ſerviceable in diffuſing landed property among the people, that the barons began to diſpoſe of ſome part of their eſtates, in order to raiſe money, to ſupport their expences, though it cannot be ſuppoſed, that a large number of additional freeholders would be created by theſe alienations.

In every country where the huſbandmen conſiſt chiefly of ſlaves and glebetenants, the evils of a conqueſt are not ſo

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ſeverely felt as where landed property is more divided, and the freemen are numerous. For this reaſon, though a great part of the lands was wreſted from the owners, by the conqueror, for the ſake of rewarding his ſoldiers, yet the tenants or occupiers were generally permitted to continue on their farms. They were tranſferred to the victors, who exacted from them their accuſtomed rents and ſervices, or any additional burthens they thought proper to impoſe. And this was eaſily effected, as all the laws and uſages in thoſe times were, in a peculiar manner, calculated for keeping the lower rank of people in a ſtate of ſervility or dependence. The juriſdiction which the Engliſh thanes exerciſed over their tenants and vaſſals, was maintained by the Norman barons. They held their courts in the ſame manner, and ſubjected all ſuch as lived within their liberties to many troubleſome burthens and ſervices. It would be tedious to relate all the petty impoſitions of this kind, though they had precedents for moſt of them, under the reigns of the Anglo-Saxon princes.

princes. Sometimes the tenants were obliged to grind their corn only at their lord's mill, and even to ſubmit to the exactions of his licenſed baker. And the barons had a more expeditious way of enforcing their commands, and recovering their debts, than by the tedious proceſs of law. They pounded the cattle of defaulters in the yards of their caſtles, and by this means ſoon obliged the owners to ſubmit to their demands. But, however oppreſſive the petty courts of the lords may be thought, neceſſity almoſt enforced their eſtabliſhment. The mean and indigent ſtate of the people, and the great number of vaſſals ſettled upon the lands, required ſome cheap and expeditious mode of obtaining juſtice; and in moſt caſes it is reaſonable to ſuppoſe, that the greater part of the perſons who lived within their lord's juriſdiction would voluntarily appeal to him, and ſubmit to his deciſion. As the people grew more independent, they began to complain of the oppreſſions in theſe courts, and to ſeek for redreſs in the courts of the king; and the appointment of juſtices

tices itinerant gradually introduced a more equal diſtribution of juſtice, and relieved the inferior freeholders from many grievances and exactions.

But, whatever regulations might be made in favour of liberty, the villains, or ſerfs, found no mitigation of their ſlavery. Some of them were conſidered as attached to the glebe, and depended, for a ſubſiſtence and ſettlement, on the will of their maſters; and others were liable to be ſold, with only this reſerve, that they ſhould not be diſpoſed of to foreigners *(g)*. And though they were ſtill allowed to have a property in their cattle and goods, yet theſe were ſubject to ſale for the debts of their maſter, when there was a deficiency in his effects (*h*). So much regard, however, was paid to the intereſt of agriculture, that oxen for the plough were exempted from ſale, as long as there were any other effects to ſatisfy the creditor's demand (*i*). This

(g) Gerv. Tilb. p. 393. Rog. Hoved. p. 343.
(h) Madox's Hiſt. of the Exch. v. II. p. 102.
(i) Gerv. Tilb. p. 438.

was

was afterwards ſettled by a ſtatute; but ſo little regarded, that it was frequently renewed (*k*). The ſtate of the glebe-tenants was nevertheleſs ſo far attended to, that their rights, as well as the claims of their maſters over them, were, in ſome degree, ſettled, and made a part of the Engliſh juriſprudence for ſome centuries.

The diſpoſal of the effects of inteſtates, under the Normans, may be conſidered as a ſpecies of oppreſſion, or at the leaſt a great diſcouragement to induſtry. In the time of the Anglo-Saxon government, the goods of inteſtates were ordered, on ſome occaſions, to be divided among the children or relations of the deceaſed (*l*); but, under the early Normans, the king or lord of the fee aſſumed a right to the diſpoſal of them (*m*); and, as writing was then a rare accompliſhment, many perſons muſt frequently die inteſtate, and undeſignedly deprive their creditors or relations of the fruits of their induſtry and labour.

(*k*) 51 Hen. III. Stat. iv. Stat. Weſt. ii. c. 17.
(*l*) Leg. Ang. Sax. p. 144.
(*m*) Blackſtone's Com. v. II. p. 494.

 If,

If, in civilized ſtates, dreſs, equipage, court-intrigues, or more liberal amuſements, uſually engage the attention of all perſons whoſe circumſtances exempt them from perſonal labour; among the early Normans, military atchievements and the diverſions of the chace were the chief employments of all the independent orders of the people. Many therefore of the tenures, by which the lands were held of the king or barons, were of a military kind; but in proceſs of time the ſervices required by them were commuted for money. The tenure by ſocage, as the martial ſpirit of the people ſubſided, became the moſt general, and in length of time was found to be moſt beneficial to the public. But if lands held in ſocage were free from ſome burthens incident to feudal tenures, the owners of them were commonly ſubject to great exactions on every ſucceſſion. The uncertainty of reliefs, on a change of heirs, was complained of by the barons, till the value of them was fixed by the great charter; and though it had been uſual to re-

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ceive a year's profit, and ſometimes only an heriot, on the ſucceſſion to ſocage-lands, yet the ſuperior lord commonly kept the terms of admiſſion uncertain, in order to extort money from the heir (*n*); and for this reaſon lands held by this tenure were, in general, of no greater value, than copy-hold lands at preſent, when the fine is uncertain.

The frequency of the famines in thoſe ages affords undeniable proofs of the low ſtate of huſbandry, and poverty of the farmers. Theſe exceſſive dearths, which ſwept away a great number of people, are ſometimes aſcribed, by the hiſtorians of thoſe times, to the exorbitant taxes levied on the land-holders, to the exactions of the purveyors and officers of the crown, and ſometimes to a more probable cauſe, the wetneſs of the ſeaſons. This has been at all times, in England, the principal cauſe of the ſcarcity of grain, except when occaſioned by too large an export. Remarks have been made in ſome countries, that, when particular ſprings break out, a dearth

(*n*) Dalrymple on Feudal Property, p. 58.

or

or ſcanty harveſt enſues. This obſervation is generally placed among the idle prophecies founded on the appearance of a comet, mock-ſun, or other unuſual phænomenon, though it is built on a better foundation. Rainy ſeaſons were equally the cauſes of theſe extraordinary ſprings, and of the ſcarcity of grain which commonly followed (*o*).

The miſerable ſtate of the occupiers of the lands, and the ſmallneſs of their farms, will not permit us to imagine, that a proper proviſion could be made for a ſcanty harveſt. Like the ſlaves or vaſſals in other countries, their principal care extended no farther than to ſupply their own immediate wants, and the demands of their landlords. In times of great plenty, the price of grain was immoderately low, as very little was exported; and during a ſcarcity, it was exceſſively high: both of which are equally pernicious to huſbandry. So little proviſion was made for unfavourable ſeaſons, or even againſt a ſevere winter, that

(*o*) Camd. Britan. p. 741. 748.

a great

a great part of the cattle uſually periſhed at theſe times. Many of the ſheep, indeed, ſurvived, as more care was generally beſtowed upon them than other cattle. They were commonly kept in barns, or ſmall incloſures, in the nights during the winter, either to prevent them from being ſtolen, or to improve the quality of the wool, which was beginning to be the richeſt article of the Engliſh commerce. And it is not unlikely, but the increaſed number of ſheep, for the ſake of traffic in their wool, might help to diſcourage tillage, and bring on thoſe grievous famines, which ſeem to have been more frequent than in former ages. The land-owners, finding greater benefits from their flocks of ſheep than raiſing corn, converted many of their tillage-lands into paſtures, and gradually diminiſhed the quantity of grain. And as fewer perſons were required to attend the flocks of ſheep than to till the lands, the number of farmers and cottagers would be ſenſibly reduced. Some advantages, however, aroſe from this change, in the application of the lands. Many of the vil-

lains were abandoned, or ſet at liberty, on eaſy terms, as no longer ſo profitable to their maſters as in preceding ages. Under the government of the Anglo-Saxons, when the export of wool was inconſiderable, and tillage encouraged by every land owner, the ſerfs and inferior tenants were uſeful, and even neceſſary: but, as paſturage increaſed, their number was reduced, and many of them began to be conſidered as burdenſome, rather than profitable to their landlords. And this may be one reaſon why the number of freemen gradually increaſed from the time of the Conqueſt. The Normans, finding many of the glebe tenants ſettled in their manors to be in ſome meaſure uſeleſs, by the declining ſtate of tillage, and perhaps unwilling to afford them ſubſiſtence any longer, might be induced to emancipate them in their own relief, or to offer them liberty on very moderate terms.

From the union between Normandy and England after the Conqueſt, and the acceſſions of territory, which were made by ſucceeding kings, it might have been ex-

pected, that ſome advantages would have accrued to both countries, by an exchange of each other's products: but, excepting wines, theſe were too much alike to lay the foundation of a profitable traffic between them. If proper encouragement had been given to trade, the lands would have felt the influence by an advance of their rents, and a more induſtrious culture. Nor is it poſſible, in many caſes, that the lands ſhould make the moſt profitable returns, or be cultivated to their full extent, without permitting a free and large export of their products. The ſuperfluous commodities of one country may bear a conſiderable price in another; and this, in return, may have other goods to give in exchange, to their mutual advantage. The timber of the Northern, and the wines of the Southern parts of Europe, owe their value, in a great meaſure, to the demands of other countries, and without permitting their export would be almoſt uſeleſs to the natives. This is now ſo well underſtood, that every European nation is endeavouring to gain the advantage of each other,

other, by exchanging ſuch commodities as employ the greateſt number of hands to fit them for uſe, for raw and unwrought materials. In thoſe early ages this policy was little underſtood. It ſeemed only neceſſary for the purpoſe of commerce to make an exchange of goods, without attending to the number of workmen they employed. Wool was exchanged with the Flemings for cloth; and it may be thought remarkable, that the firſt advance of the value of lands, and the richeſt branch of trade, ſhould be owing to the export of a commodity that tended to depopulate the country, to diminiſh tillage, and make the nation almoſt tributary to foreigners for one of the moſt neceſſary articles of life.

A mercantile people would have endeavoured to turn the native commodities of a conquered country to advantage, by encouraging their export, and augmenting their quantity; but the Normans were little ſuperior to the Engliſh in thoſe arts and improvements of life, which give birth and ſupport to manufactures and com-

merce. The reproach of drunkenneſs, charged on the Engliſh, was, in a few years, applicable to the Normans, who, like other conquerors, adopted the vices of the vanquiſhed. They were, nevertheleſs, in ſome reſpects, ſuperior to the Engliſh. They built more ſumptuous houſes, and affected greater elegance in their dreſs, furniture, and manners (*p*). The nobility, ſpending their time chiefly in their caſtles and country-houſes, and converſing little with each other, had all that decency and politeneſs which conſiſt in ceremony and form, and all the reſpect which can be created by a numerous retinue of ſervants. Qualities of this kind contributed little to the advancement of foreign or domeſtic trade. The military tenure, by which moſt of the lands were held, and the conſtant feuds among a factious and turbulent nobility, muſt unavoidably prevent many perſons in opulent circumſtances from giving a proper attention to arts and commerce; and the

(*p*) W. Malmeſb. p. 57. H. Knyghton, p. 2369. Chron. Brompt. p. 953.

cuſtom

cuſtom of retaining a numerous train of ſervants muſt diſqualify many of the lower claſs of people for more uſeful ſervices and perſonal labour. If we except the barons, clergy, and a few others, the remainder of the people was held in ſuch a ſtate of vaſſalage and dependence, that it was not in their power to encourage the artiſt and manufacturer. Though ſome of the Normans are ſaid to have been fond of agriculture *(q)*, yet the care of the lands, and many of the mechanical arts, were uſually referred to the villains, or to thoſe who were ſcarcely raiſed above the condition of ſlaves. The arts, indeed, as before obſerved, had flouriſhed in Greece; and huſbandry had been ſucceſsfully carried on in Italy, and other countries, under the care of ſlaves; but they were directed by maſters who thought them worthy of attention. On the other hand, the Engliſh and Norman gentry held all manual occupations in the loweſt eſtimation; and looked upon ignorance in many uſeful arts as an honour to their rank and character.

(*q*) Ingulph. Hiſt. p. 77.

The barons and prelates affected great pomp, and thought it neceſſary to their grandeur to be ſurrounded by a numerous company of ſervants and attendants, which they maintained in great ſplendor. Becket's retinue of knights and dependents is not taken notice of by hiſtorians, on account of its ſingularity; ſince every other perſon of diſtinction commonly maintained as many as his circumſtances enabled him to ſupport. Among theſe ſome degree of elegance in apparel might prevail; but many of them were unable to ſupport their knighthood by an adequate fortune; and their demands were too ſmall to improve the ancient manufactures, by encouraging the workmen to greater induſtry and excellence. It can give us no favourable idea of the uſeful luxury of thoſe times to be told, that the rooms of Becket's palace were covered with ruſhes in the ſummer, and with ſtraw or hay in the winter (r). Nor was the furniture of the king's bedchamber leſs extraordinary. His bed was

(r) Madox's Hiſt. of the Exch vol. II. p. 311.

uſually

usually stuffed with straw; and some lands were held on the condition of finding clean straw for his use, when he resided at a particular house (s). The monastics, indeed, soon after the Conquest, began to complain of the luxury of the times; but their declamations were principally levelled against wearing piqued shoes and long hair: fashions, like many others, that might be very troublesome, and at the same time useless towards promoting the interest of trade. To shew the prevalence and duration of fashion, it may be observed, that the custom of wearing piqued shoes continued in use till the reign of Edward the Fourth, when their length was limited by a statute (t). If there was any thing of our own manufacture, that deserved the name of luxury, it was the needleworks of those times. Many of these were designed for making the copes and vestments of the clergy, or for adorning the shrines and altars in the convents and churches.

(s) Chron. Wykes, p. 43. Camd. Brit. v. I. p. 331.
(t) 4 Edw. IV. c. 8.

London was ſo famous for works of this kind, that they were requeſted as preſents by one of the popes (*u*). But they were too much limited in their uſe to become objects of national importance as articles of commerce. The trade of the nation, excepting the export of wool, continued nearly in the ſame ſtate as under the Anglo-Saxons. No new arts or ſkill in manufactures were imported by the Normans; and no addition was made to the liberty of the ſubjects, which might tempt them to exert genius and induſtry, and enable them, by the returns of their labours, to promote trade by the conſumption of native and foreign commodities.

The invaſions of the Danes had obliged the Engliſh to form a navy; and William the Firſt, as well to repel the invaders as to tranſport troops into his foreign dominions, had a conſiderable fleet, a part of which might occaſionally be employed in conveying merchandiſe into other countries. Corn was ſometimes exported to

(*u*) Matt. Paris, p. 705.

France

France and other ſtates; but the demand for it abroad was not conſtant, nor could leave be always obtained to export it. Richard the Firſt ordered the ſea-ports to be guarded for a time, that it might not be ſent abroad, and commanded the maſters of five ſhips at Valeri to be hanged, for exporting it without his leave (*w*). Nor was the quantity of leather, or ſkins, ſo large as to employ a great number of veſſels. Wool was an article of the greateſt value, and for ſome centuries after the Conqueſt was continually increaſing in quantity and price. The ranſom-money of Richard the Firſt was, in part, raiſed from the ſale of this article; and the people had ſcarcely any other commodity that was in demand amongſt foreigners. Though the export of this uſeful material may be thought, in modern times, to have been an impolitic meaſure, by diſcouraging tillage and population, it ſerved in thoſe ages to give in exchange for foreign goods, and advanced the value of landed property.

(*w*) Rad. de Diceto, p. 696. Chron. Brompt. p. 1275.

And

And as ſkilful workmen were then wanting to manufacture it, if it had not been exported, it would have been almoſt uſeleſs to the ſubjects.

The Flemings, who were driven out of their own country by an inundation, and retired into England in the time of Henry the Firſt, might have been extremely uſeful to the natives, by their ſkill in ſome branches of the woollen manufacture, if they had been employed to inſtruct them. They muſt have been numerous, as they were removed from the North to the borders of Wales, in order to form a barrier againſt the incurſions of the Welch; and they acquitted themſelves ſo well in the capacity of ſoldiers and merchants as to become ſubjects of panegyric (*x*). They would have been much more ſerviceable, if they had been employed to improve the Engliſh in the art of weaving; or, at leaſt, if they had been placed in a ſituation where they might have communicated their ſkill, and diſpoſed of their goods with greater

(*x*) Gir. Camb. Itin. Wal. p. 848. W. Malmeſb. p. 89. H. Knyghton, p. 2377.

eaſe than in a remote corner of the iſland, in which they were liable to inceſſant interruptions from their fierce neighbours; but the benefits of trade were imperfectly underſtood, or ſlightly attended to by the princes or their ſubjects.

In every country where honour and reſpect are annexed only to the profeſſion of arms, trade will be looked upon as diſgraceful to the gentry, and conſigned to Jews, uſurers, and the loweſt of the people (y). And, if commerce had been a more creditable employment, it could not flouriſh under the arbitrary exactions of the monarchs of thoſe times, who aſſumed a ſovereign juriſdiction over all its branches, and frequently ſeized the merchandiſe of the ſubjects or aliens without diſtinction. The duties or cuſtoms levied on goods imported or exported were, for ſome time after the Conqueſt, in a great meaſure undetermined, and collected by officers, who ſometimes plundered, inſtead of protecting the merchants. Through intereſt or bribes, a licence to trade might be obtained from

(y) Gerv. Tilb. p. 436.

the

the crown by particular perſons; and if a few were enriched by the grant, the induſtry of others was proportionably diſcouraged. So far was commerce thought to be at the diſpoſal of the king, or under the controul of his officers, that it was dangerous to intermeddle in any of its branches without having obtained leave, by a fine or a preſent. Every privilege relative to trade was expoſed to ſale, and might be obtained for a valuable conſideration. And traffic, even in the moſt neceſſary articles, was under great reſtrictions. The people were compelled to pay a fine for leave to export corn, leather, cheeſe, or any other commodity; to remove corn from one county to another; to ſell dyed cloth, or to ſalt fiſh in a particular manner (z). The king's officers were ſeldom to be approached by the ſubjects without a preſent in their hands, though this was ſometimes extremely trifling. When nothing of greater value could be extorted, they ſtooped to receive an hawk, hound, or

(z) Madox's Hiſt. of the Exch. v. I. p. 3. 46. 470.

a few

a few fowls, for granting what juſtice and public utility required.

As little intercourſe was kept up between the ſeveral nations of Europe, and acts of piracy and robbery were frequent, ſtrangers were commonly received with marks of jealouſy, and ſeldom permitted to viſit the interior counties, except at the time of a fair. If any foreign merchants reſorted to England at theſe ſeaſons, their reſidence was uſually limited to forty days (*a*). A longer reſidence would have been equally dangerous to their perſons and property, by the juriſdiction or powers which the crown or barons exerciſed over all ſtrangers who lived within their territories. And when the borough-towns became more numerous, and the tolls or cuſtoms were farmed by the inhabitants, every tradeſman, whether a native or alien, if he was not admitted to his freedom, was liable to expulſion, or to grievous exactions by the burgeſſes. Theſe regulations of trade, if they deſerve the name, ſeem to be calculated rather to depreſs than encourage the ſpirit

(*a*) Parliam. Hiſt. v. II. p. 198.

of

of commerce, and could anſwer no other end than to form monopolies deſtructive of its progreſs, or to make it unprofitable to the greateſt part of the people.

Almoſt all the laws and cuſtoms, which had been introduced by the Anglo-Saxons for regulating domeſtic trade, continued in force after the ſettlement of the Normans. Nothing was allowed to be ſold above the value of four-pence, except in cities, boroughs, and fairs, under a pretence of preventing theft and frauds, but rather with a view to collect the tolls *(b)*. Even the butchers were not allowed to ſell their meat in any other places *(c)*. Nor were any cloths, except black, permitted to be dyed but only in cities and boroughs *(d)*. When the merchants conveyed their goods to any markets in the inland counties, they were inceſſantly ſubject to exactions for paſſing bridges, foreſts, and other privileged places; and when they expoſed

(b) Leg. Ang. Sax. p. 226. H. Hunt, p. 347.
(c) H. Hunt, p. 343. 347.
(d) Mat. Paris, p. 191. H. Hunt. p. 440.

them

them to ſale, they were obliged to ſubmit to a variety of cuſtomary tolls. Theſe are enumerated, with great exactneſs, in ſome antient charters, and ſerve to ſhew for what reaſons the barons and others ſolicited theſe grants from the crown. As long as the market-towns were few, and little frequented, and the trade of the nation was carried on chiefly at fairs, the tolls at ſuch times might amount to a conſiderable ſum; but at preſent, by the alterations in trade, and the decreaſed value of money, they are become trifling, and the payment of them rather troubleſome than oppreſſive to the ſubjects.

The credit of every perſon concerned in trade muſt unavoidably have been low, on account of the ſcarcity of money, the high rate of intereſt, and the extreme difficulty of giving proper ſecurity for the payment of debts or goods. Moſt landed eſtates could not be alienated or transferred without great trouble; and the ſmall parcels of lands poſſeſſed by the inferior freemen were ſubject to ſuch a variety of ſervices and demands as to be almoſt uſeleſs for the pay-

payment of creditors. It frequently happened, that no money could be borrowed upon them, nor an alienation made, without the leave of the ſuperior; and this could ſeldom be obtained without the payment of a fine. For this reaſon, the credit of every merchant was chiefly confined to his capital ſtock; and that of the buyers, to the ready money they were able to procuce: and, from the great ſcarcity of caſh, and the general poverty of the people, the credit of both muſt have been too low to carry on an extended commerce.

If, however, trade laboured under theſe, and other diſcouragements, it kept gradually increaſing from the time of the Conqueſt. The Saxons and Danes, after their ſettlement in Britain, maintained a conſtant or occaſional correſpondence with the inhabitants of the North, which was not entirely loſt after the arrival of the Normans. The furs and hawks, which were imported from Norway and the Northern regions, and the grain exported thither, afford an evidence, that theſe countries were viſited by the Engliſh; and it is not unlikely

likely but dried fish was brought from thence in exchange, as this was the chief article of their commerce. Timber, and almost all other commodities that now support the trade with the Northern states, were, in those times, almost equally plentiful in England. But on whatever account this correspondence was kept up, all the coasts of the Mediterranean were unknown to the English seamen. The connection with the see of Rome was on a religious account; and those who resorted thither usually passed through France; and all the commodities which the English received from the mercantile states of Italy were imported by the merchants of Florence, or other foreigners, or conveyed through France. In the time of the Crusades, connections were formed with Italian merchants, who, on this account, might be induced to send larger quantities of goods to the Western parts of Europe; and tho' these romantic expeditions cannot be defended on the views of policy and utility, they were nevertheless productive of some benefits in exchange for the treasure they

exhausted. They allayed, for a time, the domestic broils so frequent in those ages, and introduced a more liberal intercourse between the several nations of Europe. Before the time of these expeditions, every petty state on the continent was so much engaged in suppressing the factions which were incessantly breaking out amongst the nobility, or so unconcerned about the fate or fortunes of the bordering countries, that there were the slightest commercial or political connections formed betwixt them. The mutual interests of trade between remote, or even neighbouring nations, were scarcely attended to; nor were the oppression or ill treatment of the subjects of any prince in a foreign country always thought worthy of resentment, except when it was in his power to retaliate, and thereby prevent all future correspondence. The princes of those times looked upon themselves, by a kind of mutual consent, as possessing an absolute command over all strangers who resided within their territories, except at the time of a mart, and considered every

privilege

privilege they granted, and even acts of justice, as special favours. The territorial jurisdiction exercised by the nobility, and the distribution of countries into small principalities, might probably be the reasons of this harsh proceeding with foreigners. In ancient times, every country just emerging from barbarism, and divided into small cantons, was commonly noted for the inhospitable manners of the inhabitants. Italy had formerly been broken into little independent states, which made travelling dangerous, and prevented the resort of strangers (*e*). So that the free intercourse, which now subsists between the several nations of Europe, may be ascribed, among other causes, to the abolition of the territorial jurisdiction exercised by the petty princes and nobility. By the aid of commerce, and the connections formed on that account, every new art and improvement in life gradually make their way into other countries, and enrich them as well as the inventors. And tho'

(*e*) Livii Hist. l. i. c. 18.

the Italians, in the time of the Crusades, had not attained to that degree of skill in manufactures, arts, and science, which they afterwards possessed; yet they were in these respects greatly superior to the English, French, and Germans, who might have borrowed many useful inventions, and received from them instructions in literature and government. But the beneficial effects of this intercourse with foreigners were not so visible in England, and other Northern countries, as might have been expected. No marine was formed, no new discoveries in arts or knowledge, nor any improvements in manufactures, were imported by the Crusaders. After their return, they contented themselves with the fame of their prowess, and permitted the states of Italy to reap the chief benefits of their expeditions. These drew from the adventurers immense sums of money for their passage, and then took all the advantages of their conquests. Tho' the kings Richard and Edward had an opportunity of forming commercial connections with the Greeks and Italians, some cen-

centuries elapsed before any English merchants sent trading vessels into the Mediterranean.

Perhaps the greatest advantages derived from the Crusades were owing to the assistance which they gave in reducing the wealth and power of the barons and gentry, who were obliged to alienate their lands, in order to raise money for their maintenance abroad, and thereby diffused property more equally among the people *(f)*. The alienation of lands, according to the feudal system, was extremely difficult. Some superior lord had usually a claim upon the estate of every inferior freeholder; and his consent to exchange tenants could not always be easily obtained. On occasion of the Crusades, leave was commonly given by the superior to alienate on moderate terms; and though the prelates and monastics, both in England and other countries, by possessing the greatest sums of ready money, were the principal

(f) Robertson's Hist. of Charles the Fifth, vol. I. p. 32. Mat. Paris, p. 773.

gainers, and enlarged their revenues and power by purchasing the estates of the Crusaders, yet it may be justly presumed, that other persons in lower circumstances would take the benefit of these offers, and place themselves in the number of freeholders. In England, the kings were the greatest sufferers by these expeditions. Richard the First mortgaged his revenues, and sold a great part of the ancient demesnes of the crown; and though he afterwards endeavoured to resume them, yet it should seem without success. John, his successor, by his own profusion, or the alienations made by his brother, was in such needy circumstances as to be obliged to have recourse to the contributions of his subjects, who were always unwilling to grant them without some concessions in their favour. The largest and most populous towns belonging to the crown were generally ready, by a joint collection, to purchase some new privilege or immunity; and the king was equally ready to grant it on their own terms. To this cause we may attribute the creation of a great number

ber of boroughs, and the improved ſtate of the inhabitants, which gradually followed.

After the arrival of the Normans, the few privileges which the moſt favoured boroughs poſſeſſed were either wreſted from them, or looked upon to be at the diſpoſal of the victors. William the Firſt confirmed the charter of the Londoners; and, by declaring them to be law-worthy, and permitting their children to ſucceed to their eſtates and effects, eſtabliſhed all the rights they had formerly poſſeſſed *(g)*. During the ſucceeding reigns, the number of boroughs and corporate towns was increaſed, and their privileges enlarged, till in the time of John almoſt every conſiderable town belonging to the crown obtained the franchiſes of a borough by gift or purchaſe. Many of theſe privileges appear at preſent to be extremely trifling; but they were in thoſe times of great uſe, and even neceſſary to the encouragement of trade: afterwards they were converted into monopolies, and by the excluſive rights which

(g) Brady on Burghs, p. 28.

the burgeſſes poſſeſſed or aſſumed, interrupted its progreſs. The moſt valuable privileges belonging to the inhabitants of the boroughs was that of appointing their own officers, and of farming the tolls and revenues of their towns at a certain ſum. This being fixed, ſome limitations were put on the arbitrary exactions of the crown; and the rent remaining without variation, in a courſe of time, by the decreaſing value of money, it became very trifling. From this æra, a ſpirit of induſtry began to diffuſe itſelf in the boroughs, and prepared the way for a more free and extended commerce. Something ſimilar, though on a more enlarged plan, had taken place in other countries. The lawleſs exactions of princes in thoſe ages contributed to the riſe of the Hanſe towns, and threw almoſt every lucrative branch of trade into their power. Forming themſelves into a kind of republics, and fixing the duties and impoſts on every mercantile commodity, they led the inhabitants to induſtry, under an aſſurance of receiving its rewards; while the

the ſubjects of other ſtates, where the ſame uſeful regulations were not eſtabliſhed, laboured under every difficulty and oppreſſion that could embarraſs or ruin commerce.

Amidſt, however, all the diſcouragements to trade, ſome regard was paid to the manufacture of woollen goods. Gilds of weavers were formed under Henry the Second in London and other places (*b*); and though it may be ſuppoſed, that the workmen were neither very numerous, nor expert in their buſineſs, yet they ſerved to keep up the little ſkill in the manufacture of cloth which they then poſſeſſed, and prevented it from being entirely loſt. The gilds or companies might be diſſolved, and the workmen diſperſed, in the confuſions that followed his reign; but the art of weaving would be ſo far retained, as to ſupply the common people with coarſe cloth. And there is no reaſon to doubt, but that weavers were to be found in moſt counties, who ſupplied the neighbouring

(*b*) Hale's Prim. Orig. p. 161.

inhabitants

inhabitants with their manufactures, tho' too few in number, in most places, to be formed into gilds.

It is not easy to conjecture on what pretence cloth made of Spanish wool was ordered by Henry the Second to be burnt. As it can scarcely be supposed, that English wool was dearer, or even equal in fineness, to such Spanish wool as would be imported, it may be presumed the king was willing to encourage the manufacture of our own wool. There is no reason to believe, that our wool was at that time finer than at present. A much greater quantity of coarse than of fine cloths was required for domestic use, on account of the general poverty of the people; and the finest parts of our own wool might supply a sufficient quantity for the cloaths that were worn by the gentry.

The plundering of the monasteries seems, on the first view, to have promised some advantages to trade and husbandry, by spreading the riches deposited there among the people, and making them useful to the public. The writers of those times have taken

taken care to inform us, with every circumſtance of aggravation, how cruelly the monaſtics were treated by William the Firſt, and what immenſe ſums were gathered from the plunder of the monaſteries. The ſuperſtition of thoſe times, though its influence was powerful, was not able to reſtrain his avidity, when it ſtood in the way of his intereſt or ambition. He conſidered the monaſteries as the chief ſeminaries of rebellion, where plots would be formed for diſturbing his government, and whoſe riches would be chearfully expended in this ſervice. But, beſides the money which was the property of the monaſtics, he ſeized ſuch effects of the ſubjects as had been depoſited there for ſafety, though juſtice required that a diſtinction ſhould have been made betwixt them (*i*). If theſe riches could have been diſperſed among the people, and brought into currency, a great addition would have been made to the trading ſtock of the nation. But on many accounts the

(*i*) W. Hemingford, p. 459. Hiſt. Elienſ. p. 515. S. Dunelm. p. 296. 967.

rich ſpoils of the monaſteries were of ſlight ſervice to the public. The occupiers of lands, the tradeſmen, and manufacturers, were held in ſuch a ſtate of vaſſalage, that they could not feel the effects of this additional wealth. The price of proviſions and other commodities remaining the ſame, the price of labour would keep pace with it; and until theſe obtain an advanced value, no addition can be made to the caſh in circulation by the influx of money, except by increaſing the number of inhabitants. As long as the greateſt part of the people was deprived of liberty, and almoſt of property, it was of little moment to them, whether the riches of the religious remained in the monaſteries, or were removed into the cheſts of the king or his officers. The greateſt advantage accruing to the ſubjects from theſe ſpoils was, that they were relieved from extraordinary levies to the king. Having a great number of mercenary troops to reward, and requiring ſupplies for carrying on his deſigns upon the continent, William the Firſt employed them in theſe uſes; for which reaſon a very

ſlender

ſlender addition was made to the national currency.

The religious houſes, by accumulating wealth, as it gradually flowed into the nation by commerce, or the acquiſitions of induſtry, helped to keep the price of labour, proviſions, and all the products of the lands, nearly on an equality, for a long period of time. In ſome ancient ſtates, where the people enjoyed a greater ſhare of liberty, and their commerce was more extended, a like effect was produced from a cauſe not very diſſimilar. Some of the Greek and Aſiatic ſtates locked up a great part of the public revenues in their treaſuries, and reſerved it for particular exigences: keeping by this means nearly an equal quantity of money in circulation, although the trade of the inhabitants conſtantly increaſed, the rates of labour and proviſions continued almoſt the ſame. The bullion that is brought in by commerce or acquired from mines in modern times, by entering into circulation, has reduced the value of money; or, what is the ſame thing, it has nominally advanced the price

of

of labour, provisions, and lands. But these effects are owing not so much to this accidental influx of wealth, as to the free and improved state of the people, and the abolition of vassalage in almost every part of Europe. Wherever the subjects in general are held in a state of servitude, the national riches, or the cash in circulation, must be much smaller than in countries where the freemen are more numerous, and permitted to enjoy the fruits of their industry. For these reasons, the spoils of the monasteries made a less addition to the public currency, and had a less influence on the value of lands and their products, than a proportional quantity would have in the present age. And for the same reasons it is doubtful, whether the riches which are lodged in the churches and monasteries of some European states, if they were seized by their respective princes, and applied to public uses, would not in a few years disappear, without making a sensible addition to the wealth of the subjects. The value of lands, and all the articles depending upon

upon them, must be augmented, before these additional riches could be retained in the nation, and circulate among the people. And this event cannot be expected, without adding to the freedom and industry of the subjects, and enlarging, as well as securing, the personal property of every individual.

If the expensive ornaments or occasional donatives to the churches and convents diverted money from the course of trade, and thereby made it in some measure useless, the landed acquisitions of the clergy and religious were almost equally pernicious; and after the first shock of the Conquest these were continually increasing. In every commercial state, acts of mortmain are in some degree necessary. Trade can seldom be carried to its utmost extent without almost an unlimited freedom to alienate landed property, and convert it into money for the payment of debts. The credit of the merchants and subjects in general is enlarged in proportion to their estates, and the facility with which an alienation can be made. Every restraint therefore on the

sale

ſale of lands muſt operate upon trade, and interrupt its progreſs and extent. But as almoſt all other lands, as well as thoſe belonging to the clergy and monaſtics, were equally unalienable, and the trade of the nation was extremely low, the pernicious effects of theſe landed endowments were not ſenſibly felt. In length of time, ſome limitations were put on the acquiſitions of the clergy, but rather with a view to repreſs and abridge their power, than to enlarge the credit of the merchant, or the trade of the nation.

Whatever reaſons the eccleſiaſtics might have to complain of the depredations committed upon their eſtates by the Normans, they ſoon recovered their loſſes, and in a few years after the Conqueſt became almoſt as opulent and powerful as in the time of Edward the Confeſſor. The princes and churchmen in other countries, by ſupplying the Cruſaders with money for their journey into the Eaſt, gained the poſſeſſion of conſiderable eſtates; and, if the Engliſh prelates and monaſtics had not an opportunity

of making the ſame advantages of the zeal of their countrymen, the tranſmarine dominions of the crown anſwered nearly the ſame purpoſe. The nobility and gentry were oftentimes obliged to mortgage or ſell their eſtates, in order to equip themſelves for the voyage, and do honour to the prince by the ſplendor of their dreſs and equipage; and as the clergy were generally poſſeſſed of large ſums of money, they were the principal purchaſers. But their opulence was derived from other ſources. Superſtition, under their direction, proved as profitable a vein of wealth as the charity of more enlightened ages. Amidſt the licentiouſneſs and diſorders which were then frequent, crimes equally ſhocking to juſtice and humanity were committed by all orders of men; and, under a conſciouſneſs of guilt, benefactions, or donations of lands or money to churches or monaſteries, were looked upon as a proper atonement. Henry the Firſt built a monaſtery with this view; and others made compenſations for their

vices by ſimilar foundations (*k*). From theſe, and other ſources, their acquiſitions became ſo large, and their power ſo extenſive, that the princes and ſubjects began to look upon them with envy and jealouſy; but both were withheld from wreſting their poſſeſſions from them, not only by the terrors of ſuperſtition, but by political reaſons. The kings were frequently obliged to make uſe of the influence of the clergy, or to court their aſſiſtance in confirming their title to the throne; and the monaſtics had been ſo often harraſſed by their potent neighbours, who were conſtantly encroaching upon their lands, or diſputing the validity of their title to them, that they found it expedient to purchaſe the protection of ſome powerful baron, by conſigning to him a part of their eſtates, under a very moderate rent. By thus admitting the laity to a ſhare in their revenues, they found for a time able advocates for their cauſe, till at laſt their power and poſſeſſions became ſo enormous, that it was

(*k*) M. Paris, p. 62. Pet. Bleſ. p. 120. Hume's Hiſt. v. I. p. 62. 115.

found

found necessary to settle the extent of their privileges by the Constitutions of Clarendon, and afterwards to limit their landed acquisitions by statutes of Mortmain.

If we review the period of time from the Norman Conquest to the accession of Henry the Third, neither the public regulations, nor the customs and manners of the people, seem to have been calculated for extending the commerce, or promoting the industry or internal wealth, of the nation. Though some advances were made towards improving the state of the subjects, they were too inconsiderable to effect a great alteration. Agreeably to the wishes of the people, some of the Anglo-Saxon customs had been re-established, and admitted as laws, but still subject to so many reserves, as to render them almost useless. It was nevertheless of service to the public, to substitute a written law instead of vague and particular customs, which, however inconvenient for a time, promised, in some future period, to introduce a more regular government and more useful regulations. And, indeed, the progress of arts

and civility is always gradual, and oftentimes imperceptibly slow, unless aided by particular circumstances, and a train of events, which few nations have been so fortunate as to enjoy. If the Normans excelled the English in decency of manners, and other external accomplishments, they were equally unskilled in all the useful arts and occupations of life. And the commercial connection, which was necessarily formed between England and the king's transmarine dominions, was of slender service to our trade or manufacturers. There were few commodities which could be exchanged to the benefit of both countries. At the same time that trade laboured under many inconveniences, no addition was made to the liberty of the people, which is the chief incentive to industry and commerce. Vassalage was maintained nearly in its ancient rigor, and all the occupiers of the lands were held in their former state of servitude or dependence. If some rays of liberty began to break out in the boroughs, their beneficial effects were intercepted by the princes, nobility, or others,

who frequently extorted large ſums of money for protecting them in the enjoyment of their charters and franchiſes. Nothing ſeems to have been attended to by all the independent orders of the people; but the profeſſion of arms, and the ſtruggles for the crown and domeſtic broils, made it in ſome meaſure neceſſary. It was at the ſame time encouraged through views of policy. If William the Firſt endeavoured to depreſs the martial ſpirit of the Engliſh, by denying them the uſe of arms, he took every method to rouze and maintain it among his countrymen and followers, by obliging every conſiderable land-owner by the tenure of his lands to attend on every military ſummons. Such a plan of policy, however uſeful it might be in thoſe unſettled ages, muſt have had a pernicious influence on all thoſe arts which embelliſh or improve human life, or at leaſt muſt retard their advancement, by diverting the attention of all the independent orders of the ſubjects to other objects. For ſome years after the ſettlement of the Normans, the authority of the laws and antient

ancient customs, how well soever calculated for promoting the public welfare, were submitted to with great reluctance by men who had so lately subdued the kingdom by the sword, and were always in a posture to assert and defend their privileges, or the jurisdiction, which they possessed or assumed over the inferior ranks of people. Hence arose incessant opposition and disturbance in the execution of justice, and a total neglect of that order and police which are so essential to the introduction and support of arts, manufactures, and commerce.

There were above sixty thousand knights' fees in the kingdom, the owners of which, excepting the clergy and conventuals, who were allowed to send deputies, were required to be always ready to obey the military orders of the crown. And, as some degree of honour was annexed to the order of knighthood, it was for a time held in repute; and though a landed qualification was sometimes required to entitle men to it, yet this was frequently dispensed with, and persons of very moderate fortunes admitted

to

to the honour. In after-ages it became a fund of oppreſſion in the hands of the kings, by calling upon the owners of ſmall eſtates to receive knighthood, or to compound for their refuſal by a pecuniary payment (*l*). At the ſame time, the inferior freeholders, who are uſually the firſt in cultivating and promoting trade, huſbandry, and other uſeful occupations, were obliged to be provided with a ſet of armour, according to their circumſtances (*m*). And robberies were ſo frequent, that arms became neceſſary for their ſecurity and defence. The citizens of London generally went armed in the evening; and gangs of robbers occaſionally infeſted every noted mart and populous town in the kingdom. Native and foreign merchants were of all others the moſt expoſed to their depredations: and it was often difficult to bring known robbers to juſtice, on account of their rank or connections (*n*). Many of the order of knighthood, when diſmiſſed

(*l*) Spelm. Gloſſ. v. Eq.
(*m*) Gerv. Mon. Dorob. p. 1459. Hoved. p. 350.
(*n*) M. Paris, p. 744. 758. 760. 832.

from

from military ſervice, maintained themſelves in a great meaſure by rapine and violence. We may form ſome idea of their condition and mode of life from the edict or award iſſued by Henry the Third at Kenilworth. Knights and Eſquires, who had been robbers, if they poſſeſſed no eſtate in lands, but only effects, were enjoined to redeem themſelves by the payment of an half of their goods, and find ſureties for their good behaviour; and thoſe who poſſeſſed neither lands nor effects were required to bind themſelves by oath and ſureties, that they would keep the peace, and make ſuch ſatisfaction as the church enjoined *(o)*. In ſhort, the military ſyſtem eſtabliſhed by the Normans, inſtead of forming the land-owners into a uſeful body of ſoldiers, ſeems to have been calculated for deſtroying order and regularity, and introducing confuſion into every department of government. It was poſſible, as was the caſe of the antient ſtates of Greece, to form the free inhabitants of a

(o) Dict. de Kenilworth.

city

city into a regular army; or, like the early Romans, to turn the attention of the citizens to arms and husbandry; in both cases subordination was easily enforced, as their armies consisted of freemen, who lived under the immediate inspection of the magistrates in times both of peace and war: but it was impracticable to maintain the same discipline and order among the numerous military tenants in England, many of whom were raised above the rank of commoners, and lived at a great distance from each other. It was always difficult to execute any warlike undertaking by the aid of such a militia, whose service was limited to forty days, and whose rank and opulence made them almost independent of the crown. It became therefore an act of policy and necessity to exchange the military services required by the tenure of lands for money, and employ a more tractable and useful body of soldiers.

A more agreeable view of things now begins to open before us; and we shall have the satisfaction of seeing the liberty and property of the subjects secured by written

laws, to which they could always appeal; and though these for a time were undigested, feebly and irregularly executed, and adapted only to a particular exigence, yet experience found out and applied the proper remedies, and gave birth to many useful regulations, which we now enjoy. And from this period we may trace the advances of liberty and commerce, as they were gradually encouraged and secured by public statutes.

END OF THE FIRST VOLUME.

REMARKS

UPON

THE HISTORY

OF THE

LANDED AND COMMERCIAL POLICY

OF

ENGLAND,

FROM

THE INVASION OF THE ROMANS

TO

THE ACCESSION OF JAMES THE FIRST.

IN TWO VOLUMES.

VOL. II.

Navigia, atque agri culturas, mœnia, leges,
Arma, vias, veſtes, et cætera de genere horum,
Præmia, delicias quoque vitæ funditus omnes,
Carmina, picturas, et dædala ſigna polire
Uſus, et impigræ ſimul experientia mentis
Paulatim docuit pedetentim progredientis.

LUCRET. l. v.

LONDON,
Printed for E. BROOKE, in Bell-yard, Temple-Bar.
MDCCLXXXV.

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OF THE

SECOND VOLUME.

CHAP. V.

REMARKS UPON THE HISTORY OF THE LANDED AND COMMERCIAL POLICY OF ENGLAND FROM THE ACCESSION OF HENRY THE THIRD TO THE REIGN OF HENRY THE SEVENTH.

THE great charter, and charter of the forest, are justly looked upon as laying the foundation of English liberty, though, for a considerable time after they were signed, the greatest part of the people reaped slender advantages from them. The chief benefits accrued to the nobility and

prelates; who, retaining their former jurisdiction and authority over their tenants and vassals, now extended their power over the crown, and reduced it almost to a state of dependence on their will. The commonalty stood too much in awe of their superiors to assume the privileges that were offered, or were in too indigent circumstances to claim and assert them as the rights of freemen. The kings for several successions, as well as the nobility, executed some of the articles in these charters with great reluctance, except when their own interest was immediately concerned. And if commerce, and its attendant wealth, had not introduced a more regular polity, the common people would probably have remained in their ancient state of subjection to the barons, and the government have settled into an aristocracy. So far had the nobility carried their jurisdiction over the commons, that additional laws were as necessary to restrain their authority, and reduce it within reasonable bounds, as the charters were to limit the claims and power of the crown.

Many

Many articles in these charters are nevertheless calculated in favour of general liberty; and, if they had been duly executed, would have promoted the landed and commercial interests of the nation, and accelerated the progress of industry and freedom. They were in many respects favourable to all ranks of people, by ascertaining the value of reliefs, by restraining guardians from committing waste on the estates of minors, by directing sheriffs in their distraints for debts, by settling the demands for the repairs of fortresses, bridges, and other public works, by limiting the power of the king's purveyors and constables of castles, by proportioning fines and amercements to the offence, by permitting freemen to dispose of their effects by will, or the wife and children of intestates to succeed to the customary part of their effects, by preventing a fraudulent conveyance of lands to religious houses, by ordaining the use of one weight and one measure throughout the kingdom, by allowing merchants to go abroad and return at their pleasure, and freeing them from arbitrary

tolls and impoſitions, by opening the rivers for the purpoſe of navigation, and promiſing protection to the perſons and property of foreign merchants.

The charter of the foreſt was of equal ſervice to many of the landowners by reſtoring to them the uſe of their woods and lands within the foreſts, by reducing the vague cuſtoms that had long prevailed in the government of the foreſts to certain laws, and regulating the juriſdiction and power of the keepers and rangers.

Theſe and other regulations in Magna Charta, as trifling as they now appear, were in thoſe ages of great benefit to the tradeſmen and landowners. As long as the reliefs of eſtates were undetermined, the heirs upon their admiſſion were ſubject to grievous exactions, and almoſt obliged to purchaſe the inheritance in order to obtain poſſeſſion; and the eſtates of minors, who were the king's wards, were generally ruined by the guardians appointed by the crown, or ſtripped of almoſt every moveable that was of value. The purveyors and conſtables of caſtles, in virtue of the powers

powers which they poſſeſſed by ancient cuſtom, took the liberty to ſeize the corn, cattle, and proviſions of the ſubjects, under the pretence of ſupplying the caſtles or the king's houſehold. And though the articles relative to trade and merchants ſeem to be of little moment, yet, as long as foreigners, who reſorted hither for the ſake of traffic, were liable to be ſeized on the ſlighteſt pretences, and the duties on the goods imported and exported were undetermined, they were of great ſervice, and afford the firſt inſtance of the public attention to commerce under the Norman government. The order, indeed, for removing the weirs and other obſtacles which impeded the navigation of rivers, though enforced by ſubſequent ſtatutes, was in a great meaſure neglected. The proprietors of fiſheries and mills in particular rivers prevented its due execution.

The only clauſe in the great charter which appears immediately to affect the occupiers of the lands, is that whereby the oxen and beaſts of the plough, and implements of huſbandry, were exempted from ſeizure by the

king's officers. This article, like ſome others, was a part of the common law, and found to be ſo uſeful as to be enlarged and enforced by additional ſtatutes (*a*); and, conſidering the dependent ſtate of the huſbandmen, it is an inſtance of regard to agriculture we have no reaſon to expect. But the caſe was, as before obſerved, that as the ploughmen were generally obliged to till and manure the demeſnes of their landlords, and to carry their corn, hay, and wood, it was neceſſary to exempt their horſes, carts, and inſtruments of their profeſſion, from ſeizure, in order to enable them to diſcharge theſe ſervices. And, it may be preſumed, this reſerve was made rather on theſe accounts than out of any regard to the benefits of agriculture, or to the liberty of the peaſants.

The charter of the foreſt was in ſome reſpects as beneficial to the public as the charter of liberties. The foreſts, chaſes, and parks, belonging to the crown, were

(*a*) Gerv. Tilb. p. 438. 51 Henry III. Stat. Weſt. ii. c. 17. 28 Edw. I. c. 12.

numerous

numerous and extenſive, and had been for many ages a ſource of oppreſſion in almoſt every part of the kingdom. The keepers, or their ſubalterns, as before taken notice of, had encroached on the lands of the ſubjects, ſeized their woods in the precincts of the foreſts, levied arbitrary contributions on paſſengers and travellers through their territories, and executed the laws on offenders with the utmoſt ſeverity. Care was therefore taken to limit the power of the officers, to open the public roads through the foreſt on certain conditions, and commute the ſanguinary puniſhments on treſpaſſers for fines and impriſonment. Leave at the ſame time was granted to ſink marle pits in ſuch parts of the foreſts as were private property. The cuſtom of marling grounds, whether uſed by the ancient Britons, or introduced by the Romans, had been preſerved by the Saxons, and was thought to be of ſo much conſequence as to be taken notice of in this charter. After this period the uſe of marle ſeems gradually to have declined, or to have been confined to a few places, till about a century

ago it became more general, and was found by experience to be of great ſervice in improving particular ſoils.

What was wanting in this charter to make it more extenſively uſeful was afterwards obtained, and that was a perambulation of the foreſts. The bounds being thus aſcertained, room was given for the cultivation and improvement of many parcels of land which had formerly been waſte, and ſerved almoſt no other end than to furniſh a ſubject of litigation with the keepers. And the liberty, which many of the ſubjects acquired by purchaſe of diſafforeſting particular lands, was equally beneficial to the public. The whole county of Cornwall was ſubject to the laws of the foreſt till the reign of king John (b); and the foreſts in many other counties were ſo extenſive, that it muſt have been of great ſervice to the landowners to obtain an exemption of their eſtates from the juriſdiction of the foreſters, and this was frequently effected by money. After the

(b) Camd. Britan. vol. I. p. 26.

acceſ-

accession of Henry the Third, the kings were so much engaged in war with the Scots or foreign states, that the passion for the chace somewhat abated; and the forests were so large and numerous, that many of them were almost useless to the crown; at least, money was so necessary for carrying on military undertakings or the designs of the court, that the kings were always inclined to disafforest particular lands for a valuable consideration (*c*). It is, however, observable, that, as the severity of the forest laws relaxed, the nobility began to provide for the preservation of the game within their parks and manors. They petitioned Henry the Third, that they might have leave to imprison such as they found trespassing in their parks and ponds (*d*); and, though they met with a denial at that time, they obtained an act under his successor, which empowered them to imprison trespassers for three years, and even to kill them if they refused to surren-

(*c*) Madox's Hist. of the Exch. v. I. p. 405. 409. v. II. p. 412. 420.

(*d*) 20 Henry III. c. 11.

der,

der, or made resistance to the keepers (e). Another of the game-laws is so descriptive of the manners of the times, and shews so clearly the value set upon the diversion of hawking, as to deserve notice, and the more so, as, like some other laws equally useless, it remains unrepealed. If any person found a falcon, or other species of hawks, he was required to carry it to the sheriff of the county, who was to make proclamation in all the good towns of the county that such an hawk was in his custody; and if any person challenged the same, he was to pay the costs, and have the hawk; and if within four months no one came to challenge it, then the sheriff was enjoined to satisfy the person who found it, if a simple man, for his trouble; but, if a gentleman found it, the hawk was to be delivered to him, paying reasonable costs for its maintenance. And if any person should conceal such an hawk, and be thereof convicted, he was to be imprisoned for the space of two years. Afterwards it was made equally

(e) 3 Edw. I. c. 20. 21 Edw. I. stat. 2.

criminal

criminal to ſteal an hawk as an horſe, or other thing (*f*). It can ſcarcely be thought ſurpriſing that the trouble of receiving hawks ſhould be devolved upon the ſheriff, when we reflect, that an hawk was of great value in thoſe ages, conſidered as an eſſential part of the equipage of a gentleman, and that the officers of the exchequer had been formerly obliged to employ the king's falconers in examining the ages and qualities of ſuch hawks as were due to the crown by fine or other engagements (*g*).

Notwithſtanding the limitations of the power of the king and nobility by theſe charters, public liberty was far from being fully eſtabliſhed. The inferior landowners, merchants, and lower ranks of people, were ſtill obliged to ſubmit to many oppreſſions authorized by uſage or preſcription. In proportion as the power of the king and nobility was reſtrained in ſome articles, it was carried to exceſs in others. But neceſſity at laſt extorted a confirmation of the charters. Engaged in foreign wars, the

(*f*) 34 Edw. III. c. 22. 37 Edw. III. c. 19.
(*g*) Gerv. Tilb. p. 447.

kings were obliged to mortgage or alienate their revenues, and incur expences which they could not discharge without the pecuniary aids of the subjects; and in return for this assistance they were obliged to rectify such breaches of the charters as they were constantly making in times of public tranquillity. In this respect the foreign states of the crown were of peculiar service. They required incessant supplies of money in order to protect them; and these were seldom granted by the people without some requital or considerations in their favour. If the crown had not been reduced to these straits, it may be justly doubted whether the First or Third Edward would not have regained the power which their predecessors had been obliged to disclaim, and reduced the charters to as little consequence as that of Henry the First, which might have been equally useful, but was soon neglected, and in a few years almost totally forgotten.

While the nobility were securing themselves against the tyranny of the crown, by the establishment of the charters, they were

were exercising their former jurisdiction over their tenants, vassals, and inferior freemen. They were frequently the sole proprietors of parishes and manors, and among their tenants and dependents were willing, as in former ages, to consider themselves as civil magistrates, and almost independent of the crown. In this respect the Northern nations were distinguished from most other conquerors. The Roman legions and colonists never considered themselves as the proprietors of the lands on which they settled without an allotment by the senate or prince, or authorized to administer justice without their appointment. On the other hand, the Northern nations, settling with their families in the countries they subdued, claimed as proprietors, and looked upon themselves as subjects of their leader or prince in their military rather than their civil capacity. The distribution of justice, in the districts which the officers possessed, was almost entirely in their hands; and in after-ages, though their power was very much abridged, yet they still maintained a great

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part of their ancient authority over their tenants and the petty freeholders within their manors.

Every lord of a manor, according to ancient cuſtom, kept his court, made bye-laws for the regulation of the lands in tillage, paſtures, or commons, within the pariſh, and took cognizance of many offences, which are now referred to other courts. But many of the barons carried their authority much farther, and uſurped a juriſdiction over their tenants and inferior freeholders within their diſtricts, which kept them in a ſtate of dependence or ſubjection. They obliged their tenants to unuſual ſervices, and called upon the freeholders who lived within their manors to exhibit the title-deeds to their eſtates (*b*). A demand of this kind, when conveyances were rare, and many of the people held their lands rather by ſucceſſion and cuſtom than by writings properly atteſted, muſt ſubject them to great inconveniences, and

(*b*) 52 Hen. III. c. 22. Stat. Marleb. c. 22. 15 Ric. II. c. 12. 16 Ric. II. c. 2.

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(h) Stat. Marleb. c. 22. 15 Ric. II.

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(i) 13 Edw. I. c. 36.
(k) West. i. c. 17.

a power must be in the highest degree oppressive. Laws were enacted to restrain these abuses, which served rather to amuse the people than to afford a real redress of their grievances. And there is the less reason to be surprised that the nobility should usurp an extraordinary jurisdiction over the lower rank of people, when they were able by their armed attendants to overawe the deliberations of the parliament. Edward the First ordered proclamation to be made, that none should come armed to parliament (*l*); and, if his orders were sometimes obeyed, the barons still continued to maintain a retinue of servants in the country, who were always ready to execute their commands.

If the statutes for inclosing and improving wastes were injurious to the customary rights of many freeholders and inferior tenants, they may nevertheless be considered in some respects as calculated for public utility (*m*). There were in almost every parish large tracts of waste ground

(*l*) 7 Edw. I. stat. 1.

(*m*) Stat. Merr. c 4. 13 Edw. I. stat. i. c. 46.

OF

of common paſtures, on which the farmers maintained their cattle during the ſummer; and, before incloſures became more frequent, were neceſſary for this purpoſe. By the aid of theſe commons, and a ſmall portion of arable land, the inferior tenants and cottagers were enabled to ſupport their families, and diſcharge their rents and ſervices. The right of common was, in thoſe ages, one reaſon of the ſmallneſs of farms, and of the great number of petty tenants: but, as incloſures became more common, the farms began to be enlarged; and the number of the other to be diminiſhed. And though the ſtatutes provide, that a ſufficiency of common ſhould be ſet out, and the remainder incloſed; yet many of the freeholders and petty tenants would be limited under various pretences in the number of their cattle, and feel the inconvenience of this reduction. In former ages the common paſture was uſually proportioned to the number of cattle, that was neceſſary for tilling or manuring the arable lands (*n*); but, as the commons were

(*n*) Fitzherb. Nat. Bref. p. 420.

in many places more than ſufficient for this purpoſe, and the petty freeholders had probably exceeded this proportion, they would be obliged, in conſequence of an incloſure, to leſſen the number. At the ſame time, it became neceſſary to examine their right to the common paſture, which being frequently founded only upon cuſtom, would give occaſion to litigations or diſputes. And as it ſometimes happened, that the lord of the manor had a property only in the ſoil, theſe ſtatutes muſt have been injurious in particular parihes to the freeholders (o). If, however, the great land-owners diſtreſſed the petty-farmers, by leſſening the extent of the commons, there is no doubt but the incloſure of waſte-grounds, not immediately neceſſary for a common paſture, was beneficial to the publick. When brought under cultivation, the value of their products would be much greater than in their rude ſtate, and make ſome compenſation to the publick for the wrong that was ſometimes done to the inferior freeholders.

(o) Mirroir, c. v.

As

As care was taken, in the great charter, to prevent the waste of estates, during the minority of the heir, so equal provision was made, by a subsequent statute, to prohibit tenants from making waste of houses, woods, or men, without the special licence of the proprietor (*p*). Though the rigour of villainage began to abate, the lords were not always willing to lose the services of their vassals; and for this reason, they required that their number should be kept up, as necessary for the purpose of agriculture.

Amidst the various oppressions to which the people were subject, some relief was obtained, by limiting the retinue of the sheriffs to five or six horses, and forbidding them to lodge too often at one place with poor persons, or at the religious houses (*q*). The occupiers of the lands too received a great benefit from the statutes relating to purveyors. These had been brought under some restrictions by Magna

(*p*) Stat. Marleb. c. xxxviii.

(*q*) Stat. West. I. c. i. art. Sup. Charat. c. xiii.

Charta; but further limitations of their authority became needful, as they still continued to oppreſs the people, under various pretences. They ſeized proviſions for the army and navy without paying for them; they inſiſted, that the corn which they bought ſhould be unſtricken, or that nine buſhels ſhould be delivered for a quarter; they took the ſheep of the farmers, a little before the time of clipping them, for the benefit of the wool; they ſeized the horſes of the ſubjects, under pretence of the king's ſervice, and the hoſtlers and victuallers purchaſed patents of the crown for this purpoſe. So far had the right of purveyance been carried, that all the king's domeſtics and retainers to the court, when they travelled into diſtant parts of the kingdom, claimed the ſame privilege as the king's immediate officers, or the royal family; even the king's huntſmen and grooms of his ſtables provided for their dogs and horſes, in virtue of the ſame cuſtom. Some of theſe abuſes were reſtrained by ſeveral ſtatutes. The right of purveyance was confined to the king, queen, and

royal

royal family; and the name of purveyor was changed into buyer, who was obliged to make immediate payment for every commodity under the value of twenty ſhillings, and to take the corn according to ſtatute-meaſure (*r*). Theſe acts would have been extremely uſeful, if they had been duly put in execution; but the grievance of purveyance was not entirely removed till after the Reſtoration.

If the rigor of villainage began ſomewhat to abate, and the glebe-tenants to find their ſituation more eaſy and comfortable than in former ages, the number of farmers was inſenſibly reduced, by incloſing waſtes, or by taking their lands from them for the immediate uſe of their landlords. Every conſiderable land-owner, from the time of the Anglo-Saxons, uſually held the lands contiguous to his ſeat in his own occupation, and let his eſtates at a diſtance at a certain rent in money, proviſions, and ſervices. As the barons had a numerous

(*r*) Stat. Weſt. I. c. xxxii. art. Sup. Chart. c. ii. 4 Ed. III. c. iii. & iv. 5 Ed. III. c. ii. &c.

retinue of ſervants to maintain, they found it neceſſary, or more profitable, to take a great part of their eſtates into their own hands, and manage them by the aſſiſtance of their ſtewards and vaſſals. The corn that was thus raiſed or received from their tenants, in lieu of rent, was laid up in barns or granaries; and the cattle which they had fattened were ſlaughtered as ſoon as the graſs began to fail, and ſalted for their uſe in the winter. By theſe ſtocks of proviſions the barons were enabled to maintain the numerous body of ſervants and dependents which always attended them when they removed from one ſeat to another. If money had been more plentiful than it really was, few market-towns in thoſe ages were able to ſupply them with proviſions when they reſided in their neighbourhood. It became therefore an act of neceſſity to lay up a large ſtock of proviſions at every manſion-houſe, that might maintain them and their followers, when they reſorted thither, or be readily conveyed to their place of reſidence. The number of cattle, and quantity of corn and other

other provisions, that were possessed by the opulent land-owners, seem to be almost incredible. In the petition delivered into the parliament by Hugh le Dispenser, the father, he complains that himself and his son had been plundered of twenty-eight thousand sheep, twenty-two thousand oxen, cows, and heifers, six hundred horses and mares, two thousand hogs, six hundred bacons, eighty carcasses of beef, and six hundred muttons in the larder, besides the loss of two crops of corn, one in the barn, and the other upon the ground. This complaint was made in the spring, when it may be supposed, that the quantity of salted provisions had been very much diminished by the winter's consumption (s).

The account of the damages sustained by the Spensers is probably exaggerated; it serves nevertheless to shew the mode of living in those times, and the manner in which the barons managed their estates: for in these respects it cannot be imagined

(s) Parliam. Hist. v. I. p. 190. Hume's Hist. v. II. p. 379.

that the Spenſers were ſingular. Every ſubſtantial houſe-keeper, in proportion to his rank, commonly maintained a number of oxen and ſheep, which were ſlaughtered at the end of autumn, and deſtined for the winter proviſion of the family. Cabbages, turneps, and other roots, which, in modern times, ſupply the want of hay in the winter, were, in thoſe ages, unknown by the Engliſh farmers. And, as incloſures were rare, hay was generally ſo exceſſively ſcarce, that a great mortality of cattle uſually attended a ſevere winter. The cuſtom of ſalting the fleſh of oxen, ſheep, and even deer, prevailed, for ſome centuries after this period, and in ſome parts of the north is not entirely diſuſed at preſent. Large ſalting veſſels were thought a neceſſary piece of furniture in great families, and the ſureſt marks of plenty, and the hoſpitality of the maſter.

An extract from an eſtimate of the annual value of the eſtates belonging to the abbey of Peterborough, made upon oath by the king's eſcheators, in the fifteenth year of

of the reign of Edward the Second, will enable the reader to judge of the general ſtate and management of the lands about that time, as there is no reaſon to ſuppoſe, that the abbey-lands were put under a courſe of huſbandry different from others. In the pariſh of Wermington, in the county of Northampton, we are told by the eſcheators, that there was one capital meſſuage, which, with the gardens and adjacent fiſheries, was valued at five ſhillings a year, a dove-houſe at three ſhillings, two water-mills at five pounds, three hundred and ten acres of tillage-lands in demeſne at ſix-pence an acre, thirty-one acres of meadow-land at two ſhillings an acre, and a paſture at ſix ſhillings and eight-pence. There were alſo ten free tenants, who paid at Chriſtmas, Eaſter, Midſummer, and Michaelmas, the yearly rent of three pounds and eighteen ſhillings; and forty-one cuſtomary tenants, who occupied thirty-three yard-lands and an half, under an annual rent of ſixteen ſhillings, payable at Chriſtmas and Eaſter, or ſix-pence for each yard-land;

land (*t*); and the occupiers were obliged, for each yard-land, to work, or employ a labourer to work, three days in every week from Michaelmas to Michaelmas, for the benefit of the landlord, or for the neglect of each day's work to forfeit one halfpenny; the value of whose work, during the year, was computed at nine pounds and fifteen shillings (*u*). The occupiers were also farther obliged, for each yard-land, to supply the landlord with three labourers to work two days in the time of harvest, and during those days to be victualled at his expence, the value of whose work was estimated at eight shillings and one penny halfpenny, or an halfpenny for each day. They were likewise bound, for each yard-land, to plow two days in autumn and the

(*t*) The quantity of a yard-land was very uncertain. It contained from fifteen to forty acres, according to the custom of the country. Spelm. Gloss. v. VIRGAT.

(*u*) A respite from work, though not mentioned in this place, was allowed for a month in the year; a fortnight at Christmas, a week at Easter, and another at Whitsuntide. Some allowance was also made for holidays and bad weather.

spring,

ſpring, for the benefit of the landlord, but to be ſupplied with victuals at his charge; each of which days of plowing was eſtimated at the clear value of three-pence; and each tenant was obliged at Chriſtmas to pay an hen, valued at a penny. There were alſo five land-tenants, each of which occupied a meſſuage and half a yard-land, for which they paid yearly at the ſaid four terms forty ſhillings, but were ſubject to no bind-days. There were alſo ſix tenants, each of which occupied a yard-land, and paid yearly at the ſaid four terms three pounds, or ten ſhillings for each yard-land, and were obliged to ſupply their landlord with two labourers for two days in the time of harveſt, and then to be victualled by him, whoſe labour was eſtimated at the clear value of ſix-pence. There were alſo ſix cottagers, who paid yearly, at the aforeſaid four terms, eight ſhillings. The ſaid cuſtomary tenants paid alſo yearly at Michaelmas the additional ſum of fourteen pounds ſix ſhillings and eight pence. The annual profits of the manerial court amounted to ten ſhillings.

In

In the parish of Ketteringe, in the same county, the said escheators inform us, "that there was one capital messuage, with two gardens and a fishery, of the yearly value of six shillings and eight-pence, a dovehouse of four shillings, and a windmill and watermill of three pounds thirteen shillings and four-pence, and a market held on Fridays, the toll in which amounted to sixteen shillings a year; three hundred acres of tillage-land, held in demesne, valued at four-pence an acre; and sixteen acres of meadow-land, at two shillings an acre. There was also a separate pasture, valued at three shillings and four-pence, and a common pasture, at four shillings a year. There were likewise forty customary tenants, who occupied thirty-four yardlands, and paid at Christmas and Easter one shilling for each yardland. The occupiers were also obliged for each yardland, to send one labourer to work for the benefit of the landlord two days in every week throughout the year, excepting a fortnight at Christmas, a week at Easter, and another at Whitsuntide, or to pay an half-

halfpenny for the neglect of each day's work, and no more, according to the custom of the manor; the value of whose work amounted to six pounds and sixteen shillings a year. And the said customary tenants were obliged every year to fallow (v), plow, and sow, with grain supplied by the landlord, to harrow, weed, mow, or reap, gather, bind, and carry to the landlord's barns the crop of two hundred acres of the said lands in demesne; the value of each acre estimated at one shilling and three pence, the whole amounted to twelve pounds and ten shillings. And the aforesaid customary tenants were every year obliged to fallow an hundred acres of the said demesne-lands, the value of fallowing each acre computed at six-pence, the whole amounted to fifty shillings. There were also sixteen land-tenants, who occupied forty-three acres of land, and paid yearly at the

(v) The words *warectare* and *rebinare*, here used for fallowing, are derived from the French words *garee* and *biner*, though the former is a corruption of the old Latin word *veruagere* or *veractum*, a fallow.

four

four terms aforesaid two pounds and eight shillings, but were subject to no bind-days (*w*). There were likewise twenty-four cottagers, who paid yearly at the four terms aforesaid three pounds eight shillings and six-pence. And the aforesaid customary tenants paid yearly at Michaelmas, according to custom, the additional sum of fifteen pounds six shillings and eight pence. The profits of the courts leet and baron amounted annually to thirty shillings (*x*)."

These instances are sufficient to shew the usual mode of managing lands held in demesne; and though it may appear to be calculated for reaping their profits at the least expence and trouble to the proprietor, it may be justly presumed, it would produce a very negligent culture. The tenants, who were compelled, as it were, to

(*w*) In some countries these days are called boon-days, when the tenants perform any stipulated work at the requisition of their landlord.

(*x*) Hist. Angl. Script. p. 192. Auxilium, here translated additional-sum, sometimes signified the talliage paid in addition to their rents by the customary tenants at Michaelmas or Christmas.

cul-

cultivate the demesnes of their landlords, would be much less industrious and attentive to their work than if they had been permitted, as in modern times, to reap the crop they had raised; and the labourers, which they were obliged to supply at their expence, would be equally careless and slothful in every work they were employed in. The state of both was so dependent and servile, that we have no reason to be surprised at the efforts they made under a succeeding reign to break the fetters of vassalage, and improve their condition. And it deserves to be observed, that by dividing the greatest part of the lands into small farms, the villages became extremely populous. Few of the cities and market-towns in those ages contained as great a number of inhabitants as in modern times; but it may be doubted, whether many parishes, which consisted chiefly of lands in tillage, and have remained so, were not then more populous than at present, except where a manufactory has been established. But however advantageous to the state this population may appear, the circumstances of the

the labourers and cuſtomary tenants were ſo mean, and the farms of the free tenants ſo ſmall, that, under all the advantages that might be expected from the cheapneſs of labour and proviſions, an univerſal poverty, equally detrimental to trade and agriculture, muſt take place in the villages. The occupiers of the lands in general, ſo much employed in diſcharging the duties and ſervices required by their landlords, muſt be frequently obliged to neglect the proper cultivation of their own farms; and the narrowneſs of their circumſtances muſt diſable them from cultivating their own pittance of land in the moſt profitable manner, and confine them to the purchaſe of mere neceſſaries from the tradeſman and manufacturer.

As the land-holders, in many of the villages, were thus obliged to labour for the benefit of the landlord, in cultivating his demeſne-lands, the utmoſt care would be taken to ſuperintend them in performing their ſtipulated ſervices. And we find, from a writer under the reign of Edward the Firſt, that proper officers were appointed

for

for this purpose, who obliged them, as far as was possible, to use the same care and diligence as if they had been labouring for their own profit. The instructions laid down for the direction of these officers are very minute and exact, and afford a proof that the business of husbandry was carried on in a much better manner than could be expected from the forced services and servile state of the tenants (y). In many parts of the kingdom, the same modes of cultivation continue in use, and are so well calculated for producing plenty of grain, that it may be thought surprising dearths should have been so frequent in those ages.

The general poverty of the husbandmen, smallness of their farms, and number of services required from them, undoubtedly contributed to create the scarcity of grain so frequently complained of, and so severely felt, by the people. The circumstances of the farmers were too low to permit them to lay up a stock of corn in times of

(y) Fleta, p. 162.

plenty; and, for this reason, its price was almost entirely dependent on the nature of the seasons. And, as these were irregular, the opulent land-owners were commonly so provident as to hoard up large quantities of grain in their barns and granaries, and to lay up a great stock of salted provisions, as they could not be supplied, under an unpropitious season, by their tenants or the neighbouring markets. Thus provided, they seldom felt the ill effects of a scarcity; while the petty farmers, and labourers in almost every occupation, who depended for subsistence on the annual return, were reduced to great distress by one scanty harvest.

The reign of Edward the Second was distinguished by an extraordinary famine, and, by reason of the scanty and bad diet of the people, was succeeded by a pestilence. The writers of those times have left us melancholy accounts of the devastation it made among the people and cattle. Famines happened under almost every king of the Norman line, and had not been unusual

unusual under the Anglo-Saxon government. They are generally considered as infallible proofs of the low state of tillage; and they afford equal proofs of the poverty of the farmers. In the struggles for the crown, or contests with each other, the barons always committed great waste, and destroyed the corn and cattle of their adversaries; but the inclemency of the seasons was the principal cause of the dearths in those and later ages. Even after the lands were better cultivated, and the circumstances of the people were improved, the ill effects of a scarcity of grain would have been more severely felt, if a supply had not been brought in from foreign countries.

The best expedient which the parliament could devise for relieving the people, was to fix the prices of provisions; but this remedy was found to be ineffectual, and served rather to increase than to mitigate the evil. The act was therefore repealed the following year, and provisions were permitted to bear the price which plenty or scarcity will always fix upon them. The

emperor Julian tried the effect of the ſame meaſure at Antioch, in the time of a ſcarcity, and the famine was augmented (x). And experiments of the like kind have been made in other countries with the ſame event. A ſimilar trial was made under Edward the Sixth, and the conſequence was ſuch as might be expected; the farmers would not bring their grain to the market (a). One effectual method of providing againſt the conſequences of a famine is to permit an advanced price of proviſions (b). This neceſſarily enforces frugality and œconomy, and, by preventing a needleſs conſumption, ſeems to enlarge the ſtore, and to afford a longer ſubſiſtence.

We are told by ſome travellers, that in China the price of grain and proviſions is fixed by the magiſtrates, and has continued nearly the ſame for ſeveral centuries. Whether the information be true or not, the meaſure is practicable in that country

(x) Socrat. Eccleſ. Hiſt. l. iii. c. 17.
(a) King Edw. Journal, p. 21. Edit. Burnet.
(b) Hume's Hiſt. v. II. p. 377.

with-

without injuring the land-holders. The trade of the Chinese with foreigners is very inconsiderable when compared with the number of inhabitants, and the bullion imported is scarcely sufficient to supply the consumption and waste in the current pieces of silver, utensils, and manufactures. And to give, as it were, an equal value to their currency, they are said to prohibit the opening of their richest mines of gold and silver. As the quantity, therefore, of these metals continues to be nearly the same, no alteration in the price of provisions is necessary, except what arises from the irregularity of the seasons. And even this inconvenience is in some degree provided against in China. As a part of the taxes upon the lands is paid in kind, when the season has been unfavourable, the emperor commonly remits it, and thereby enables the occupiers to sell the products of their farms nearly at their usual rates. In other countries, where the same measures are not pursued, a variation in the price of grain and provisions must occasionally take place, by the debasement of the

coin, the influx of gold and silver from the returns of commerce, and the inequality of the seasons. In the last instance it would be equally impolitic and unjust to oblige the occupiers of the lands, by public authority, to sell a scanty crop at the same rate as when it was plentiful.

Though the exportation of wool in large quantities is justly condemned in modern times, it was not then thought to be so impolitic. After the largest exports, there was enough to supply our own fabrics; and it was esteemed an act of prudence to convey the surplus to foreigners, in order to give a value to the lands, and increase the revenue of the crown. The landowners derived the principal part of their cash from it, and were always jealous of every obstruction to its export. The barons, irritated by an arbitrary duty imposed upon it by Edward the First, declared, that half the wealth of the nation consisted in its wool (c). Though there is probably more of anger than of truth in this decla-

(c) Spelm. Reliq. p. 162.

ration,

ration, it seems to be nevertheless, so far just, that wool was, as the parliament afterwards pronounced it to be, the treasure of the nation, and the sovereign merchandize and jewel of the crown (*d*). It was so profitable a commodity to the land-owners, that no views of public interest or policy could induce them to check its export. Attentive only to present gain, they could not be persuaded to adopt a measure that might have been for a time in some small degree detrimental to their interest, though in its event it might have terminated in their profit, and become a source of durable riches to the whole nation.

The extraordinary price of wool, compared with the rates of other products of the lands, points out the reason why the land-owners were so solicitous to export it without limitation, and guard against every additional impost upon it. It appears from an account of the annual revenue of Saint Mary's abbey, at Bolton in Craven, in the year 1324, that sixteen sacks of clean

(*d*) Parl. Hist. vol. I. pp. 200. 389.

wool were ſold for eleven marks a ſack. And we learn from the ſame account, that the price of a buſhel of wheat ſcarcely amounted to one ſhilling (*e*). Suppoſing a ſack of wool to contain twenty-ſix ſtones, after the rate of fourteen pounds to the ſtone, the value of a ſtone of this wool will amount to about ſixteen ſhillings in modern money, and at that time would have purchaſed above five buſhels and an half of wheat. If the price of wool may be thought high, that of wheat was undoubtedly ſo, as, we are told, it was intended for ſeed; and in Craven it muſt have been uſually dearer than in ſome of the ſouthern counties.

In the time of Edward the Third the price of wool continued nearly the ſame, except when it was depreſſed by the arbitrary proceedings of the crown. In 1333, on fixing the ſtaple at particular places in the kingdom, it was ordered by proclamation to be ſold at two ſhillings a ſtone, or about five ſhillings and ſix pence of mo-

(*e*) Burton's Monaſt. p. 123.

dern

dern money; but, notwithſtanding this order, the merchants were obliged to buy it at higher rates *(f)*. In the year 1338, the king took a fifteenth in wool of all the commonalty in the realm; the price of every ſtone, at fourteen pounds to the ſtone, being rated at two ſhillings, or about five ſhillings and ſix pence of the preſent money. And in the ſame year he ſold in Brabant ten thouſand ſacks, which had been collected for his uſe, at twenty pounds a ſack (*g*). Two years afterwards, ſeveral perſons undertook to raiſe, for the king's uſe, twenty thouſand ſacks, and that he ſhould receive for every ſack of the beſt ſort of wool ſix pounds, for an inferior ſort five pounds, and for the worſt four marks, beſides the duty of forty ſhillings on every ſack (*h*). We have an account of the price of grain and proviſions about this time, which will enable us to compare it with the price of wool. In 1336, a quar-

(*f*) Knyghton, p. 2563.
(*g*) Id. p. 2570. Parl. Hiſt. vol. I. p. 244.
(*h*) Parl. Hiſt. vol. I. p. 256.

ter

ter of wheat was ſold at two ſhillings, and a fat ox at ſix ſhillings and eight pence. And, in the year 1358, the price of a quarter of wheat was forty pence, and ſometimes under; barley and oats, ten pence; and beans and peas, twelve pence (*i*). According to theſe accounts, a ſtone of wool was nearly equal in value to a quarter of wheat in plentiful years. In the year 1342, the current value of a ſack of wool was about eight pounds; and, in the following year, the wool of Shropſhire was fixed by the parliament at fourteen marks the ſack; Oxford and Staffordſhires, at thirteen marks; Leiceſter, Glouceſter, and Herefordſhires, at twelve marks; and ſo other counties deſcended in price till it came to the loweſt priced wool, which was that of Cornwall, valued at no higher rate than four marks a ſack (*k*). In the year 1426 a tod of clean wool was ſold at Burceſter in Oxfordſhire for nine ſhillings and ſix pence, or about fifteen ſhillings

(*i*) Knyghton, pp. 2569. 2573.
(*k*) Anderſon's Hiſt. of Com, vol. I. p. 173.

and

and eight pence of our money. To judge the better of the value of wool at that time, it ought to be compared with the prices of other articles. And we learn, that in the ſame year the annual ſtipend of the heyward, or herdſman, was thirteen ſhillings and four pence; the ploughman, fifteen ſhillings; the price of a quarter of peas, about two ſhillings and two pence; and a quarter of wheat, deſigned for malting, four ſhillings (*l*). Though this wheat was probably of an ordinary ſort, yet it may be preſumed, that a tod of clean wool would at that time have purchaſed about two quarters of good wheat. And, in general, the value of the beſt ſorts of wool may be juſtly thought uncommonly high, when compared with the prices of grain, and other articles, in thoſe and modern times. It ought nevertheleſs to be obſerved, that, if wool was formerly of much greater value than at preſent, the landowners have no juſt reaſon to complain. The advanced price of ſhambles-meat,

(*l*) Kennett's Paroch. Antiq. p. 572.

corn,

corn, and other products of the lands, in modern times, has made an ample compensation for the lower price of wool, and augmented the rents of all the land-owners in the kingdom.

It is difficult to determine with exactness what quantity of wool was annually exported. According to an account, which is said to contain a state of the English trade in the twenty-eighth year of Edward the Third, 31,651 sacks and an half were exported, and valued at six pounds each (*m*). But there is reason to believe, that this quantity was usually exceeded. The parliament offered thirty thousand sacks to the same king, and it is very unlikely they would offer the whole quantity that was to be exported (*n*). Others again have supposed, that an hundred thousand sacks were annually sent abroad; which is equally improbable (*o*). Whatever might be the quantity, it was undoubtedly the

(*m*) Anderson's Hist. of Com. vol. I. p. 185.

(*n*) Parliam. Hist. v. I. p. 248.

(*o*) Id. p. 305. Anderson's Hist. of Com. vol. I. p. 188.

prin-

principal article of traffic in thoſe ages, and more profitable to the crown, as well as the ſubjects, than all other exports.

The prices of wool and grain, compared with each other, ſuggeſt one obvious reaſon for the low ſtate of tillage, and the great encouragement given to paſturage. Neceſſity, rather than profit, obliged many of the land-owners to keep their lands in tillage. Under all the diſadvantages ariſing from the cheapneſs of labour, cattle, and inſtruments of huſbandry, the price of corn was too low to promote its cultivation. So great was the diſproportion between the value of graſs and tillage lands in thoſe ages, that if the manufacture of wool had not been encouraged, and the price of grain very much advanced, we were in danger of becoming, what ſome foreign writers have repreſented us to have really been, a nation of ſhepherds and wool-merchants (*p*).

But, however profitable paſture-lands might be thought, on account of the high

(*p*) Grot. de Reb. Belg. p. 307. De Witt's Max. p. 200.

price

price of wool, the ſtate of the open and undivided fields made the growth of corn in ſome meaſure neceſſary. The property of every freeholder in many of the common fields was generally ſo intermixed, and conſiſted of ſuch ſmall parcels, that it could ſcarcely be applied to any other purpoſe than raiſing grain. The petty proprietors were able to maintain their families on a ſmall quantity of land in tillage, under the loweſt price of corn; and in the capacity of graziers, on a much larger farm, would have been reduced to a ſtate of poverty. In view, therefore, of their own intereſt, they would prevent, as much as poſſible, the great land-owners from converting tillage-lands into paſtures. When the pariſh was the property of one perſon, and in his own occupation, an incloſure might be eaſily effected: but, when there were many proprietors, every attempt of this kind was commonly attended with oppoſition and tumults. And it may be conſidered as a fortunate circumſtance in favour of population and tillage, that the prohibition againſt lending money upon intereſt,

intereſt, and the low ſtate of trade, obliged the petty farmers, who could collect a ſmall ſum by their induſtry, to expend it in the purchaſe of lands, which their own benefit required to be kept in tillage. To accommodate them with ſmall parcels, the farms of the villains and inferior tenants were extremely convenient. For this reaſon, the number of petty freeholders was much greater than could be expected from the general poverty of the people. In the time of Edward the Firſt, the great landowners had incloſed only a few of the common fields and waſtes: under the ſucceeding reigns, the cuſtom of incloſing became more general; and the ruin it brought upon the inferior freeholders and petty tenants drove them to deſpair and inſurrections. And, during the ſtruggles between the houſes of York and Lancaſter, the nobility, being obliged to maintain a great number of retainers and dependents, might be inclined to keep a large part of their eſtates in tillage, and divided into ſmall farms, as this was the moſt convenient

nient method of providing for them, and attended with the leaſt expence.

Paſture-lands being thus conſidered by the great land-owners as more profitable than lands in tillage, the commons and waſtes were generally preſerved from all encroachments of the plough, and as much as poſſible enlarged. In their wildeſt ſtate they yielded almoſt as much profit to individuals as if they had been converted into corn-lands. And our ſkill in huſbandry was either ſo imperfect, or tillage ſo much diſcouraged by the low price of grain, that we were frequently ſupplied with corn from abroad. In the time of Edward the Firſt, we are told, that, on ſtopping the export of wool and hides, a ſcarcity of wine and grain enſued (q); from whence it appears, that foreigners had occaſionally ſupplied us with corn. Grain was, nevertheleſs, conſidered as one of the national exports. From the time of the Norman conqueſt it had been tranſported at particular times to the king's foreign dominions,

(q) Knyghton, p. 2471.

but

but ſeldom in ſuch quantities as to influence the value of lands. Under the reign of Edward the Third, the export of it was for a time confined to Calais and Gaſcoigne (r); and from this limitation it may be preſumed, that it had ſometimes been ſent to other countries. It was afterwards allowed to be exported to any place, excepting the king's enemies, paying ſubſidies and duties, till reſtrained by the king's council (s). Its quantity, however, was not very large, as we neither had a ſufficient ſtock to yield a conſtant ſupply, if it had been demanded abroad, nor were our roads and rivers in ſuch a ſtate as to admit of the conveyance of grain from the interior counties. Its low price was no encouragement to its export, as it was nearly of the ſame value in other countries, and required only in the time of a ſcarcity. In almoſt all the wars carried on againſt the French, our forces were generally ſupplied with proviſions from England; and greater quantities of corn were exported on this

(r) 34 Ed. III. c. 20.
(s) 17 Ric. II. c. 7. 4 Hen. VI. c. 5.

 account

account than for the ſupply of foreigners. Conſidering the populouſneſs of Flanders, and the eaſy circumſtances of the people, it might have been expected that our corn, as well as our wool, might have found a mart there; but the greater ſkill of the Flemiſh huſbandmen, and fertility of their ſoil, enabled them to ſupply their countrymen with grain and other proviſions without the aſſiſtance of their neighbours, and occaſionally to export them into other countries.

As uſeful as the corn-trade might have been to the nation, the ſtate of the rivers and roads in England would not admit of its being carried on in an advantageous or extenſive manner. If ſome counties, or particular towns, upon the coaſts, might have received a benefit from it, the inland countries were almoſt entirely debarred from this branch of trade. Few rivers were navigable, though many of the weirs had been ordered to be removed; and the roads were ſcarcely paſſable in the winter. Many things are requiſite to carry on the corn-trade with advantage to the nation. Good

roads,

roads, navigable rivers, great plenty of grain at home, and an advanced price abroad, more opulent farmers, and a diminution of the number of sheep, were necessary to encourage the growth of corn, and make all the lands in tillage equal in value to sheep-walks and pastures. The principal exports, wool, hides, and cheese, by introducing pasturage, lessened the number of inhabitants, and prevented the growth of grain in such quantities as to afford a constant supply to foreigners; and both the number of people and the quantity of corn must have continually decreased, if the woollen manufacture had not been established and encouraged.

The diminution of the number of people from these causes might probably be one reason for enacting the statute of labourers. The reason assigned in the act is, the great scarcity of workmen and servants, owing to the pestilence; and in a subsequent statute it is attributed to the great number of persons engaged in the service of the nobility (*t*). During the

(*t*) 23 Ed. III. c. 1. 25 Ed. III. stat. 1.

time of the plague, labourers were so scarce, that a part of the corn was left uncut, notwithstanding their wages were advanced, and provisions of all kinds were excessively cheap (*x*). To these reasons for enacting these statutes may be added the advanced price of corn and other provisions. This had been gradually increasing during the two last centuries, and the wages of labourers would undoubtedly keep pace with it. They rise or fall together; and all the efforts that can be made to reduce the one without the other will be ineffectual. The debasement of the coin must also assist in advancing the nominal price of labour and provisions. Though money is no more than an arbitrary representative of the value of commodities, it is not in the power of the legislature to raise or sink it at pleasure without affecting their price. In some seasons of distress a debasement of the coin may bring a temporary relief to the government at the expence of the subjects; but its general effect

(*x*) Knyghton, p. 2599.

is,

is, that it only adds to the tale of money, without yielding any permanent profit to the nation. The price of corn and provisions may at such times seem to advance, when, in reality, the denomination of money is only altered.

Before the time of enacting this statute of labourers, the condition of the mechanics and artificers, in almost every occupation, had been so much improved, that they considered themselves no longer as the mere vassals of their masters. Almost all the petty occupiers of the lands were now included under the name of tenants or villains, without distinguishing them into slaves and freemen. If there was any distinction in their states, it was only, that some of them were subject to no bind-days, and others obliged to services which were due by custom or agreement. The persons of both were equally free on the discharge of the rents and services required of them, though many of them were confined to the manors in which they lived. Under the Anglo-Saxon government, the number of hired servants was extremely small. Al-

moſt all the mechanics and labourers in huſbandry were ſlaves or tenants of the glebe; and for this reaſon it was needleſs to ſettle the price of labour. After the arrival of the Normans, the villains and artificers continued nearly in the ſame ſtate, and ſerved their maſters according to ancient cuſtoms. By degrees they obtained ſome portion of liberty. Many of the ſlaves belonging to the laity as well as eccleſiaſtics had been ſet free, or purchaſed their freedom; and others had poſſeſſed their ſmall parcels of land ſo long as to be admitted as tenants in villainage. The ancient form of conveyance nevertheleſs continued in uſe: and the occupiers of the lands held in villainage were conveyed to the purchaſer, with their families and effects. But this form of conveyance oftentimes implied little more than a right to the ſervices which were due by cuſtom. The Normans, affecting greater elegance in their buildings and furniture, and introducing better models in architecture than were in uſe among the Anglo-Saxons, diſcharged

many

many of their clumſy mechanics, and brought more ſkilful ones from abroad. They retained, however, ſuch labourers in their ſervice as were confined to works of huſbandry, and for which alone they were qualified.

All the ſtatutes of labourers were undoubtedly calculated for the benefit of the land owners, and deſigned to keep their villains and labourers in their ancient ſtate of ſubjection. No expreſs notice is taken in the acts of any workmen employed in the woollen manufacture, though at that time they muſt have been pretty numerous. The wages of theſe ſeem to have been referred to their maſters, while the land-owners thought it neceſſary to fix the wages of their labourers on lower terms than were offered by the artificers and manufacturers. And though the workmen in almoſt every occupation were ſubject to many oppreſſions, yet their condition was preferable to the labourers in huſbandry, who had ſo long been conſidered as vaſſals, that their maſters were generally unwilling to admit of any addition to their

ancient wages. It cannot therefore be thought ſtrange, that the ſons of the villains and cottagers ſhould flee to the boroughs, or any other places that offered a proſpect of liberty, and a more profitable employment.

Various means were made uſe of to retain them in the ſervice of their maſters on ancient terms. In the firſt ſtatute, proviſion was made, that the lords ſhould be preferred to others in the choice of their labourers and land-tenants, ſo that they retained no more than were neceſſary (*v*). This giving the lords a power to keep an indefinite number, two years afterwards the commons complained, that ſervants paid no regard to the ſtatute, but engaged themſelves in the ſervice of great men and others, unleſs their wages were advanced. The former act was therefore enforced, and the wages of particular workmen and labourers were exactly fixed (*w*). In order to defeat theſe acts, many of the land-

(*v*) 23 Edw. III. c. 1.

(*w*) 25 Edw. III. ſtat. 1. 12 Ric. II. c. 4. 2 Hen. VI. c. 13.

tenants and labourers fled into other counties, or to the cities and boroughs; it was therefore ordained, that labourers and workmen ſhould not remove out of their own hundred without a letter patent under the king's ſeal, or that they ſhould be outlawed, or brought back and impriſoned, or returned to their maſters (*x*). By other acts it was ordered, that artificers and handicrafts people ſhould hold to one myſtery (*y*); that no wages ſhould be taken on feſtival days (*z*); and that, in the time of harveſt, artificers, and people of myſtery, ſervants, and apprentices, ſhould be obliged to aſſiſt in reaping and carrying in the corn (*a*). And, to bind them ſtill cloſer to the land-owners, it was ordained, that every one who had been confined to works of huſbandry till twelve years of age, ſhould be obliged to continue in that occupation (*b*); but as this law was eluded by parents,

(*x*) 34 Edw. III. c. 10, 11. 12 Ric. II. c. 3.
(*y*) 37 Edw. III. c. 6.
(*z*) 34 Edw. III. c. . . 4 Hen. IV. c. 14.
(*a*) 12 Ric. II. c. 3.
(*b*) 12 Ric. II. c. 5.

who

who bound their children apprentices to the manufacturers and artificers before that age, an act was made, by which parents were prohibited from putting out their children apprentices, unless they possessed twenty shillings a year in rent or land (*c*). To enforce these statutes, a penalty was inflicted on the giver and taker of higher wages than were appointed (*d*). As this law could not be strictly observed by the masters, they were obliged to compound for offences of this kind with the king's officers, who levied considerable sums on this account, though Edward the Third sometimes granted to the commons the fines and amercements for offences of this sort, in aid of tenths and fifteenths (*e*). A remedy was therefore provided, by subjecting the taker only to a penalty (*f*). And though this scheme, like every other of the same kind, failed in producing the de-

(*c*) 7 Hen. IV. c. 17.

(*d*) 12 Ric. II. c. 4.

(*e*) Knyghton, p. 2600. 23 Edw. III. c. 8. 25 Edw. III. c. 6.

(*f*) 4 Hen. V. c. 4.

sired

sired effect, it enabled the masters some time longer to tyrannize over their workmen and labourers. In the second act for settling the wages of labourers, the price of a bushel of wheat was fixed at ten pence; and, in countries where labourers were usually paid in grain, it was left to the option of the master whether he would pay them in corn or money (g). This was a reserve so much in favour of the master, that it necessarily contributed to defeat the intention of the statute. The irregular price of grain enabled him to oppress his workmen by paying them in wheat only when it fell short of the price mentioned in the act. And it was this variable price of grain and provisions that made it almost impracticable to put the law in execution, and at last obliged the legislature to refer the settling of wages to the justices of the peace, according to the rates of provisions.

By the first statute for regulating the wages of labourers, they were enjoined to take no higher wages than were usually

(g) 25 Edw. III. stat. i. c. 1.

given,

given, in the places where they lived, in the twentieth year of Edward the Third, or five or six years next before (*b*). Under the following reigns their wages were more exactly fixed. In the reign of Richard the Second, a bailiff in husbandry was to receive for his annual wages thirteen shillings and four pence, and his cloathing once in the year; the master hind, carter, and shepherd, ten shillings each; oxherd and cowherd, six shillings and eight pence each; swineherd, woman labourer, and deye (*i*), six shillings each; plough driver, seven shillings; and every other servant or labourer according to his degree, and less in countries where less used to be given, without cloathing or any gratuity (*k*). Under the reign of Henry the Sixth the wages of servants were advanced. The annual salary of the bailiff in husbandry was settled at

(*b*) 23 Edw. III. c. 1.

(*i*) A daye, or dairyman, was employed by the nobility and monastics to superintend their cows and dairies, and to supply them with milk, butter, and cheese, or to dispose of these articles when they were not required for their use. In this act the deye seems to mean the milk or dairy maid.

(*k*) 12 Ric. II. c. 4.

twenty-

twenty-three ſhillings and four pence, and his cloathing at five ſhillings; chief hind, carter, and chief ſhepherd, at twenty ſhillings, and their cloathing at four ſhillings, each; a common ſervant in huſbandry at fifteen ſhillings, and his cloathing at forty pence; a woman ſervant at ten ſhillings, and her cloathing at four ſhillings; and a child under fourteen years of age at ſix ſhillings, and cloathing at three ſhillings (*l*). This difference of wages may in ſome degree be attributed to the alteration in the coin. In the time of Richard the Second, the ſhilling contained two hundred and thirteen grains of pure ſilver; and, in the twenty-third of Henry the Sixth, only one hundred and ſeventy-ſix grains: or, in other words, a pound of ſilver was coined into twenty-five ſhillings under the former king, and into thirty ſhillings under the latter. To carry theſe regulations into execution, it was thought neceſſary to eſtabliſh a kind of ſumptuary law, and appoint the diet of ſervants (*m*). And there is the

(*l*) 23 Hen. VI. c. 12.
(*m*) 37 Edw. III. c. 8, 9.

leſs

less reason to be surprised that this authority should be exercised over the inferior ranks of people, as the gentry were for a time under similar restrictions with respect to their apparel and tables (n).

Upon every view that we can take of these statutes, they must appear to be extremely impolitic. To fix the wages of labourers at a certain sum, must in its consequences check the spirit of industry, make bad servants (o), and reduce all the workmen to a state of slothfulness; but the land-owners had commanded the service of their vassals, and requited it on their own terms for so long a time, that they were unwilling to admit of any improvement in their condition, or of the most distant approaches to liberty and independence. If the price of grain was higher than in former ages, or the coin debased, the wages of labourers must unavoidably be advanced, in order to yield them a maintenance; and this addition to ancient wages, by increas-

(n) 10 Edw. III. stat. 3. 37 Edw. III. c. 10. 3 Edw. IV. c. 5.

(o) Knyghton, p. 2605.

ing

ing the expences of raiſing corn, muſt neceſſarily make an addition to its price. With reſpect to the law for cloathing ſervants, it naturally tended to confine the greateſt part of our woollen manufacturers to the making of coarſe cloths, which, employing fewer hands than the finer, gave an advantage to foreigners. Theſe conſtantly ſupplied us with fine draperies for ſome centuries, and left us nothing to export but coarſe manufactures. And the law for confining artificers to one myſtery or occupation ſeems to be calculated only for deſpotic ſtates, and muſt oftentimes be not only inconvenient, but repreſs genius and induſtry.

If we compare the prices of grain and labour in thoſe and the preſent times, the gain will be found on the ſide of modern labourers. The price of a buſhel of wheat is fixed in the firſt ſtatute at ten pence, or about twenty ſhillings a quarter in our money; and this was conſidered as its medium price in the time of Edward the Third, and the three or four following reigns. So much has the condition of la-

bourers been improved, and ſo much greater is the preſent ſkill in huſbandry, that, notwithſtanding the higher rate of lands, the price of wheat has ſcarcely been doubled, while the wages of all ſorts of workmen and labourers, after deducting the public burthens, are at the leaſt five times higher than in thoſe times of vaſſalage.

The reduction of wages was a point in which the land-owners and manufacturers ſeemed to agree, though there cannot be a ſurer ſymptom of a general poverty in a commercial ſtate than the low wages of workmen. As long as they continue to be low, the circulating caſh of the nation muſt be inconſiderable, the products of the lands of ſmall value, and the nation itſelf incapable of carrying on an extenſive trade at home or abroad. If the wages of workmen and labourers are very low, and the people in general in mean circumſtances, the conſumption of their own manufactures will be proportionally ſmall. And having ſo little to expend in the purchaſe of

of their own commodities, there must be slender encouragement to the consumption of the goods they receive from foreigners in exchange for their own. So that, as has been more than once observed, the domestic and foreign trade of every nation, excepting the profits arising from the freight of goods, in some degree depends on the general circumstances of the people.

While the land-owners were struggling to retain their tenants and vassals in their ancient state of subjection by violent means, an effectual method was taken for their relief by encouraging the export of grain. This was a measure equally calculated for the interest of both; and, if it tended to promote the ease and independence of the occupiers of the lands, it enriched their landlords, and gave an additional value to their estates. The import and export of grain seems to have been for some ages equally permitted, without regarding the different effects they must produce in the cultivation of the lands. And the low state of husbandry, and poverty of the farmers, both at home and abroad, made a

licence of this kind in ſome meaſure neceſſary. Dearths were ſo frequent, both in England and on the continent, that the inhabitants were obliged occaſionally to ſupply each other with proviſions. Early in the reign of Edward the Third, leave was given to foreigners to buy or ſell corn, victuals, and other commodities (*p*); but the export of grain was afterwards confined to Calais and Gaſcony, in order to ſupply the king's forces in his expedition againſt France (*q*). As this act was deſigned to ſerve a particular purpoſe, it probably fell into diſuſe in a few years, or was occaſionally diſpenſed with by the officers of the crown. Under the reign of Richard the Second, leave was given to export corn, except to the king's enemies, on the payment of the ſubſidies and duties, with a reſerve, that his council might reſtrain it, when neceſſary for the good of the kingdom (*r*). This act was renewed

(*p*) 9 Edw. III. ſtat. 1.
(*q*) 35 Edw. III. c. 20.
(*r*) 17 Ric. II. c. 7.

or

or confirmed in the time of Henry the Sixth, but was afterwards repealed, under the ſame prince, and another ſubſtituted in its place. Leave was given, for a limited time, to export corn, when the price of a quarter of wheat was under ſix ſhillings and eight pence, and barley and rye under three ſhillings (s). A few years afterwards, the act was made perpetual, and continued in force, excepting ſome occaſional ſuſpenſions, till the reign of Elizabeth.

While this encouragement was given to export grain, the free import of it was permitted, and ſubject to no other reſtrictions than that the merchants, who imported it, ſhould expend the money they received for their corn, or other merchandize, in the purchaſe of Engliſh commodities. Under a ſucceeding reign, the import of foreign grain was prohibited, when the price of a quarter of wheat, at home, was under ſix ſhillings and eight pence; rye, four ſhillings; and barley, three ſhil-

(s) 15 Hen. VI. c. 2. 23 Hen. VI. c. 5.

lings (*t*). This ſtatute had undoubtedly its uſe; but it was not productive of ſuch beneficial conſequences as might have been expected. Nothing could be more impolitic than to permit the free import of grain, at all times, into a country, whoſe lands were abundantly ſufficient, by a proper culture, to ſupply the national demand. In the time of a ſcarcity, an import becomes neceſſary; but the occaſion ought to be preſſing, leſt diſcouragement or ruin ſhould attend our huſbandry at home. When the harveſt has not been ſo plentiful as uſual, the farmer expects an advance in the price of his grain, as requiſite to diſcharge his rent: and this can be effected only by reſtraining the free import of corn by foreigners. It may ſometimes happen, by the difference of ſeaſons, low price of labour, or greater fertility of ſoil, that grain may be cheaper abroad than at home; but there is no more reaſon, at ſuch times, to admit its import, than the wear of any foreign manufacture, however cheap, that interferes with the ſale of our own.

(*t*) 3 Edw. IV. c. 2.

Though

Though theſe acts, relating to the export and import of grain, continued in force during ſeveral reigns, yet many reaſons concurred to make ſome alterations neceſſary for the encouragement of tillage. If foreigners were permitted to import wheat, when its price in England exceeded ſix ſhillings and eight pence a quarter, and other ſorts of grain in proportion, and the ſubjects were at thoſe prices prohibited from exporting them, the advantage lay entirely on the ſide of the former. By the debaſement of the coin, and the acceſſion of wealth by trade and induſtry, money was reduced almoſt to one third of its ancient value. So that, by the neceſſary advance of the nominal price of grain, from theſe and other cauſes, foreigners were ſeldom debarred from importing, and the natives as ſeldom at liberty to export it, if it ſhould have been demanded abroad.

To theſe diſcouragements of tillage, others may be added. Butter and cheeſe had been made merchandize of the ſtaple; but the king's licence ſeems to have been neceſſary to the merchant who exported

them, till the end of the reign of Richard the Second; and afterwards they could be exported only to Calais without the ſpecial licence of the chancellor; but this law was repealed the following year (*u*). Theſe limitations were ſo far of ſervice in promoting tillage, as they tended to check the export of theſe articles, and by that means to leſſen the quantity. The land-owners, finding the profit ariſing from theſe articles, as well as from wool and leather, augmented the number of their flocks and herds, and converted many of their tillage lands into paſtures. It was therefore neceſſary, for the encouragement of tillage, either to prohibit the export of theſe articles, or to advance the price of grain.

A ſtatute was enacted for prohibiting the exportation of live ſheep, not only on account of the loſs to the king's revenue, by carrying the wool out of the nation without paying the uſual duty, but under a pretence that the breed of Engliſh ſheep

(*u*) 21 Ric. II. c. 17. 18 Hen. VI. c. 3. Parl. Hiſt. vol. II. pp. 190, 236.

might

might be propagated abroad, to the detriment of our woollen manufactories (*v*). The fineneſs of the Spaniſh wool has been attributed to a few Coteſwold ſheep preſented to the king of Spain by Edward the Fourth; and the ſtory has been ſometimes believed. As Spain was famous for the goodneſs of its wool, we were willing to divide the honour with it, though we were too late in our claim by many centuries. And there is greater reaſon to believe, that the breed of ſheep, in many parts of Europe, has been improved by the Spaniſh, rather than that the latter has received any improvement from the ſheep of other countries. The ſame king is ſaid to have permitted annually the export of two thouſand rams to Flanders, during the life of his aunt (*w*). And if the Flemiſh wool had equalled our own, we ſhould have aſcribed it to the ſame cauſe. Suppoſing it had been poſſible to introduce the breed of Engliſh ſheep into foreign coun-

(*v*) 5 Hen. VI. c. 2. Parl. Hiſt. vol. II. p. 190.
(*w*) Anderſon's Hiſt. of Com. vol. I. p. 296.

tries, and preſerve the fineneſs of their wool, all the care of the legiſlature to prevent their export would have been ineffectual. Before the prohibition againſt the export of ſheep took place, there is no doubt but the French, Flemings, and other nations, made experiments of this kind. The high price of Engliſh wool would tempt them to make a trial how far they could ſucceed in this deſign; but the ſoil or climate ſeems to have defeated it. Spaniſh ſheep, removed into England, ſoon degenerate in reſpect to the goodneſs of their fleeces; and for the ſame reaſon it is probable, that Engliſh ſheep, removed into ſome parts of Spain, would gradually improve in this reſpect, till, in length of time, they were equal to the native, if treated in the ſame manner. Several parts of Italy had formerly been famous for the fineneſs of their wool; and there is reaſon to believe, that many fruitleſs attempts were made to equal it in other places. Some of our wool nearly equals the Spaniſh; but the quantity is leſs at preſent than in former ages, on account of the incloſures that

have been made of the extenſive downs and waſtes which were anciently ſtocked with ſheep, and are now applied to other purpoſes. And though it may be in our power to improve our wool, in particular ſoils and ſituations, by adopting the Spaniſh mode of managing their ſheep; yet the climate, or the want of proper paſtures, will probably for ever prevent us from attaining to a perfect equality.

It may be neceſſary to take ſome notice of the ſtatute relative to the preſervation of woods, as, during the period of which I am ſpeaking, they became the objects of parliamentary care. Woods had formerly been ſo plentiful in every part of the kingdom, and the demand for ſhip-timber ſo ſmall, that they are not noticed in the ſtatute-book till the reign of Edward the Fourth, when licence was given to incloſe ſuch woods as were the property of the ſubjects within the foreſts, chaſes, and purlieus, for ſeven years after they had been cut down, for the ſake of preſerving the young trees (x). As the act relates

(x) 22 Edw. IV. c. 7.

only

only to woods within the forests, it may be supposed that greater care had been taken of others; though the right, which many of the freeholders possessed, of supplying themselves with timber and fuel, in countries where woods abounded, would frequently defeat every attempt to preserve them. Till the reign of Edward the First, the Londoners were supplied with wood and turf from the neighbourhood; and, long after his time, coals were brought only in small quantities from the north. An eminent writer has observed, that it is of considerable benefit to a country, when it is able to supply itself with necessary fuel without appropriating large tracts of land for the growth of woods (*y*). And there can be no doubt, but the lands, which are applied to the growth of corn or grass, are more profitable to the public, by the number of hands they employ in their culture, than mere woodlands; but the increase of commerce, and the navy, after those times, obliged us to have recourse to foreigners

(*y*) Montesq. Esprit des Loix, l. xxiii. c. 4.

for

for a ſupply of ſhip-timber. The ſcarcity of woods is, therefore, not always ſo beneficial to a trading nation, though abounding with coals, as may on the firſt view appear.

And, at the time of enacting this ſtatute, the national commerce was very much enlarged, and required a greater number of veſſels, to carry it on, than in former ages. Its progreſs, indeed, had been extremely ſlow. Notwithſtanding the encouragement given to it by Magna Charta, the nobility and gentry ſtill affected to conſider every ſpecies of traffic as ignoble, and treated the merchants and tradeſmen with ſome degree of contempt. Nor were proper reſtrictions always put upon the king's officers in collecting the duties and cuſtoms, though it was promiſed, in the Great Charter, to ſettle them according to ancient uſage. And there is no inſtance to be given, that trade has flouriſhed, in any country, till its fiſcal and mercantile laws have been expreſſed with all poſſible clearneſs, and the powers of the collectors of the cuſtoms, as well as the rights of the people,

ple, have been exactly aſcertained. But this could not be expected in thoſe rude ages. The nature of commerce was imperfectly underſtood; and the beſt mercantile regulations, in every ſtate, have rather been the reſult of experience than of foreſight and reflection. It was, nevertheleſs, an advantage to the merchants, that our moſt valuable exports were the immediate products of the lands, and the chief benefits of them received by the landowners. Under theſe circumſtances, the intereſt of both became inſeparably united, and led them to guard, with equal care, againſt every mode of oppreſſion by the crown. When an additional duty was laid upon wool exported, by Edward the Third, the parliament remonſtrated againſt it, not merely as an arbitrary impoſition, but as calculated to deprive them of a part of their revenues; and yet, if its price had been enhanced to foreign weavers by an extraordinary duty, our woollen manufacturers would have been better enabled to enter into competition with them in the markets abroad. But the utility of confining our

wool

wool at home, for the uſe of our own fabrics, was not ſo readily diſcerned by the gentry as the benefits of its export; and, for this reaſon, it continued to be carried abroad, in large quantities, long after its manufacture had been encouraged by the nation.

Under the reign of Henry the Third, the merchants were obliged to ſubmit to a variety of oppreſſions, on account of the poverty of the crown, and the diſorderly ſtate of the nation (z). After the acceſſion of Edward the Firſt, the government began to take a more regular form. Many uſeful laws were, indeed, occaſionally diſpenſed with, or imperfectly put in execution; but as they were generally founded on the principles of public utility, there was reaſon to hope that they would in time obtain a more conſtant reſpect and authority.

Edward the Third diſcerned the power and opulence derived by the Flemings from the manufacture of our wool; and he took proper methods for introducing and encou-

(z) M. Paris, p. 744. Ann. Burt. p. 309. Parl. Hiſt. vol. I. p. 48.

raging

raging it in England. By protecting the Flemiſh weavers who fled hither, and inviting others to ſettle here, he took the moſt effectual meaſures for improving our woollen manufacture; and, to aid its progreſs, he prohibited the export of our wool, till otherwiſe ordered, and the import of foreign cloth, and confined the ſubjects to the uſe only of our own (*a*). If the ſtate of our woollen manufactories would have permitted a rigorous execution of theſe laws, they muſt have been of the utmoſt ſervice to the public; but they were immediately neglected, and anſwered no other purpoſe than to mortify the earl of Flanders (*b*). By a ſtrange kind of policy, a duty was laid upon cloth deſigned for foreign markets; and, at the ſame time, the export of wool was encouraged under the ancient cuſtoms. And ſo little was the true nature of commerce underſtood, that the ports were generally open for the reception of every foreign commodity, with-

(*a*) 11 Ed. III. c. 1. 2. 3. 5.
(*b*) Anderſon's Hiſt. of Com. vol. I. p. 166.

out

out regarding how far it might contribute to diminish the sale of our own. Whatever was found to be profitable to the crown, or individuals, was often the measure of public policy; and it was commonly thought to be of slight consequence what sort of goods was imported, so long as particular persons received an advantage from them. The imposition of extraordinary duties on some foreign goods, and the prohibition to export some of our own products in their rude state, were the invention of later times, and introduced a new policy into all the branches of commerce. If, however, greater encouragement had been given to our woollen manufactories, they must necessarily have continued in a languid state till the circumstances of the people, both at home and abroad, were so far improved as to enable them to purchase a greater quantity of our manufactures. In later ages, the Hollanders could not have made so rapid a progress in wealth and commerce, if they had not been assisted by the richer and more improved states of Europe. In modern times, a single city,

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or populous town, consumes more native and foreign goods, and makes a greater addition to the trade of the nation, than a whole county under the reigns of the three first Edwards. And, on this principle, we may account for the great advances of commerce in the Low Countries, within the compass of little more than a century, and its slow progress in those early ages.

It appears, from an article in Magna Charta, that, at the time of signing it, we had merchants abroad; but at the same time we had a much greater number of merchant strangers in England, who for some time afterwards engrossed the principal part of the national trade. They were allowed, to the exclusion of the natives, to export the chief articles of traffic, wool, lead, and tin, and all other merchandize of the staple (c). And, what may be thought equally impolitic, our merchants were not allowed to import wine from Gascony (d). The Easterlings, or Hanse merchants, were the most considerable traders, and, by the

(c) 24 Ed. III. c. 3.
(d) 42 Ed. III. c. 8.

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privileges which they acquired from the crown, obtained so large a share of our commerce as to confine it almost wholly to themselves. They were generally willing to purchase any privilege which they thought necessary for carrying it on to advantage; and the crown was usually as ready, for a valuable consideration, to comply with their request. And the national interest was for a time so far neglected, or misunderstood, by our princes and the parliament, that foreigners were invited to resort hither for the sale or purchase of every mercantile commodity without distinction. They were permitted to buy or sell corn, wines, wools, cloths, and all other things vendible; and, notwithstanding the franchises of boroughs and towns corporate, were allowed to sell the goods they imported by wholesale or retale (e). Our merchants were likewise restrained from engrossing particular commodities, and confined to use or deal only in one merchandize; but this limitation continued

(e) 9 Edw. III. c. 1. 25 Edw. III. stat. iv. c. 2.

only one year (f). As the principles of commerce became better understood, the privileges of foreign merchants began to be considered as incompatible with the national interest; or they gave so much offence to the towns possessed of the franchises of a borough, as to be gradually restrained. Alien merchants, and workmen from abroad in every occupation, were always disagreeable to the populace, and usually met with great opposition in the cities and boroughs. In London, and other places, violence was sometimes used to expel them; and, at other times, they were put under various restrictions by the parliament, which were rather inconvenient to them, than beneficial to the nation. Particular goods were enumerated, which they might sell in gross, and not by retale (g). They were also required to expend an half of the money, they received for the goods they imported, in the purchase of English commodities; and afterwards they were enjoined to ex-

(f) 37 Edw. III. c. 5.
(g) 2 Ric. II. stat. ii. c. 1.

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pend the whole (h). By the influence of the Londoners, a merchant stranger was not permitted to buy or sell to another stranger, or to dispose of his goods by retale (i). In a subsequent reign, they were compelled to sell their goods within a quarter of a year, and to expend the money they received in the purchase of English merchandize. With respect to the time of selling, they were relieved the next year; but, at the same time, a reservation was made of the liberties and franchises of the city of London (k). All the exporters of wool, or tin, were required to bring, for every sack of wool, or three pieces of tin, they sent abroad, an ounce of gold to the mint (l). And, to embarrass foreigners still more in their commerce, the English were required not to give them any credit for the goods they sold them, but to insist on immediate payment; the term, however,

(h) 14 Ric. II. c. 1. 4 Hen. IV. c. 15.

(i) 16 Ric. II. c. 1.

(k) 4 Hen. IV. c. 15. 5 Hen. IV. c. 9. 6 Hen. IV. c. 4.

(l) 8 Hen. V. c. 2.

was the next year enlarged to six months (*m*). And this was the term allotted to the Italian merchants for the sale of their goods (*n*). As foreigners, of the same nation, were sometimes called upon to answer for the debts of each other, care was taken, by a statute, to relieve them from so unreasonable a demand: but, notwithstanding this security, alien merchants oftentimes contracted with the crown to answer only for their own debts (*o*). Many of the abovementioned restrictions must undoubtedly have been found inconvenient to foreigners, and would give some interruption to their traffic. And as the English were constantly improving in the woollen manufacture, and in making other articles of domestic use, it became necessary to prohibit the import of many commodities which had been usually brought from abroad. But this design could not be readily effected in those ages. As the princi-

(*m*) 8 Hen. VI. c. 24.

(*n*) 1 Ric. III. c. 9.

(*o*) 27 Edw. III. c. 17. Anderson's Hist. of Com. vol. I. pp. 155. 157.

cipal merchants came from countries where the useful arts were carried to greater perfection than in England, or imported such commodities as could not be manufactured here, it rarely happened that the sale of their goods or merchandize interfered with that of our own. As soon as our workmen became more skilful in their respective occupations, particular goods were charged with high duties; and, in length of time, all such foreign commodities, as could be raised or manufactured in England, were totally excluded. Though it was certainly the interest of the nation to rescue trade, as far as possible, out of the hands of foreigners, and transfer it to ourselves, yet our merchants were not qualified for executing such a design. They generally wanted experience in commercial affairs, ships, stock, and foreign connections, in order to enable them to enter into a successful competition with alien merchants. From them, as more experienced in mercantile transactions, our merchants might gradually learn the best mode of conducting them, till they were prepared to carry them on without their assistance. And this could not be expected

till trading companies were formed, who, by a joint stock, were enabled to sustain the occasional losses, which would have been ruinous to individuals, and to purchase a greater quantity of goods than the capital of a single merchant would admit of. Necessity, therefore, as well as utility, concurred in giving encouragement to strangers, till the English merchants were enabled, by their wealth, connections abroad, and the skill of their workmen, to supplant them without violence. And in length of time this was in a great measure accomplished, and so many restraints put upon merchant strangers, as to give a superiority to our own.

Notwithstanding the disadvantages our commerce laboured under, we have a flattering account of it in the twenty-eighth year of Edward the Third, by which it appears, that the value of our imports scarcely amounted to a seventh part (*p*) of our exports. However plausible this account may appear, there are some circumstances which tend to weaken its credit. Whenever the

(*p*) Anderson's Hist of Com. vol. I. p. 186.

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exports of a nation exceed its imports in ſo great a proportion, the balance muſt be paid in caſh or bullion, and money will become plentiful. A law was nevertheleſs enacted, under his reign, obliging foreigners to bring bullion for the purchaſe of our commodities; and in every country, where laws of this kind take place, it may be preſumed that the balance of trade is generally againſt it. A part, indeed, of the ſilver and gold imported, might be ſent abroad by the crown, or be expended in plate or utenſils by the opulent, and almoſt diſappear, though the trade of the nation might be enlarged; but the quantity employed in theſe uſes could not be ſo great as to require laws to be enacted for the import of bullion, if our trade with foreigners had been annually ſo advantageous as here repreſented.

As the principal branches of domeſtic trade and manufactures were in the hands of the inhabitants of the boroughs, they generally took care to procure ſuch privileges and immunities as were thought neceſſary for carrying them on with ſucceſs.

But they had no sooner obtained the power of appointing their own officers, and of farming the tolls, revenues, and lands belonging to their towns, under certain rents, than they began to employ their franchises to exclude every stranger and foreigner from trafficking, or engaging in any manual occupation, within their liberties. The parliament was therefore frequently obliged to enact statutes for the encouragement of merchant strangers, and the crown to promise, by proclamation, security to foreign workmen who resorted hither. The many acts of this nature afford sufficient proofs of the opposition they met with, and of the spirit of monopoly which possessed the inhabitants of the boroughs. There was an incessant struggle and competition between the burgesses and foreigners; and if the king or parliament had not occasionally interfered, the national commerce, and many improvements in weaving and the manual arts, would have been prevented, or greatly interrupted. Neither the weavers of Brabant, though qualified to improve the natives in the manufacture

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of cloth, nor other workmen, who imported new arts and inventions, were suffered to reside in the borough towns without the special protection of the crown. And it was a fortunate circumstance for the advancement of trade, that the customs and duties levied on merchandize made so considerable a part of the royal revenue, as to engage the care and encouragement of the kings. For this reason, the complaints of the Londoners, under Edward the Third, against the admission of foreigners to trade within the city or kingdom, were seldom attended to, except that they sometimes prevailed so far as to subject them to some temporary inconveniences. Under the succeeding reigns, the privileges of the boroughs were kept in a fluctuating state. When the kings affected popularity, they maintained them; and when disgusted with the commons, they suppressed them, and gave encouragement to foreigners. In the time of Richard the Third, the influence of the Londoners so far prevailed, that no foreigner was allowed to exercise any manual occupation, except with a native, nor even

even to make cloth (q). But this act was neglected under his ſucceſſor, and foreign weavers again invited to ſettle in England.

By ancient cuſtom, foreign merchants were allowed to reſide only forty days; and, as they attended chiefly at the time of a mart or fair, they had a ſufficient time to diſpoſe of their goods; but, when the trade of the nation increaſed, the term was enlarged, though ſtill limited, except to the Hanſe merchants, who obtained leave to reſide conſtantly in London. The kings, however, claimed a ſovereign juriſdiction over all merchant ſtrangers, and a power of annulling the privileges granted by the charters of their predeceſſors: and for this reaſon, when they were diſtreſſed for money, they uſually extorted large ſums for the renewal or confirmation of their privileges; and on theſe terms alien merchants commonly obtained every reaſonable indulgence they could requeſt in their favour.

Notwithſtanding the encouragement given to foreign merchants to export the

(q) 1 Ric. III. c. 9.

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principal part of our products and manufactures, and at the same time to import merchandize from abroad, attempts were made to form a navy of our own, that might assist in carrying on our commerce, or secure us from the depredations of pirates. It may, indeed, be thought a singular project, to confine the export of almost all our commercial articles to aliens, and yet endeavour to increase the number of our vessels and mariners. Such a design, as might be justly expected, would be found unsuccessful or useless upon trial. The first attempt of this kind was made by appointing the cinque ports to keep fifty-seven ships always in readiness for the use of the crown: and at particular times they might be able to fit out the stipulated number; but, as the trade carried on at these ports was inconsiderable, it cannot be supposed that they would always be prepared for service, or furnished with sailors, except at the expence of the merchant ships. The scheme might succeed so far as to keep a body of men in readiness to impress sailors, and, if necessary for the public service,

vice, to seize the ships of merchants. If, however, they were occasionally of use to the state, they were sometimes equally pernicious by their piratical depredations (r). And it could scarcely be expected that a marine could be formed on so contracted a plan, and independent, as it were, of the national commerce.

A much more probable method was afterwards taken to form a navy, and rescue trade out of the hands of foreigners, by establishing navigation acts, which, however unsuccessful at first, promised in time to be of general benefit. And this was in some measure attempted under Richard the Second. It was ordered, that merchandize should be exported and imported, by the English, only in ships of the king's allegiance, except when English ships were wanting (s). And it was a few years afterwards enacted, that English merchants should export our merchandize only in English

(r) Chron. Wikes, p. 65.

(s) 5 Ric. II. stat. i. c. 3. 6 Ric. II. stat. i. c. 8. Parl. Hist. vol. II. p. 247.

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vessels (t). There was slender reason to believe that this attempt could be attended with success, as the export of the merchandize of the staple, wool, woolfels, leather, tin, and lead, was permitted only to foreigners (u). A law of this kind might embarrass our merchants, but would make a slender addition to the number of our ships and mariners.

The greatest part of our trade was still carried on by the Hanse merchants, who seem to have been the earliest in settling here, and to have continued the longest. The number of merchants, who resorted to England, kept continually increasing from the time of the Norman conquest; and the export of our wool to the Low Countries, and the import of many cloths from thence, would induce some Englishmen to visit them for the sake of establishing a mercantile correspondence there; and, for the same reason, they might settle in some of the king's transmarine domini-

(t) 14 Ric. II. c. 6.
(u) 27 Edw. III. stat. ii. c. 8. 14 Ric. II. c. 5.

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ons, on account of trafficking in wine, and a few other articles which were imported from thence. But the greatest part of our trade was, nevertheless, engrossed by foreigners. Some of these are said to have been Spaniards and Italians; and doubtless there must have been some from other countries. But the merchants from the Hanse towns appear to have been the most numerous, and possessed of greater privileges than any other. And, notwithstanding all the efforts of the Londoners to expel them, or abridge their liberties, they continued to hold them, with some interruptions, to the reign of Edward the Sixth. Piracy had formerly been the chief support of a navy in the northern parts of Europe; and, when this declined, the fisheries became a constant nursery for seamen without the aid of foreign commerce. The lands affording a scanty subsistence to the inhabitants, the deficiency was supplied by the fish which abounded on all the coasts of the north. We may impute to these causes the maritime skill of the northern people, when it was almost entirely lost in

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the weſtern parts of Europe. In length of time, however, the Engliſh and other nations, improving in arts and government, defended themſelves againſt the inroads of pirates more ſucceſsfully than in former ages; and the pirates, not finding their expeditions ſo profitable as uſual, began to engage in traffic with nations whoſe coaſts they had formerly viſited only for the ſake of plunder, and to form aſſociations for carrying it on with ſucceſs. By theſe means, a few fiſhing towns on the coaſts of the Baltic arrived at ſuch a degree of maritime power as to give law to their neighbours. Enabled, by their freedom, to form the moſt uſeful regulations for the conduct of trade, and trafficking by a joint ſtock, they engroſſed almoſt all the commerce of the northern countries in the capacity of maritime carriers. There were above ſixty Hanſe towns, which occaſionally confederated together, and by their joint forces were enabled to aſſiſt or defend each other, or to maintain the privileges they had acquired, by gift or purchaſe, in other countries. And, to ſecure a mono-

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poly, they were equally ready to distress every foreign vessel which navigated the northern seas, or entered their ports, without their leave; and sometimes they employed pirates for the same purpose. By degrees their power began to decline: the insolence with which they treated many of the northern states rouzed the indignation of the princes, and brought on hostilities; and these, with the advancement of trade, and a more orderly government, gradually effected their ruin. The English, as well as other nations who had formerly employed their ships in exporting goods, by the increase of commerce obtained a sufficient number of their own; and as the Hanse merchants were chiefly employed as maritime carriers, their business insensibly declined, and they lost many of their ancient privileges in England and other parts of Europe.

To accelerate the ruin of the Hanse towns, companies of merchants were formed, in England and abroad, for the purpose of carrying on trade without the assistance of foreigners. As we had the largest

largeſt dealings with the Netherlands, a company of merchant-adventurers was eſtabliſhed for trafficking with them and other parts of the north. This was one of the moſt ancient of our trading companies, and deſerved encouragement, till its members began to introduce a monopoly, and aſſume a power of excluding every perſon from trading to the ſame countries, unleſs admitted to the freedom of the company, for which they exacted a conſiderable fine. This was, indeed, uſually the caſe of trading companies; and on this account they have been generally decried as pernicious to trade. But, whatever juſt objections may be made to them in modern times, they were neceſſary in thoſe ages for the introduction and ſupport of commerce. The merchants were not in ſuch opulent circumſtances as to be able to carry on an extenſive trade with their own ſtock. It could ſucceed only by the joint contributions of many adventurers, who, eſtabliſhed by charter, were enabled to carry on a greater trade, and to obtain and preſerve

the requisite privileges in foreign countries, much better than the most opulent individual.

There are many regulations in the statute-book relating to the export and import of gold and silver; and, for several centuries after the revival of commerce in the western parts of Europe, every nation considered the acquisition of these metals as the only proof of a beneficial trade with foreigners. Care was therefore taken in our own, and almost every other country, to encourage the import of bullion, and discourage its export. Some of these laws continue in force, though found by experience to be so far useless, that one of the countries in which the fewest of these laws are established, carries on an extended and lucrative commerce.

As long as a state is destitute of cash for circulation, it may be policy to encourage its import, and endeavour by penal laws to detain it for public use. Many attempts of this kind were made by the parliament as soon as the national commerce became considerable. Sometimes it was ordered that

that no money ſhould be exported; and afterwards, that for every ſack of wool exported two marks of ſilver ſhould be brought to the king's exchange (*v*). At other times it was enjoined, that foreign merchants ſhould expend one half of the value of their imports on Engliſh commodities; and, afterwards, the whole (*w*). As theſe meaſures for retaining gold and ſilver in the nation were not attended with ſucceſs, a law was enacted, for obliging every one, for every ſack of wool, or three pieces of tin, exported, to bring an ounce of gold to the mint (*x*). By compelling foreign merchants to expend the value of their imports on Engliſh commodities, all the advantages of an exchange accrued to that nation whoſe goods employed the greateſt number of hands to prepare them for uſe; and, as the Engliſh exports conſiſted chiefly of raw materials, foreigners were commonly the greateſt gainers. And

(*v*) 9 Edw. III. ſtat. ii. c. 1. 14 Edw. III. c. 21. 5 Ric. II. ſtat. i. c. 2.

(*w*) 14 Ric. II. c. 5. 4 Hen. IV. c. 15.

(*x*) 8 Hen. V. c. 2.

every effort to detain more money in a nation than is required for currency, services of plate, or manufactures, will be found fruitless. Without the care of the legislature, money will flow into all countries in proportion to the extent of its commerce; and so much will be detained as is required for national currency; and the quantity will always depend on the circumstances and conditions of the people, the price of labour, provisions, and lands, and the public imposts. It is usual for the states, which import bullion, to complain of its export, as if it was a national grievance, or could be prevented: and an advanced price of lands, labour, a more expensive diet and cloathing of the people, and a more enlarged commerce carried on by their own subjects, would necessarily demand a greater part of what is imported; but the overplus would always find its way to other countries, and ought to be considered as much an article of traffic as any other commodity. But perhaps the restrictions against the export of money in those ages were designed not so much to in-

increaſe the national ſtock of caſh, as to ſupply our princes with it in their foreign expeditions. Theſe were inceſſant drains of our money, when bills of exchange were rarely uſed; and, unleſs recruited by bullion from abroad, muſt have left the nation deſtitute of caſh for public currency. And on theſe views we may apologize for the laws of thoſe times relating to the export or import of bullion.

Among the great number of foreigners that came into England with William the Firſt, or immediately followed him, the Jews were the beſt qualified for pointing out to the nation the benefit of commerce. Neceſſity had forced this people to traffic in money or goods wherever they could gain a ſettlement. Driven from their own country, and ſeldom permitted to purchaſe lands in any other, they were obliged to engage in ſome petty kinds of trade, or to lend money upon intereſt; but, by proper encouragement, they might have been of much greater ſervice. By their correſpondence with their brethren ſettled in almoſt

every part of Europe, they possessed greater advantages than the natives for carrying on an active commerce with foreigners; and the same hopes of gain would have led them to extend the domestic trade of the nation, by exchanging the products of one country for those of another, if they might have traded with safety. A few reigns after the Norman conquest, they became so numerous as to purchase, at very high rates, several privileges and immunities from the kings, who were desirous to protect them from being plundered by their subjects, that they might have the whole benefit of their spoils. Whenever a sum of money was wanted by the crown, some new privilege was offered, or particular crimes were laid to their charge, in order to extort it from them; and, when these failed, recourse was had to violence, or imprisonment of their persons. The scarcity of money in those times, the difficulty of recovering debts, and the outrages to which they were continually exposed, made an high interest necessary; and yet they were allowed to receive a moiety of the profits

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of the estate, which they held under a mortgage, till the principal and interest were discharged (y). And, in general, they seem to have thought, that the letting out money upon interest, or, as it was then called, usury, was more profitable than the returns of trade. Or, if they might be tempted to carry on some branches of commerce within the kingdom, they had slender inducement to traffic with foreigners, or even with their brethren abroad. These were in the same precarious situation in every part of Europe as in England; and no remittances of money or goods could have been made without the hazard of being seized at home or abroad. Such was the bigotry of those ages, that the Jews suffered every sort of oppression and violence from the princes or people; and those who looked upon receiving interest of money as unlawful, yet thought it no injustice to plunder their Jewish creditors. It is not easy to conceive how they recovered themselves, or

(y) Madox's Hist. of the Exchequer, vol. I. p. 247.

even subsisted under the violent attacks that were occasionally made upon their properties: but the gains of interest, which contributed to make them odious, and the hopes of redeeming their repeated losses and expences, with-held them from seeking a more hospitable country, or, if it could have been found, a more equitable government. At length they became so odious to the subjects, that Edward the First, for a valuable consideration, consented to their banishment (z).

As it was impracticable, as well as impolitic, to prevent the loan of money upon interest, the Jews were succeeded by the Lombard and Italian merchants, who seem to have been as expert in this kind of traffic as the other. While almost every part of Europe was sunk in ignorance, or engaged in domestic broils and contentions, manufactures and commerce began to revive in Italy: and these introduced the various arts, which are the inseparable attendants on trading and populous cities. Book-

(z) Parl. Hist. vol. I. p. 95.

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keeping, insurance of goods and ships, loans upon pledges, and private as well as public banks, received their origin or improvement in this country; and were gradually adopted by other states in Europe, as they advanced in trade and navigation. The Italian clergy possessing many valuable livings in the kingdom, and the popes at the same time levying considerable sums under various pretences, some of the persons, who were sent over to collect these revenues, as well as Italian merchants, began to employ themselves as brokers, and to lend money upon interest; but these occupations were so disagreeable to the people, that they could not be reconciled to them, though exercised by Christians, and authorized by the Pope (*a*). Edward the Third issued out a commission for seizing their effects, upon the vague charge of usury and extortion (*b*). All the bankers, however, were not banished, but continued to lend money, as a few years

(*a*) M. Par. p. 362, 418, 525, 822, 887, 902.
(*b*) Parl. Hist. v. I. p. 244.

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afterwards the parliament requested the king, that they might be suppressed, as great usurers (c). And though petitions of this kind were not always complied with, the kings commonly took advantage of the aversion which their subjects entertained of foreigners, by employing it to extort money from the latter for their connivance or protection.

It is curious to observe, what different notions men have formed in several ages on the practice of lending money upon interest. In modern times, it is thought necessary for the encouragement and support of trade, by enlarging the capital of the merchant; and it operates so far in favour of commerce, as to prevent for a time the accumulation of landed property by individuals. For when men are debarred from lending money upon interest, it may be justly presumed, that they will expend it in the purchase of lands, in order to turn it to some advantage. But the people saw none of these benefits, or were unable to

(c) Anderson's Hist. of Com. v. I. p. 204.

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distinguish between a reasonable interest of money and usury. Through ignorance or bigotry, they may be supposed to consider the receiving of interest as sinful; but it is surprising, that they should esteem it to be detrimental to trade; and yet it was said to be the bane of commerce, and declared by the commons to be horrible (*d*). Thus condemning a practice sometimes enforced by necessity, they augmented the interest of money by their care to suppress it as unlawful and usurious. All the evils of it might have been prevented by limiting it as in modern statutes; and, if legal security could have been obtained by the lenders of money, the interest would have been proportionally diminished. On the other hand, by declaring it to be unlawful, a consideration would be demanded in proportion to the risque of losing the capital. And it was probably an exorbitant interest that led the parliament to condemn it as pernicious to trade. For wherever the rate of interest is high, the merchant will set a

(*d*) Id. v. I. p. 173, 218.

greater

greater value upon his commodities, whether native or imported, and consequently in some measure lessen the consumption. But perhaps there might be some degree of policy mixed with the bigotry of the commons in their aversion to the lending money upon interest. As commerce in those ages was chiefly carried on by companies of merchants, who traded by a joint stock, they were seldom under a necessity of borrowing like private tradesmen. And, however useful it might be in the infancy of commerce to establish trading companies by charter, it certainly prevented many individuals from engaging in some branches of traffic. They were frequently unable to raise a capital for the purpose by the prohibition against usury; and the exclusive rights, granted to these chartered companies, introduced monopolies, and empowered one part of the subjects to exclude the other from all the advantages of an open and free commerce.

The mortmain act, passed in the time of Edward the First, would have been of great service to trade, by bringing many lands

lands into commerce, if its beneficial effects had not been defeated by dispensations from the crown (*e*), or counterbalanced by the custom introduced of entailing estates. As the clergy and monastics could not succeed in obtaining a repeal of the mortmain act, they were obliged to compound with the crown for every addition made to their estates by purchase or benefaction (*f*). And whether the barons were jealous of the revolution in landed property, which an extended commerce would necessarily create, or whether they meant only to perpetuate their estates in their own families, it is certain they made the alienation of lands more difficult by authorizing the proprietors to limit the succession (*g*). As the entail of an estate set aside all the claims of creditors upon it, its operation upon trade was similar to the endowments of the convents and churches; and in a mercantile view it is of slight consequence, whether

(*e*) Chron. W. Thorp, p. 2121. Parl. Hist. v. I. p. 472.
(*f*) Parl. Hist. v. I. p. 107.
(*g*) De Don. condit.

estates

estates are unalienably appropriated to a family or religious houses. But the interest of trade was not attended to in these instances. The statute of mortmain under Edward the First was avowedly enacted in order to secure to the superior all the profits arising from wardships, reliefs, and other fruits of feudal tenures (*b*): and the permission to entail estates must debar many freeholders from engaging in any species of traffic, as every one, who possessed lands of the annual value of fifteen pounds, and afterwards of forty, was called upon to be knighted, or to compound for his refusal. And the tax upon moveables, which was occasionally laid, would affect the property of the merchant, and in the infancy of commerce must give some interruption to its progress.

As the riches lodged in the monasteries were incessantly accumulating, notwithstanding the statutes of mortmain, they were seized by Edward the First and the Third (*i*). And, by bringing them into

(*b*) 7 Ed. I. Stat. 2.
(*i*) Knyghton, p. 2471. Parl. Hist. v. I. p. 106, 243.

cur-

currency, the merchants and subjects in general would undoubtedly find some addition made to the national stock, and receive a small compensation for the loss that trade might sustain by the permission given to entail estates, and by the dispensations with the statutes of mortmain.

But, however inattentive the legislature might be in many instances to the encouragement of trade, its interest was not entirely neglected. If a power was given to entail estates, other statutes were enacted, which were more publicly beneficial, whereby debtors were obliged to resign the whole or a part of the profits of their estates for the use of creditors (*k*). Some of these useful laws were professedly made in behalf of the mercantile part of the nation, and for the easier recovery of debts. They brought in some degree landed property into circulation, and enriched the public by this additional stock of wealth, which by the feudal restraints was in some measure

(*k*) Quia empt. De Mercat. Stat. stap. 27 Ed. III. Stat. West. 2.

ſecured from a change of poſſeſſors. And at the ſame time that they gave a new credit to many of the land-owners, they afford an evidence of the regard which began to be paid to the intereſt of commerce. As imperfect as theſe ſtatutes were, they aſſiſted the tradeſman in recovering his debts, and laid the foundation of the acts relative to bankrupts, which in ſucceeding times have facilitated the ſale of lands for the payment of creditors.

Under theſe encouragements, our woollen manufactures were ſo far improved, that an interruption of our trade with the Low Countries was not ſo ſenſibly felt as in former ages; nor was the import of cloth ſo neceſſary, as the nation was now enabled to ſupply itſelf without the aſſiſtance of foreigners (*l*). Many, indeed, of the prohibitions againſt the import of cloth were temporary, and made rather on account of ſome diſagreement with the Flemings than with a view to encourage the wear of our manufactures. They were nevertheleſs ſo

(*l*) 27 H. VI. c. 1. 28 H. VI. c. 1.

far

far of public service, that they led the nation to discern the utility of manufacturing their own wool, which had been formerly sent abroad, and returned in cloth. The number of manufacturers had now so far increased, that the export of yarn was prohibited, and confined to the use of our own fabrics (*m*). And what may be thought equally calculated for promoting national industry, the import of some petty manufactures was prohibited, which had been usually brought from Italy or other countries (*n*). After the conclusion of the civil wars a proper attention began to be paid to the national commerce, and some useful laws were enacted for its encouragement under the reigns of Edward the Fourth, and Richard the Third. As their title to the crown was precarious, and they were obliged to rely on the affection and fidelity of the people, they were willing to encourage any design, that tended to promote trade, or the woollen manufacture. Edward the

(*m*) 7 Ed. IV. c. 3.
(*n*) 3 Ed. IV. c. 4. 4 Ed. IV. c. 1. 1 R. III. c 9.

Fourth is ſaid to have ſent goods into Italy and the Levant on his own account (o). However inconſiſtent this traffic might be thought with his ſtation, it would contribute to leſſen the contempt with which the gentry affected to treat the trading part of the ſubjects, and create in the public eſtimation a reſpect for the merchants.

And notwithſtanding the many oppreſſions, which the inferior ranks of people were obliged to ſubmit to from the death of king John to the acceſſion of Henry the Seventh, their condition and circumſtances were ſo far improved, as to promiſe a better cultivation of the lands, and greater attention to arts, manufactures, and commerce. After a ceſſation from foreign and domeſtic wars, which had been carried on with few interruptions for a long period of time, all orders of men muſt have been better diſpoſed to cultivate the arts of peace, and to turn their views to ſuch objects as tended to promote the national welfare. Or if it ſhould be ſuppoſed, that no alteration had

(o) Ann. Burt. p. 559. Parl. Hiſt. v. II. p. 366.

been

been made in the ſentiments and manners of the nobility and gentry, the merchants began to emerge from obſcurity, and aim at wealth and independence. The ſtate of the villains and glebe-tenants ſeems likewiſe to have been very much improved. Though they had made a deſperate, but fruitleſs, effort to break the chains of vaſſalage under the reign of Richard the Second, yet they afterwards met with a more humane and generous treatment from their maſters, and obtained ſome mitigation in the cuſtomary ſervices required from them: and, how much ſoever their maſters might be inclined to exerciſe their ancient authority over them, the deſign was found to be impracticable. The ſpirit of freedom had ſo far poſſeſſed the inferior order of people, that vaſſalage could no longer be maintained in its ancient rigour. The ſervants and retainers of the nobility, who chiefly conſiſted of the ſons of their tenants, were ſtill held in a ſtate of dependence, and approached the neareſt to the condition of vaſſals; but, preferring a life of eaſe to a laborious occupation, they chearfully aſſumed the badges

or liveries of their masters. Statutes, indeed, were enacted under almost every reign against giving of liveries or badges; but the kings were obliged, through fear or interest, to connive at offenders. And it could scarcely be expected, that the opulent barons would submit to be abridged of a privilege which they thought to be necessary to their grandeur, and even to their safety. And there is as little reason to expect, that their tenants and dependents would forego the invitation to ease and plenty in their service, and voluntarily engage themselves in the labours of the loom, husbandry, or any manual occupation. Maintained chiefly by their masters, and entitled to their protection, they were not only ready to execute the orders they received from them, but thought themselves privileged to commit acts of violence and outrage upon such as they considered to be their enemies; and, as their masters sometimes shared in the booty acquired by stealth or rapine, they were ready to screen or wrest them from the hands of justice. When dismissed from service, they main-

tained themselves by theft or robbery; or, retiring to their cottages and families, waited till some public commotion drew them again into service. In London, and in almost every other populous town, robberies were so frequent, as to oblige many of the inhabitants to go armed in the evening. Nor were the villages entirely exempted from their depredations. Great care was taken to raise the hue and cry when a robbery was committed; and an order was made under Edward the First, that the bushes and underwoods, within two hundred feet of the high road leading from one market-town to another, should be cut down, that robbers might not shelter themselves under them, and seize the unwary passenger (p). It was likewise enjoined, that the gates of walled towns should be shut from sun-set to sun-rise, and that no strangers should be permitted to lodge in the suburbs, unless the host would be answerable for them (q). This licentiousness of the lower rank of people

(p) 13 Ed. I. c. 5.
(q) 8 Hen. VI. c. 4.

may be attributed not only to the discarded retainers of the nobility, but to the soldiers, when dismissed from service. No public provision was made for the latter; and, accustomed to idleness, they were unwilling or unable to maintain themselves by their own industry. So great was the value set upon liveries, that some of the nobility exposed them to sale, and found purchasers among the lowest and most disorderly of the people (r). Besides the interruption which such a licentious crew must incessantly give to the farmer and tradesman, such a mode of life diverted their attention from useful occupations, and trained them up in idleness and immorality. The husbandmen complained, that their servants deserted, and engaged themselves in the service of the nobility; and if the weavers and mechanics retained their servants, it was by the aid of higher wages, and the grant of some particular privileges annexed to their calling. But if dependence was the lot of the glebe-tenants,

(r) 1 R. II. c. 7. 1 H. IV. c. 7. 7 H. IV. c. 15. Parl. Hist. v. I. p. 368. 385.

and

and almoſt all the occupiers of the lands, the inhabitants of cities and boroughs, and artificers of every kind, were gradually breaking the fetters of ſervitude, and preparing themſelves for aſſerting that degree of liberty which is neceſſary to promote emulation and induſtry. And though the huſbandmen were held in a ſtate of ſubjection ſome time longer than the reſt of the people, yet they almoſt imperceptibly gained a ſhare in the general freedom.

It was a proof of the advances made in arts and civility, when the labourers and workmen became of ſo much conſequence to the legiſlature, as to require a regulation of their wages. The few arts, which were neceſſary to a rude and unpoliſhed people, had been for ſome ages almoſt entirely in the hands of ſlaves or dependents of the nobility. The workmen now began to ſet a value on their ſkill and knowledge in their profeſſions. Almoſt every trade was conſidered as a myſtery, and the members of it formed into a company or fraternity, who eſtabliſhed rules for the better regulation of their reſpective crafts, and

ſometimes entered into combinations for advancing their wages. The firſt inſtance of this kind is to be found among the carpenters and maſons; the laſt of which being extremely numerous, on account of the many public buildings then erecting, were forbidden by ſtatutes to aſſemble for the purpoſe of raiſing their ſtipends (s). The wages of the mechanics in general were much higher than thoſe of the labourers in huſbandry. The advantages were ſo much greater on their ſide than thoſe offered by the farmers to their ſervants and labourers, that, as before obſerved, parents bound their children apprentices to the mechanics and manufacturers to the great mortification of the land-owners, who endeavoured in vain to reſtrain them. The barons had formerly obtained a law for preventing the ſons of their villains from entering into orders without their conſent (t). Afterwards they attempted to hinder their glebe-tenants from diſpoſing of their effects by

(s) 34 Edw. III. c. 9. 3 H. VI. c. 1.
(t) M. Par. p. 101.

will:

will (*u*): and they now laboured to retain them in a state of equal servitude by debarring them from disposing of their children in apprenticeship to the mechanics after the age of twelve years (*w*). Though many of their tenants, by the smallness of their farms, by their poverty, and increase of pasturage, were become rather burdensome than useful, yet the land-owners were unwilling to lose the services to which they were bound, or resign the jurisdiction, which they exercised over them according to ancient custom. The decay of husbandry was pleaded as a reason for exerting this authority over their vassals: and the plea might be just; but it cannot be supposed, that their tenants would desert their proper callings, unless they had laboured under some great oppressions. And the train of services to which they were subject, as well as the smallness of their wages, might be inducements for endeavouring to change their condition.

(*u*) M. Paris, p. 209.
(*w*) 12 Ric. II. c. 5. 7 Hen. IV. c. 17.

The

The boroughs, which had been rising into consequence by the improvement of commerce and manufactures, afforded an asylum against the tyranny that was usually exercised in the villages. By the edict of William the First, these had enjoyed the privilege of giving freedom to such villains as fled thither, and were not reclaimed by their masters within a year; and the immunities they offered, and the particular manufactures carried on there, were constant allurements to freemen and slaves to obtain a settlement, and be admitted as members. After the insurrection in the time of Richard the Second, many of the insurgents took refuge there, in order to elude the pursuit of their masters (x). And though a law was made for reclaiming them, it proved in a great measure ineffectual. In former times the inhabitants of the borough-towns had been placed on a level with the glebe-tenants; and even after their franchises had been enlarged, they had been occasionally subject to the

(x) 9 Ric. II. c. 2.

arbitrary

arbitrary exactions of the crown. By degrees they rose into notice and estimation, and obtained a more ample security of their rights and property. By engaging in trade and manufactures, they were enabled to contribute in a liberal manner to the public aids. On every occasion of this kind they were applied to, and their representatives more readily admitted to a seat in the parliament. As the commerce of the nation increased, they advanced in opulence and power, and afforded, by the regulations which they established in the towns under their jurisdiction, the first instances of an useful police. The hospitable reception, which, for a time, they gave to every industrious refugee, served to add to the number of their workmen; and these in return gave a new and additional vigour to all the branches of commerce.

And every order of men received some benefit from the improved state of commerce and manufactures. A body of farmers began to be formed, who obtained a greater degree of consideration than had been usual in former ages with persons of their

their occupation. The gentry treated them with greater lenity; and the trade of the nation increasing, they partook of its benefits. The enlarged number of manufacturers gave an additional value to the men and cattle of the land-holders; and this improvement in their circumstances enabled them to give a better cultivation to the lands. As they were able to manage a larger quantity of land than the ancient glebe-tenants, several small farms were united, and one formed of a size equally useful to themselves and the public.

Between the nobility and merchants an intermediate body of men was gradually formed, which assisted in extending and maintaining public liberty against the encroachments of the crown and barons. This consisted chiefly of knights and esquires. The last of these had formerly been the attendants of the other in their military capacity, and engaged wholly in the exercise of arms. They now began to consist of merchants, burgesses, and others, who, retiring from business, purchased estates with the emoluments of their industry: and

though

though usually called on to receive the honour of knighthood, generally compounded for their refusal by the payment of a stipulated sum of money: and as this demand was frequently repeated, they petitioned the parliament to compound only once (y). As, however, they were placed among the gentry, the profession of arms was considered as their chief employment. In the time of Edward the Third, a charge was given to the sheriffs, on the election of members of the parliament, to chuse two knights or esquires for every county, expert in feats of arms, and two citizens for every city, and two burgesses for every borough, who had the greatest skill in merchandizing and shipping (z). This is a just description of their respective characters. Trade was at that time considered as almost beneath the attention of a gentleman; or, if any regard was paid to it by the knights and esquires, it was chiefly by those who had been engaged in it in the early part of life, or on account of the export of wool,

(y) Parl. Hist. v. II. p. 246.
(z) Ib. v. I. p. 335.

in

in which they were immediately interested. A succession of foreign and intestine wars had obliged the nobility and gentry to apply themselves to the exercise of arms. The spirit of chivalry had softened the ferocity of their manners both in war and the common intercourse of life; but qualities of this kind contributed little to the advancement of arts and commerce. These were still looked upon as plebeian employments, and fit only for citizens and burgesses. And though these frequently abused their powers and franchises, and aimed at forming monopolies, yet they assisted in introducing order and regularity into their respective districts, and in laying the foundation of liberty and commerce.

CHAP.

CHAP. VI.

REMARKS UPON THE HISTORY OF THE LANDED AND COMMERCIAL POLICY OF ENGLAND, FROM THE ACCESSION OF HENRY THE SEVENTH TO THE END OF THE REIGN OF QUEEN ELIZABETH.

THOUGH the princes of the line of Tudor sometimes acted on more despotic principles than many of the kings from the time of signing the great charter, yet they imperceptibly laid the foundation of general freedom. Various causes concurred to bring about so fortunate an event. Henry the Seventh found, from the history of former kings, that they had enjoyed a very precarious authority under the prelates and nobility, and that the crown itself had been frequently at their disposal. In those ages it was no slight mortification to the sovereign, that he should be obliged

to

to act in this dependent capacity, and hold the crown and its prerogatives at the pleasure of a few opulent and powerful subjects. To one of Henry's arbitrary disposition it was extremely mortifying. It became therefore an act of policy, for his own ease and the security of his family, to lessen the power of the nobles, and give authority to the commons. The last of these had generally been so tractable and submissive, and so much influenced by the crown or nobility, that they had given little opposition to the measures of the court, or to the demand of parliamentary aids. Few of the members of the house of commons had been patriotic enough to draw upon themselves the resentment of the crown by defending the rights of the people, as every attempt of this kind usually terminated in imprisonment or the payment of a fine. It was visible, from past and recent experience, that the principal opposition to the will of the sovereign was to be expected from the barons, and for this reason their power alone became the object of his jealousy.

To

To effectuate the design of depressing the nobility, the state of things at that period was peculiarly favourable. Many of the nobles had perished in the struggles between the houses of York and Lancaster; and their power had been so diminished by mutual confiscations, that it became a work of no great difficulty to reduce it to a proper degree of subjection. The few that remained after the accession of Henry, were attached to him through fear or interest; and he was not of a temper that would restore his enemies, or strengthen the peerage by the revival of old titles, or the creation of many new ones. His ministers and favourites were so unconnected with the nobility as to be obliged to depend upon him, and obey his orders; and if it became necessary, like an eastern despot, he could sacrifice them to popular resentment, and gratify his avarice, without giving offence to the most powerful of his subjects.

By enforcing the acts against the giving of liveries, by permitting the cutting off entails, dissolution of the monasteries,

encouragement of trade, and other causes co-operating with them, the house of Tudor gave a fatal blow to the power of the nobility; and in some degree enabled, though very undesignedly, the commons under a future reign to overturn the throne with almost the same facility as the barons had frequently done in former ages.

The great number of dependents retained by the peers laid the foundation of an extensive authority, and helped to maintain it against the attempts of the crown or commons to reduce it within such bounds as might have been usefnl in the support of liberty. On every occasion of disgust given to the nobility by the king or his ministers, they generally came armed to the parliament with their servants and retainers, under a pretence of providing for their safety; but in reality to support their authority against the power of the sovereign. An affectation of grandeur, as well as policy, led them to maintain such a number of attendants in a kind of military service. Several acts had been made, under former kings, to restrain this practice, and

confine

confine the giving of liveries to menial or domeſtic ſervants. But the opulence of the barons, and the unſettled ſtate of the nation during the conteſt between the houſes of York and Lancaſter, prevented the execution of theſe ſalutary laws. They were never duly executed till Henry the Seventh took upon himſelf this care, and by one ſevere example ſtruck a terror into all offenders againſt them (*a*). The lower ranks of people, thus abandoned as it were by their ſuperiors, were obliged to exert ſome degree of induſtry, and to depend on their labour for a maintenance. And the barons, finding at the ſame time a greater advantage in receiving money from their tenants than a perſonal attendance, very willingly exchanged it for ſervices that were now become uſeleſs or dangerous.

The power of entailing eſtates has always been a favourite object of the nobility and gentry, in every country where freedom has been eſtabliſhed, as neceſſary for

(*a*) Bacon's Life of Henry VII. p. 630.

ſupporting and perpetuating the grandeur of their families. Or if the heirs of ſuch eſtates ſometimes complained of the limitations and reſtrictions under which they held them, no attempt was made by the legiſlature to relieve them till the reign of Edward the Fourth. A ſtatute of Edward the Firſt, which gave a power to entail eſtates, was pretty ſtrictly obſerved till that time, when it was rather eluded than repealed (*b*). Landed poſſeſſions, held under theſe limitations, were ſimilar to thoſe of the clergy, and operated upon commerce in the ſame manner. Debts, however juſt, could not always be diſcharged, for want of liberty to alienate eſtates, and ſatisfy the demands of creditors; nor could money be raiſed on any exigence or occaſion, though it might ſometimes have been laid out for the benefit of the family in poſſeſſion, or for the public ſervice. This was a grievance felt by men of moderate fortunes, and by the merchants in general; and it became inſupportable as the

(*b*) De don. condition.

national

national commerce was enlarged. Debts were contracted through necessity or prodigality, which justice required to be paid; and money was so necessary for the encouragement of trade, that it became equally useful to the creditor and merchant to break the entails of estates, and levy money upon them by sale or mortgage. It is, nevertheless, doubtful, whether any of these reasons led the legislature to permit the alienation of lands by fine and recovery. When this useful liberty was obtained, our commerce was inconsiderable, and held in such low estimation by the gentry, that the interest of trade can scarcely be supposed to have had any influence in procuring it. It was perhaps primarily designed to weaken the power of the nobility, and lessen their authority among the commons, by permitting them to dissipate their fortunes. Whatever might be the reason, the practice of breaking entails, which was begun under Edward the Fourth, received a confirmation and encouragement from Henry the Seventh (c); and, from

(c) 4 Hen. VII. c. 24. Bacon's Life of Hen. VII. p. 596.

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his ſuſpicious temper and jealouſy of the nobility, it may be preſumed, that he would give it a ſanction with a ſecret intention to undermine their opulence and power. And by the gradual advancement of trade and acceſſion of wealth, under the ſucceeding princes, it brought many lands into commerce which had formerly been almoſt as unalienable as thoſe belonging to the church or abbies. The benefit of this revolution in landed property accrued chiefly to the merchants and tradeſmen, who were enabled by it to enlarge the commerce of the nation, and to reduce the power of the nobility, which had formerly been ſo oppreſſive to the ſubjects.

And this circulation of landed property was haſtened by the leave given under the ſame king to ſuch as ſerved abroad in a military capacity to alienate their eſtates. The neceſſary expences incurred in theſe expeditions gave occaſion to this liberty, and co-operated in reducing the ſubjects nearer to an equality, as well as promoting the intereſt of trade. A power was afterwards obtained of diſpoſing of ſome landed

eſtates

eſtates by will; which had formerly been ſubject to many reſtrictions; and, after various ſtruggles for the exerciſe of it under Henry the Eighth, was in a great meaſure effected. The power of the nobility was thus almoſt imperceptibly diminiſhed, and a foundation laid for raiſing the ſuperſtructure of a more equal government on the ruins of the ancient feudal eſtabliſhment.

If the operation of theſe cauſes aſſiſted in creating a revolution of landed property, the diſſolution of the monaſteries promoted the ſame end in a more extenſive manner. Though monaſtic inſtitutions were productive of many advantages in an uncultivated country, they became in a courſe of ages detrimental to the commercial intereſt of the nation, by preventing that circulation and diviſion of landed eſtates which are eſſential to the encouragement and ſupport of foreign and domeſtic trade. It has been already obſerved, that the monks, in the early ages of their hiſtory, were induſtrious in improving the lands in their neighbourhood which they had acquired by purchaſe or donation. It was

in a great measure owing to their skill and industry that many wastes and marshes were brought under cultivation, and rendered profitable to themselves and the public. They were the chief improvers of lands in their early state, and set the first examples of good husbandry, though followed by few of the laity, who were more inclined to wrest from them the fruits of their labours than to make similar improvements. In length of time, as their revenues increased, they became as distinguished for their sloth as they had formerly been for their industry and charity. The monasteries were resorted to by travellers of every denomination, who were either lodged or supplied with provisions, which, through the want of inns or houses of entertainment, could not readily be obtained in any other place. And they were of some benefit to their neighbourhood by spending the greatest part of their revenues there, which, after their dissolution, were conveyed to the houses of the new proprietors. Nor were the monasteries less

useful

useful to their principal tenants and the inferior gentry. These commonly held many of their farms at very moderate and easy rents. When their possessions became the property of the laity, by purchase or the gift of the crown, their former hospitality in a great measure ceased, and the ancient tenants were ejected, or their rents advanced. And it was probably on these accounts that the monks found so many friends and abettors among the laity after the dissolution of the monasteries, and that the people broke out in riots and insurrections. No legal provision at that time having been made for the poor, they were reduced in many places to great distress by with-holding the assistance and relief they used to receive from the monasteries. Neither arts or manufactures had been so far improved and encouraged at that time, as to furnish constant employment to the poor, if we should suppose them to have possessed the requisite skill and industry. After repeated trials had been made to repress vagabonds by

sever-

ſevere puniſhments, and the voluntary contributions for the maintenance of the poor had been found inſufficient, a legal proviſion for them became an act of neceſſity.

But, whatever partial advantages might accrue to the public from the monaſteries, many inconveniences reſulted from them. They prevented that diviſion of landed property which is neceſſary in a commercial ſtate, and uſeful in the ſupport of liberty. Civil freedom can ſeldom be long maintained or ſecured, in an extenſive country, where the lands are poſſeſſed by a few, as theſe will always enjoy an influence in the legiſlature proportioned to their riches. A monarchy or ariſtocracy will take place, and the commons will be almoſt entirely excluded from that ſhare of power which is neceſſarily required to introduce and ſupport the principles of liberty. The landed poſſeſſions of the nobility, prelates, and monaſtics, were ſo large as to caſt the balance of power ſo much on their ſide, that they were able to aſſume the reins of government, and to keep them almoſt conſtantly in their own hands.

hands. Conventual and church lands are ſeldom ſo well cultivated and improved by the tenants as thoſe of private property; and for this reaſon the nation loſes the benefit of a full cultivation, which, though not always profitable to individuals, is beneficial to the public. And it may be added, that it would be of ſome ſervice to the nation, as well as to the manufacturers, and artiſts of every denomination, to employ thoſe hands in their reſpective occupations which might have been maintained in the monaſteries in a ſtate of idleneſs. But our commerce was then ſo low, that this beneficial conſequence could not be readily diſcerned; and, in the eſtimation of many, the monaſteries might be thought of equal ſervice to the public as the great number of retainers and domeſtics maintained in the ſame ſtate of idleneſs by the nobility and gentry who ſucceeded them in their poſſeſſions. It muſt, nevertheleſs, be advantageous to every mercantile and free nation, to admit the commons to a proper ſhare of the lands, by allowing of their alienation, and to employ as many

perſons

persons as possible in manual labour and works of industry. By the advancement of trade, and progress of the arts, the time was approaching when every one might find employment in some useful occupation; and it was undoubtedly hastened by the necessities and distress brought upon such a numerous body of poor, who had been encouraged to live in a state of sloth by the charity of the monastic orders. Whatever was wanting to facilitate the circulation of landed property, and assist creditors in the recovery of their debts, was in length of time acquired by the statutes relative to bankrupts, first obtained under Henry the Eighth, and improved under Elizabeth. Some provision was also made for the security of tenants who held their farms under a lease, by giving it a legal confirmation upon a change of landlords. As it might have been vacated by a new purchaser of the estate, the tenant must have been frequently discouraged from improving his lands, under an apprehension that a new landlord might take

advantage

advantage of his improvements, by ejecting him, or advancing his rent.

It could not be expected, that the permission given to break entails, or dispose of estates by will under certain conditions, or even the dissolution of the monasteries, could produce any material effect in lessening the power of the nobility, till commerce had brought riches into the nation, and introduced a revolution of property. Through the scarcity of money in former ages, it was not easy to find purchasers for extensive tracts of land. Commerce alone could furnish a supply for this purpose; and, by the luxuries it imported, tempt the nobility and gentry to be more expensive in their mode of living. And at this period, fortunately for public liberty, trade began to flourish, and money became more plentiful than in preceding ages. The commons were enabled, by the returns of commerce, to purchase landed estates; and increasing in riches, as the gentry advanced in luxury and expences, brought them nearer to an equality. And this effect will always attend the increase of

of commerce in every extenſive ſtate, that, if the lands are permitted to be alienated, many of them will be purchaſed by the mercantile part of the nation; and this revolution of landed property will either introduce a change of government, or oblige it to verge towards a democracy. A balance can be maintained only by new patents of nobility, and increaſing the numbers as the commons advance in riches.

The conſequences of the influx of wealth, by commerce, muſt be, for a conſiderable courſe of time, almoſt imperceptible. The progreſs of luxury is generally ſlow, and the circulation of landed property is commonly according to its advances. The effects of luxury are firſt felt by the higher ranks, as the benefits of trade are perceived by the lower claſs of people. And the progreſs of commerce was not ſo rapid as might have been expected from the ſtate of the nation. The body of the people, in ſome meaſure released from the bondage and tyranny of the nobility, could not immediately apply themſelves to laborious occupations, equally

neceſſary

neceſſary to their own intereſt and the encouragement of trade. Brought up in idleneſs, or retained in a ſtate of dependence on their landlords, induſtry became inſupportable. Retiring to their pittance of land, which under a very low rent had been formerly granted in conſideration of their perſonal attendance or ſervices, they became ſlothful, and choſe rather to ſtarve than exert an induſtry to which they had never been accuſtomed. A few of the moſt active and enterpriſing might engage themſelves in the woollen or other manufactories; but the greater part continued to prefer a life of poverty and idleneſs to all the emoluments of a laborious employment. By degrees the ſpirit of induſtry and trade took poſſeſſion of the lower rank of people, and helped to releaſe them from that ſtate of vaſſalage in which they had been held for ſo many ages. From the reign of Richard the Second, the rigors of ſervitude and dependence had been conſtantly relaxing; and the villains had begun to be conſidered rather as petty tenants

than as ſlaves. And the progreſs of freedom, from that period, would have been more conſpicuous, if it had not been retarded by domeſtic wars. Theſe kept up the dependence of the commonalty on their landlords, and engaged them in their ſervice. The tenants and vaſſals of every conſiderable land-owner always partook of the good or ill fortune that attended his arms. If victorious, they joined in plundering his enemies; and, on a reverſe of fortune, they were treated in the ſame manner. They would therefore intereſt themſelves in defending their maſter's party, and take up arms for their own ſecurity; and for the ſame reaſon the nobility would encourage this dependence of their tenants, in order to employ them in their defence and ſupport. The power of the barons had, nevertheleſs, gradually declined. From the ſmall number of ſoldiers engaged at Boſworth between Richard and Henry, it ſhould ſeem as if the common people were not ſo ready as in former times to bear arms at the call of their maſters.

maſters. If we ſhould ſuppoſe the commonalty to have been more deſirous of liberty than they really were, yet the increaſe of trade was ſo ſmall, that they could ſcarcely procure a maintenance without their uſual dependence on their landlords. And it was a fortunate circumſtance in behalf of public liberty, that the lower order of people almoſt diſcarded by the higher, as no longer uſeful or neceſſary to ſupport their grandeur, was obliged to become induſtrious: and it was equally profitable to the public, that commerce began to be encouraged, and furniſhed employment for a number of people, that was almoſt reduced to beggary by the gift of freedom.

This alteration in the condition of the people, and more equal diſtribution of landed property in conſequence of the ſeveral ways opened for alienation, muſt have had an influence on the landed and commercial ſtate of the nation, and would neceſſarily introduce a variety of laws relative to both. The moſt remarkable ſtatute relative to huſbandry was enacted under the

reign of Henry the Seventh, obliging the owner of every houſe, that then was, or within three years laſt paſt had been, or hereafter ſhould be, let to farm with twenty acres of land or more lying in tillage, to keep and maintain houſes and buildings on the ſaid lands neceſſary for maintaining the ſaid tillage, under a penalty, that the king or lord of the fee ſhould yearly receive a moiety of the profits of the lands, wherever the houſes or buildings were not ſo maintained (*d*). In the following reign it was ordained, that whoſoever ſhould convert tillage-lands into paſture, ſhould forfeit a moiety of the profits of the lands to the lord of the fee; and, if he neglected to receive it within one year, it ſhould become the property of the crown till converted into tillage again (*e*). In the time of Edward the Sixth, it was enjoined with ſome exceptions, that ſo much land ſhould be put to tillage as was at any time in tillage, and ſo kept for four years from the firſt of Henry the Eighth, under the penalty of

(*d*) 4 H. VII. c. 19.
(*e*) 6 H. VIII. c. 5. 7 H. VIII. c. 1. 27 H. VIII. c. 22.

for-

forfeiting five ſhillings an acre (*f*). Under the reign of Philip and Mary, the act of Henry the Seventh was confirmed, and commiſſioners were appointed to inquire what defaults or offences had been committed againſt it ſince the twentieth of Henry the Eighth (*g*). In the next reign, the foregoing ſtatutes of Edward the Sixth and Philip and Mary were repealed; and the ſtatutes of Henry the Seventh and Eighth were revived, under the penalty of forfeiting ten ſhillings for every acre converted from tillage into paſture (*h*). Afterwards it was ordained, that lands in tillage ſhould not be converted into paſture, and that all ſuch lands as had been converted into paſture ſince the firſt of Elizabeth ſhould be again converted into tillage (*i*).

The ſtatute of Henry the Seventh, which laid the foundation of the others, deſerves particular notice, as affording an inſtance of the interference of the legiſlature in directing the management of lands, and

(*f*) 5 and 6 Ed. VI. c. 5.
(*g*) 2 and 3 Ph. and M. c. 2.
(*h*) 5 Eliz. c. 2.
(*i*). 39 Eliz. c. 1, 2.

at the ſame time ſerving to ſhew, how uſeleſs all regulations of this kind are found upon trial. It was commended by almoſt every diſtinguiſhed ſtateſman during the reigns of the Tudor family; and, from the care taken to revive or improve it by the parliaments for about a century, it ſhould ſeem as if its utility had been generally acknowledged. Sir Thomas More, in his Utopia, hints at the uſefulneſs of a law of this kind; and lord Bacon took every occaſion to recommend it in the houſe of commons and in his writings. In the year 1597, diſtinguiſhed for the high price of grain, 'Mr. Francis Bacon ſtood up, and made a motion in the houſe of commons againſt inclofures, and depopulation of towns and houſes, of huſbandry and tillage. For inclofure of grounds brings depopulation; which brings firſt idleneſs; ſecondly, decay of tillage; thirdly, ſubverſion of houſes, and decay of charity and charges to the poor; fourthly, impoveriſhing the ſtate of the realm (*k*).

His ſpeech was ſeconded by Sir John Forteſcue, chancellor of the exchequer, who

(*k*) Parl. Hiſt. vol. IV. p. 414.

gave

gave his opinion much in the ſame way with Mr. Bacon.'

Lord Bacon afterwards, in his Life of Henry the Seventh, expatiates upon this ſtatute, and tells us, 'that it was of ſingular policy for the population apparently, and, if it be thoroughly conſidered, for the ſoldiery and military forces of the realm.'

Incloſures at that time began to be more frequent, whereby arable land, which could not be manured without families, was turned into paſture, which was eaſily rid by a few herdſmen; and tenancies for years, lives, and at will, whereupon much of the yeomanry lived, were turned into demeſnes. This bred a decay of people, and by conſequence a decay of towns, churches, tithes, and the like. The king likewiſe knew full well, and in no wiſe forgot, that there enſued withal upon this a decay and diminution of ſubſidy and taxes; for the more gentlemen, ever lower the book of ſubſidies.—The ordinance was, that all houſes of huſbandry, that were uſed with twenty acres of ground and upwards, ſhould be maintained and kept up for ever, together

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with a competent proportion of land to be used and occupied with them, and in no wise to be severed from them, as by another statute made afterwards in his successor's time was more fully declared.--- By this means the houses being kept up did of necessity enforce a dweller, and the proportion of land being kept up did of necessity enforce that dweller not to be a beggar or cottager, but a man of some substance, that might keep hinds and servants, and set the plough on going (*l*).'

From the time of enacting this statute to the reign of James the First, every scarcity of grain was usually imputed by the commonalty to the neglect of enforcing it; and its revival was always considered as the most effectual means of restoring plenty. And though the landowners had sometimes interest enough in the parliament to have bills of this kind rejected, yet this act was so popular, or thought to be so beneficial or necessary, that they were frequently obliged to submit to its revival (*m*). And there is no doubt but it was agreeable to

(*l*) Bacon's Life of Henry the Seventh, p. 596.
(*m*) Parl. Hist. vol. III. p. 247.

the

the petty farmers and labourers in husbandry, as it promised to supply them with employment and a maintenance. The greatest part of the landowners considered it in another light. From the care they took to elude or defeat it, though enforced and improved by succeeding parliaments, it appears to have been thought inconsistent with their interest: or, if it restrained any proprietors of lands in tillage from inclosing them, they were chiefly the petty freeholders.

If grain had been looked upon as an article of commerce, and population encouraged by growing it for the use of foreigners, this act might have been defended as founded on the principles of true policy. Considered in any other light, it could serve only to debar the landowners from applying their estates to the most profitable purposes, and oblige them to maintain at their expence a number of cottagers and petty tenants without augmenting the public revenue, or preventing a scarcity of grain. The size of the farms here recommended was too small to be beneficial to the tenant, landlord, or the public.

The first and principal design of the act was to prevent inclosures, which, as lord Bacon observes, became at that time more frequent, on account of making, as may be justly supposed, more profitable returns to the owner, than lands in tillage. And if we compare the value of grass and corn-lands, we may be enabled to account for the frequency of inclosures in those ages.

For some centuries after the settlement of the Normans, almost all the fields of arable land were undivided by fences, and the boundaries of parishes ascertained by annual perambulations. And though this custom has been in a great measure laid aside, where the lands have been inclosed; it is still very usefully continued where the extremities of parishes border on wastes or common pastures.

There is no doubt but some lands in every parish, as soon as it began to be cultivated, would be singled out for the purpose of providing fodder for cattle in the winter; and it may be justly supposed, such parcels would be allotted to this use as were situated near brooks or rivers, and

were

were the moſt likely to yield a proper quantity of hay under the dryeſt ſeaſons. This was therefore rather a ſeparation of the graſs and arable lands than an incloſure. But as ſoon as one perſon obtained by purchaſe or exchange ſeveral parcels of meadow-land, which lay contiguous to each other, he generally found it to be his intereſt to incloſe them, if he was not debarred by the other freeholders, who claimed a right to depaſture their cattle there after the graſs was mown.

The ſame obſervations may be made on the commons or paſtures for ſheep, horſes, cows, and oxen for the plough. As milk, butter, and cheeſe, made a principal part of the food of the people, and the price of wool was high, the common paſture was generally much larger than was neceſſary for the manurance of the arable lands, and partly applied to the maintenance of cows and ſheep. And, for a very obvious reaſon, ſuch lands would commonly be aſſigned to this purpoſe as were ſituated at the extremities of the pariſh, or at the greateſt diſtance from the town. Theſe lands are

ſeldom

ſeldom ſo well cultivated and manured as thoſe which lie nearer the farm-houſe: and in the time of harveſt the carriage of the grain from them is tedious and expenſive. And it may be added, that in countries where coals were ſcarce, a part of the lands was uſually covered with buſhes and wood for fuel.

As incloſures were few, and generally converted into meadows or paſtures, the greateſt part of the grain was raiſed in the open and undivided fields. And it was ſcarcely poſſible to apply them to any other uſe. There were oftentimes ſo many proprietors, and every one's ſhare lay ſo diſperſed, that it was neither practicable for any ſingle freeholder to incloſe his portion, nor to perſuade the occupiers to practiſe any other mode of huſbandry than that which had been uſed from time immemorial. Unleſs a general conſent could be obtained, the moſt ſkilful and enterpriſing farmer was debarred from making any material alteration in the ſucceſſion of the crops, and obliged to ſubmit to the mode of huſbandry authorized by cuſtom, though he might juſtly think

think it capable of great improvement. In many respects, therefore, the state of the fields in tillage was nearly the same as in the time of the Anglo-Saxon government.

In the early part of the reign of Henry the Seventh, the lands were chiefly possessed by the nobility, clergy, and monastics, and generally divided into such small farms, that they afforded little more than a livelihood to the family of the occupier. The barons, for their own profit as well as security, increased the number of their tenants and vassals; and usually divided their tillage lands into small farms, for the sake of providing for them. Many of these were so much confined to their service in works of husbandry, that they neither had room to exert themselves as freemen, nor to labour for their own benefit. A part of their rent, according to ancient custom, was paid by personal labour, or the service of the plough.

The abbey and church lands were not under better regulations. Many of the tenants of the bishops and abbots discharged

charged a great part of their rents by personal service, like those of the barons. And as the maintenance of the poor was chiefly left to the clergy and religious orders, they might imagine that the poor would be best provided for by the division of the lands into small farms, which might be sufficient to maintain them without any charitable contributions.

When some of the obstacles to improvements in agriculture were removed by weakening the power of the barons towards the end of the reign of Henry the Seventh, and industry was encouraged by the dissolution of the monasteries, and the increase of our manufactures and commerce under his successor, the lands gradually began to feel the change. Landed property became more divided among the people; and many beginning to labour for themselves succeeded according to their industry. But the old habits of the husbandmen could not be laid aside immediately: nor could the petty tenants be reduced without violence to the state of labourers by uniting their small parcels of land into one farm. The lands

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in general ſtill continued in the occupation of a race of cottagers, who, probably, for a great number of years after the power of the barons had ſenſibly declined, and the monaſteries had been diſſolved, longed for the holidays and good cheer they had occaſionally enjoyed under their ancient maſters.

Nor was the diviſion of the open fields into ſmall parcels the only impediment to improvements in huſbandry. Though the price of grain was generally low, wool was a profitable article, and brought in a great part of the money, which circulated in the kingdom. For this reaſon, a large portion of almoſt every pariſh was converted into a common paſture for ſheep and milch cows. And by thus increaſing the breed of ſheep for the ſake of the wool, the ſloth of theſe cottagers was in ſome degree encouraged. The attendance they required was much more agreeable than the labour and expence of a plough.

The open and undivided fields continued in this wild ſtate, with a few exceptions in particular places, till a number of cottages,

and the few acres belonging to them, gradually became the property of one perſon, who erected a decent farm-houſe, and annexed an adequate quantity of land. And from this time we may date the riſe of improvements in huſbandry. Theſe new tenants, being now poſſeſſed of farms of a proper ſize to find conſtant employment for a plough and yoke of oxen, raiſed a greater quantity of grain than when the lands were divided into ſmall parcels. Other reaſons may be aſſigned for the removal of the cottagers from theſe ſmall farms. As ſoon as the roads began to be repaired, and ſome of the rivers were made navigable, the carriage of goods, which they had formerly in a great meaſure engroſſed, was diverted into other hands. The moſt induſtrious of theſe cottagers were the higlers, badgers, and carriers of thoſe times, who trafficked in all thoſe petty articles, which then began to be conveyed to the market by the firſt owners, or were diſpoſed of in a different manner. And this loſs, with the increaſed expence of living, obliged them to reſign their pittance of land, and work as labourers.

It

It is not, however, to be ſuppoſed, that all the lands in tillage were divided into ſmall farms, and occupied by cottagers, in any period of our hiſtory. There were undoubtedly hides of land in the occupation of one perſon before the reign of Henry the Seventh; but they were few when compared with the preſent number of farms of this extent. The union of the cottage-lands into one farm began about his time, and the cuſtom has continued to the preſent, in which we find fewer farmers, and more labourers, than in former ages. On this account, it is imagined that the number of families in the villages has been gradually reduced, and the cottages deſtroyed, when their lands were taken from them. And undoubtedly there is ſome truth in the obſervation. But it may be remarked, on the other hand, that the ſame lands required nearly an equal number of people to cultivate them as long as they continued in tillage, though ſome of the ancient occupiers might be reduced to the capacity of labourers. Suppoſing nevertheleſs the number to be leſſened by the union of ſmall farms,

farms, the public received the advantage by the greater plenty of grain and provisions. From the bad husbandry, and the general sloth and poverty of the cottagers, a great part of their scanty produce must be consumed in their own families; and if our lands in tillage were again divided into small farms, instead of exporting grain, we should frequently be obliged to import it from foreign countries.

By thus uniting many small farms, such a number of sheep oftentimes became the property of one man as to admit of their being folded for the benefit of the manure. And this was no slight improvement in husbandry. The sheep belonging to each cottager were commonly too few for this purpose, unless they agreed to unite their small flocks, which, however useful, was not easily effected, except where they were obliged by ancient custom to fold them on the demesnes of their landlord.

It nevertheless appears, from many instances, as if the legislature thought small farms to be the most advantageous to the public; or, at least, that they were the best calculated

calculated for reducing the price of grain, and other products of the lands, and preventing monopolies. In the Isle of Wight lands in tillage being frequently converted into pastures, and several small farms united, it was enacted, that no farmer should occupy any farms, whose yearly rent altogether exceeded ten marks (*n*). As grain was probably of little value there, the landowners were desirous to unite their small farms, and convert them into pastures, as the surest methods of advancing their rents. The produce of these in cattle or wool might be conveyed to London or other markets at a much less expence than corn, and would make a more profitable return. The wool of this island was distinguished for its fineness; and, as that was always a beneficial article, it might be expected, that attempts would be made to augment the quantity. At the same time, the smallness of the farms might induce the landowners to unite them, even if they had been inclined to keep them in tillage. Very small farms afforded little more than

(*n*) 4 H. VII. c. 16.

a ſlender maintenance to the occupiers; yet, when many of them were united, the rent might have been conſiderably advanced, to the emolument of the public, landlord, and tenant. A ſimilar ſtatute was enacted in the time of Henry the Eighth, by which every farmer, with ſome few exceptions, was prohibited from keeping above two thouſand ſheep, or occupying more than two farms; and thoſe were to lie in the town or pariſh where he reſided (*o*). Various reaſons are aſſigned in the preamble of this ſtatute for enacting it. Divers and ſundry perſons, we are told, occupied ſeveral farms, and converted them into paſtures, and not to tillage; that they enhanced the rents of lands, and the prices of corn, cattle, wool, hogs, and poultry; that the labourers were diſtreſſed for want of employment; that they rented large parcels of land on account of the liberty allowed of keeping an unlimited number of ſheep; and that they advanced the price of ſheep for victual as well as wool very much beyond their ancient rates. It is eaſy to conceive, that, when lands in tillage were

(*o*) 25 H. VIII. c. 13.

converted

converted into paſtures for the maintenance of ſheep and cattle, the quantity of corn would be diminiſhed, and conſequently its price enhanced; and, at the ſame time, many of the labourers in huſbandry would loſe their uſual employment, and be diſcarded as uſeleſs. But it is not eaſy to conceive, what detriment could accrue to the public from an advanced rent of lands, or how the great number of ſheep complained of in the act ſhould be the means of enhancing the price of mutton or wool. As it was not allowed to export ſheep, it might have been expected, that, by increaſing their number, mutton would have become more plentiful and cheap, and the danger of a monopoly of wool prevented. But there was no juſt reaſon to complain of the price of wool as ſtated in the act. A ſtone of cloathing wool, it is ſaid, that in ſome ſhires of the realm was accuſtomed to be ſold for eighteen or twenty pence, is now ſold for four ſhillings, or three ſhillings and four pence at the leaſt; and in ſome countries, where it hath been ſold for two ſhillings and four-pence, or two ſhillings and eight-pence, or three ſhillings at the

moſt, is now ſold for five ſhillings, or four ſhillings and eight pence at the leaſt. Cloathing wool is of a very ambiguous ſignification and value, and at a particular time it might have been ſold at theſe prices: but, allowing for the ſtate of the coin at that time, they were more moderate than they had uſually been during the three preceding centuries. Nor is it eaſy to diſcern the utility of limiting the number of farms to two, which each perſon was allowed to occupy, unleſs we ſhould ſuppoſe, that ſmall farms yielded a greater produce than larger, or that a monopoly of grain and wool would take place by enlarging farms, and increaſing the number of ſheep. But this was a very improbable event. The truth is, as the lands had formerly been almoſt entirely in the occupation of petty tenants, whenever the price of ſhamble's meat, wool, or grain, was advanced by unpropitious ſeaſons, or debaſement of the coin, the cauſe was imputed by the populace to the augmentation of farms, and the converſion of tillage-lands into paſtures. And it appears to have been the policy of thoſe times to encourage the

the cottagers, and prevent the union of farms, as if plenty and cheapness of all the products of the lands depended on the smallness of farms.

It should seem, by an act of Queen Elizabeth, as if a very small quantity of land was thought sufficient for the maintenance of a family. Every person, with some exceptions, who erected a cottage, was required to annex four acres of land to it (*p*). This law must in some measure discourage both manufactures and husbandry. An extensive manufactory could not be carried on in many parishes, for want of a proper number of houses for the workmen, if the builders were obliged to annex four acres of land to each house. In those days of frugality, this quantity of land might be sufficient to place the tenants above absolute want, and prevent them from becoming chargeable to the parish; but it was scarcely possible for the most industrious to bestow a proper culture on such a small quantity of land in the open and undivided fields; and the more opulent and enterprising

(*p*) 31 Eliz. c. 7.

farmers could not improve a larger portion, but every cottager would in many cases partake of the benefit. The only end this statute seems to have answered, was to reduce the number of cottagers, or, as styled by lord Bacon, housed beggars, and in some degree to diminish population.

It may be difficult to determine the exact size of farms in order to become the most beneficial to the public. Farms of a moderate size are generally much better cultivated than very small ones, and for this reason must produce a greater quantity of grain; and how plenty of this or any other products of the lands should occasion an advanced price is not easy to conceive. When particular commodities necessary to the artificer or manufacturer fall into the hands of one person or a few, a monopoly may take place; but that the farmers and graziers in every part of the kingdom should combine in fixing the price of grain, shamble's meat, or wool, may be justly thought impracticable. If the merchant or manufacturer, by extending his business, or dealing more largely, should advance the price

price of his goods or merchandize, it may then be thought adviſeable to limit by public authority his trading ſtock, and at the ſame time preſcribe the number of acres and ſheep to the farmer and grazier.

As the power of the barons declined under the reigns of Henry the Seventh and his ſucceſſors, and rents in money were preferred to the ſervices or perſonal attendance of their tenants and dependents, the petty farmers and cottagers began to be looked upon as burthenſome or uſeleſs. And the landowners in general ſaw the advantage of letting their lands in conſiderable parcels, and of maintaining no greater number of tenants than was neceſſary to cultivate, and not to conſume, the produce of their farms in the maintenance of their families. Thus baniſhing a race of cottagers, that could ſubſiſt only upon tillage-farms, they converted many of their lands into ſheepwalks and paſtures, as requiring a leſs number of hands to reap their produce.

And, unfortunately for the cottagers and petty farmers, wool inſtead of grain yielded

the greateſt profit to the landowners. The price of corn was generally ſo low, and the export of it ſo ſmall and uncertain, eſpecially from the interior counties, that it fell ſhort of the profits ariſing from cattle and wool. The landowners therefore turned off many of their petty tenants, and uniting their ſmall farms, frequently permitted them to be converted into ſheep-walks. Butter, leather, and cheeſe, were alſo exported in ſuch quantities, as to advance the rent of graſs lands, and might induce the landowners to convert ſome of their tillage-lands into paſtures, in order to ſupply the markets abroad.

And the improved ſtate of the lower rank of people contributed, in ſome degree, to the ſame purpoſe by increaſing the demand for ſhamble's meat. The commonalty, now releaſed from the tyranny of the barons, and receiving higher wages, became more expenſive in their mode of living. The ſocmen, cottagers, and villains, who conſtituted the greateſt part of the people in ancient times, lived chiefly on the coarſeſt fare; bread, cheeſe, and milk,

were

were their uſual food. And, as long as this kind of diet prevailed, there was ſlender encouragement to enlarge the quantity of graſs land, and fatten cattle for the markets. The conſumption of fleſh-meat nevertheleſs increaſed with the number of manufacturers; and, though it fell ſhort of the demand for it in modern times, it was at that time large enough to require a greater ſupply than could be derived from the ancient incloſures. The landowners were therefore ready to increaſe their paſture-grounds, though at the expence of their plough-lands, to anſwer this new demand. This ſpecies of luxury, if it may be ſo called, has been continually increaſing for ſeveral centuries, and has now reached all ranks of people; and the ſame meaſures have been purſued in modern times, to yield an adequate ſupply. The quantity of corn-lands has been leſſened in the ſame proportion as incloſures have increaſed; but, by the introduction of a better huſbandry, the quantity of corn has not been very ſenſibly diminiſhed.

Before

Before our commerce became considerable, and the manufacturers lived dispersed in different parts of the kingdom, there were few shambles of consequence, except in particular cities and boroughs; and even these might be supplied from the adjacent parishes. But when trade began to flourish, and the capital and many manufacturing towns became more populous, shambles were erected, that required a greater supply than could be drawn from the neighbourhood. In these places the demand for flesh-meat continually increased. The manufacturers and artisans, generally earning more than the country-labourers, could indulge more in this article of provision, which of consequence required a greater quantity of grass-land to furnish a supply.

In those times the difference between the prices of grain and provisions in populous towns and the country was much greater than at present. It was scarcely practicable to convey them to a distant market in the winter unless at a greater expence. And though few market-towns were then as populous as at present, yet some

ſome of them required ſuch an extent of country to ſupply them, that the expence of carriage enhanced the price of almoſt every article much more than in modern times. If London had been at that time as populous, and the conſumption of proviſions as great as at preſent, they would have been extremely dear. The Londoners were frequently ſupplied with grain from Normandy and other parts of France; and in thoſe ages it might have been procured from thence at a leſs expence than from many of the inland counties.

Theſe are ſome of the reaſons for converting tillage-lands into paſtures under the reigns of the Tudor-line, though the principal inducement was the low value of grain, and the high price and free export of wool. This made a more profitable return than corn or any other product of the lands; and it may be preſumed, on this account, that many of the landowners would continue the uſe of the plough no longer than they were obliged by the laws enacted at that time for maintaining tillage.

In

In former ages, when the rent of land was low, twenty acres might be thought ſufficient to maintain a family; and the occupiers, by higling, occaſionally carrying goods to a diſtance for hire, and ploughing the demeſnes of their landlords, might find employment for a team of horſes, or yoke of oxen. And ſuch a ſmall farm would undoubtedly enforce the neceſſity of keeping it in tillage. At preſent farms of this ſize are too ſmall to be profitable to the tenant, except in the neighbourhood of populous towns, where he may meet with employment for his carriages during the interval of work in the field. Farms, indeed, of this ſize are ſtill to be found in many countries; and the occupiers are in the ſame ſtate as their labourers, frequently more induſtrious, and equal in poverty. And it is ſcarcely poſſible, without ſome other employment, to cultivate ſo ſmall a quantity of land with benefit to themſelves and the public. The produce may ſupport an induſtrious family, but the rent muſt be ſmall. And the landowners, from the time of Henry the Seventh, to the preſent, have

 been

been more inclined to enlarge their farms, and increaſe their rents, than the number of their tenants.

It is certain, as lord Bacon and other writers have obſerved, that the ſons of ſubſtantial yeomen and ploughmen afford the beſt recruits to the army (*q*), and that ſubſtantial farmers contributed moſt in proportion to their fortunes to the ſubſidies and taxes. And it is undoubtedly true policy in every nation to encourage tillage as far as it can be encouraged conſiſtently with the demand for other articles. This application of the lands is much more profitable to the public than when they are converted into ſheep-walks. But unleſs a market can be found for the grain at home or abroad, every attempt to enforce tillage can anſwer no other purpoſe than to depreſs the value of the lands, and introduce a ſlothful huſbandry.

In order to encourage tillage with ſucceſs, all the products of the lands ought to be, as far as poſſible, kept upon a level in point of value. Reſtraints in one article

(*q*) Cato de Re Ruſt. c. 1. Plin. Hiſt. l. xviii. c. 1. Colum. de Re Ruſt. l. i. c. 1.

force

force the land-holders to adopt another as soon as it appears to be profitable. The most effectual way of preventing the conversion of tillage-lands into pastures, would have been, to have advanced the price of grain by permitting its export, till the value of grass and arable lands had been reduced nearly to an equality, or to have totally prohibited the export of wool, butter, cheese, and leather. No other measures could be successful; and yet very opposite methods were pursued. Encouragement was given to dispose of a great part of the produce of grass-lands to foreigners; and at the same time the export of grain was prohibited, unless the price was extremely low, and there was no prospect of consuming it at home. It was the policy of those times to keep the price of corn as low as possible, and to take the utmost care to enhance the value of wool, as it was purchased chiefly of foreigners. The price of wheat was thought so high as not to admit of exportation, when it amounted to six shillings and eight pence a quarter. It is now upon an average about four times as high, and

the price of wool has continued nearly the ſame. And it was the advanced price of grain, that firſt effectually encouraged tillage, and removed the evil complained of in the act of Henry the Seventh. The revival of this ſtatute under the four ſucceeding reigns may ſerve to convince us, that in the eſtimation of the landowners the lands might have been employed to more profitable uſes than the growth of grain. And every law will be always conſidered as oppreſſive, or its intention defeated, that preſcribes any other mode of huſbandry than what is beneficial to the landlord. It is extremely difficult to eſtabliſh any regulations of this kind by public authority, that will be generally uſeful. What may be the moſt advantageous application of the lands in one county may be the reverſe in another, though the ſoil may be nearly the ſame. And the choice of converting lands into paſtures or tillage ought to be left to the owner, who is commonly the beſt judge of his own intereſt; and whatever mode of huſbandry makes the moſt profitable return will generally be found to be the

the moſt advantageous to the public. All the efforts of the legiſlature to prevent inclosures were ineffectual, till the advanced price of grain towards the end of the reign of Elizabeth gave encouragement to tillage. Until her time wheat was allowed to be exported only when the price was under ſix ſhillings and eight pence a quarter, and other ſorts of grain in proportion. In the early part of her reign the export was permitted, when wheat was under ten ſhillings a quarter, and afterwards when it was under twenty ſhillings (*r*). The crown nevertheleſs aſſumed a power in thoſe times of granting commiſſions to export corn, even when it exceeded thoſe prices, and frequently made uſe of it. So that, in the latter end of her reign, by unkind ſeaſons and exceſſive tranſportation, it amounted ſo high as to prevent the landowners from converting tillage-lands into paſturès more effectually than all the ſtatutes that had been deviſed for this purpoſe. This was the propereſt method that could be taken for promoting tillage, by bringing the value of arable and graſs

(*r*) 5 Eliz. c. 5. 13 Eliz. c. 13.

lands

lands nearer to an equality, and ſeems to have been ſucceſsful. Complaints, indeed, againſt incloſures and neglect of tillage continued to be made in the inland counties, as the permiſſion to export grain could be of ſlight ſervice there to the corn-grower. The expence of carriage to the neareſt ports prevented its exportation in ſuch quantities as to influence its price. And whatever objections might be made againſt the converſion of tillage-lands into paſtures, it was certainly more beneficial to the public to give this liberty to the interior counties, than oblige the farmer to grow corn ſo much to his detriment.

If the large export of corn towards the end of Elizabeth's reign encouraged tillage, it muſt undoubtedly advance its price. And as this is generally conſidered as the conſequence of exportation, many writers have exclaimed againſt it, as detrimental to the public by enhancing the price of proviſions. And, it muſt be acknowledged, this will be ſometimes the event, though upon an average of years a general permiſſion to export grain may be the means

of reducing its price, and the most prudent measure that can be taken for promoting tillage. And it must be the interest of every state to encourage the cultivation of its lands, and to keep in tillage as many as are proper for that purpose, and consistent with the number of cattle and other articles, it may require for domestic use. The benefits of this measure are too plain to require any proof. Arable lands not only employ a greater number of persons than pasture-grounds, but the quantity of their produce in some measure determines the rate of other provisions. The soil of every country proper for cultivation produces that kind of wealth, which circulates more equally among the people than the riches acquired from mines of gold or silver. Agriculture, indeed, seems to possess all the advantages of the largest manufactory. As far as any manufactory depends on the demand of foreigners for its support, it must be liable to many restraints. Nor is it possible to prevent these interruptions in trade, which for a time reduce the workmen to distress. On the other hand, arable lands require nearly the same

number

number of labourers thoughout the year, except in the time of harvest; and as the employment is neither precarious, nor dependent on foreign demand, it is at all times nearly equal. And wherever constant employment is to be found, inhabitants will increase in the same proportion. The populousness therefore of every extensive country will in some measure depend on the quantity of its lands in tillage; and if foreigners are supplied with its grain, the number of inhabitants will be proportionally augmented. And no just reason can be given, why corn should not be considered as a species of merchandize, and an article of commerce. It is raised, indeed, for domestic use, but capable of being exported like any other commodity of general consumption. In a political view, no other distinction can be made between the corn grower and manufacturer than what arises from the number of hands they employ in preparing their respective commodities for sale. Both are the fruits of labour, and the surplus of the annual consumption may be exported to

national advantage, wherever a market can be found. It cannot be thought detrimental to the public, if corn of the ſame value as the annual export of our manufactures ſhould be ſent abroad. Fewer hands may perhaps be employed in raiſing ſuch a quantity of corn than in manufactures of that value: but if the number of veſſels and ſeamen, which each employs, ſhould be taken into the account, the difference will not be very conſiderable.

As paſturage employs a ſmall number of hands, greater benefits may accrue from it to individuals than the public. On the contrary, grain, requiring the aſſiſtance of many hands to raiſe, it anſwers in every reſpect to a manufactory, whoſe utility ariſes from the number of hands it employs. And as an addition to the benefits accruing from tillage, they are ſpread among a great number. The chief profit of many of our exports is confined to a few; while the gains of the corn-trade are received by every landowner or his tenant throughout the kingdom.

The export of corn ought to be considered not as designed merely to relieve foreigners and distress ourselves, but as the most effectual means of enlarging the quantity. And, if it prevents all the dangers of a famine, every individual receives the benefit. In the time of a scarcity, our grain may be confined at home, and the surplus only of what we are not able to consume may be exported. And it possesses this peculiar advantage, as an article of commerce, that at particular times its export may be prohibited without injury to the growers. A similar embargo, laid upon the goods of the manufacturer, would immediately reduce him to great inconveniences. His demand ought to be as constant, and subject to as few interruptions, as possible, that he may find a daily employment for his workmen. But, when grain bears an high price, the export may be restrained, and no room left for the farmer to complain. The advanced price, in the time of a scarcity, equally encourages him to cultivate his lands, as the permission to export his corn after a plen-

tiful harvest. The public therefore receives the benefit of the lands that are cultivated for the use of foreigners when grain is plentiful; and it reaps it at the most seasonable time, when it is wanted at home. And this may be considered as one reason for allowing exportation, and the best provision the legislature can make for unfavourable seasons.

Every country in Europe is occasionally subject to plenty or scarcity of grain. And the most effectual method of creating plenty seems to be, to encourage the growth of a greater quantity than is absolutely necessary for domestic use; so that under every season it may be enabled to supply itself without foreign assistance. It is not possible to adjust the quantity of grain that is raised to the annual consumption. The same quantity of land, that in favourable seasons produces a crop large enough to admit of exportation, at particular times will not yield a sufficiency for domestic use. On such occasions we must supply ourselves from abroad, to the benefit of foreigners, unless we provide against

these

them by raiſing a greater quantity than is neceſſary for our own conſumption.

And the permiſſion to export grain is the moſt adviſeable meaſure that can be purſued for keeping its price nearly on an equality. And this is not leſs an advantage to the farmer than the labourers in every occupation. The one may depend on a reaſonable price for his grain, and the other may work according to ancient rates, without varying their wages according to the prices of proviſions. And it is obſervable, that, after the import of foreign corn had been properly regulated, and the export of our own encouraged by the miniſtry of queen Elizabeth, its price became neither ſo variable, nor at any time ſo exceſſively high, as in former ages. The farmers, it may be preſumed, always endeavoured to raiſe a quantity ſufficient for the uſual demand; but, as the ſeaſons were not under their controul, the price was as uncertain as the annual crop. And this was ſometimes ſo ſcanty, that the people ſuffered all the extremities of want.

The abſurd laws againſt engroſſers, the general poverty of the farmers, and the want of a free export in plentiful years, might contribute to its high price on a failure of the crop. But, after the reign of Elizabeth, by the encouragement given to export grain, its price became more equal, though ſubject to variations from the irregularity of the ſeaſons; but it never amounted ſo high as to reduce the people to the diſtreſſes of a famine. And this is a calamity we have no reaſon to fear, till we bring it on ourſelves by improper regulations of the corn-trade.

It is ſometimes taken for granted, that, if the export of corn was totally prohibited, its price would in a few years be very much reduced, if the crops were plentiful. This would undoubtedly be the event, if the ſame quantity of land ſhould be kept in tillage, and properly cultivated. But, if this meaſure ſhould be adopted, the quantity would be gradually diminiſhed. It is the hope of a certain market for his grain, at home or abroad, that encourages the farmer, and ſtimulates him to raiſe

raiſe the greateſt quantity his lands will permit. If any reſtraints were put upon him, it is doubtful whether he would grow any more than would be requiſite to create a ſcarcity, and of conſequence an high price. And it is not leſs a ſubject of doubt, whether the farmers in general are not loſers by the permiſſion to export grain. If a leſs quantity ſhould be raiſed, the price of it would advance, and, like the ſharers in a monopoly, they would ſell a ſmall quantity at the ſame rate as a greater.

If it ſhould be ſuppoſed, that, by prohibiting the export of grain, the open fields of arable land would ſtill continue in tillage, as applicable to no other purpoſe, and that the occupiers would be equally induſtrious, yet theſe alone would not yield a ſupply for the annual conſumption. In various parts of the kingdom, a conſiderable quantity is raiſed in the incloſures; and, if the leaſt diſcouragement was given to tillage, many of theſe would be converted into paſtures. In a few years, therefore, the quantity of grain would be ſo far diminiſhed, that, after the moſt favoura-

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the season, its price would be high; and, after two or three scanty harvests succeeding each other, the dread of a dearth would so far prevail, that it would be necessary to give a bounty for corn imported.

Nor are the fears of lessening the quantity of lands in tillage altogether groundless. The rent of grass lands so much exceeds that of arable lands, in most parts of the kingdom, that it is frequently necessity alone which obliges the occupier of the latter to keep them in tillage. If they are proper for converting into pastures, it must be the interest of every considerable landowner, in almost all parts of the kingdom, except where grain is usually dear, to apply them to this purpose. He will probably advance his rent, and assuredly relieve himself from the charges to which farms of arable land are constantly subject.

If we discharge the expences of conveying our grain abroad, our sailors reap the benefit; and at the same time foreigners pay for a commodity we cannot consume. We think it our interest to cloath them; and we think it the best security for the per-

permanence of our trade, when we can cloath them on cheaper terms than they can manufacture the ſame ſort of goods. And is it not equally advantageous to the public to ſupply them with corn, as with any other commodity that requires labour to prepare it for uſe? Whenever we export any gooods of our own workmanſhip, we are taught to conſider all the hands employed for this purpoſe as maintained by foreigners. And will not the ſame reaſon hold good when applied to the cultivation of the lands? If a part of their product is exported, foreigners may be juſtly ſuppoſed to pay the expence of raiſing it to the landlord or his tenant.

If we compare the rents of lands, as diſtinguiſhed into graſs and corn-lands, we ſhall be able to aſſign one reaſon for the ſpirit of incloſing both in ancient and modern times. The value of lands in tillage depends, in a great meaſure, on their diſtance from the market or place where their produce is conſumed or exported. If an acre of arable land is let in one county

at ſixteen ſhillings, and in another at ten, and both of equal goodneſs, and equally cultivated; the firſt of theſe muſt be ſo much nearer the place of conſumption than the other, that the expence of the carriage of their products will reduce their value to an equality. Whoever will take the pains to enquire into the rents of corn-lands in different parts of the kingdom, will find this to be nearly the caſe. At particular times the rule may ſeem to be erroneous. Grain may be dear, for a time, in countries where it was uſually cheap; but this variation of price is ſeldom of long continuance. If an exact account of the prices of grain was kept in every market in the kingdom, it will be found, that, in a courſe of years, there would be no other difference between the deareſt and cheapeſt markets, than what ariſes from the expence of freight or carriage, and other contingent charges. For this reaſon, the rent of lands in tillage, in every part of the kingdom, is to be eſtimated by the expence of conveying their produce to the deareſt market.

And in former times, when few rivers were navigable, and the roads in many countries almost impassable in the winter, the difference of the value of corn-lands, in places distant from each other, was much greater than at present.

In estimating the rent of grass-lands, other considerations are to be taken into the account. Though their produce, in general, is not equal in value to that of lands in tillage, yet it is neither so expensive in the conveyance to the proper market, nor does it require so great an expence to obtain it. The great charges of the corn-grower in cultivating the lands, and conveying the crop to the place of sale, require an abatement to be made in the rent. In some countries which abound with grain, the arable lands in the common fields are let at little more than one half of the rent of the inclosed grass-lands in the same parish. The reason of which must be attributed, in a great degree, to the different expences of the farmer and grazier. It may be, therefore, inferred from the

the nature of grass-lands, when applied to the feeding of cattle, that, if equal in goodness, they will be nearly of the same value in almost every part of England; or, at least, they are not so unequal in the value as lands in tillage. The product of an acre of corn-land, in many places, cannot be conveyed to the dearest market under an expence of ten or twelve shillings; and the yearly product of an acre of grass-land, in the same parish, may be frequently conveyed to the place of sale at a very trifling charge, and the whole profit reaped at a very moderate expence. For these reasons it may be taken for granted, wherever the rents of grass and corn-lands approach nearly to each other, grain is usually dear in that country: and, on the contrary, where the difference between their rents is very considerable, corn is generally cheap, and raised upon lands that can be applied to no other purpose.

These observations on the value of lands relate only to their chief products, corn and cattle. There are many other articles which

which yield a great profit, but are confined to particular places. The rent of hop-grounds is commonly high; and the ſmall inclofures in the neighbourhood of populous towns are generally let at a rent very much above their intrinſic value, if they were occupied by farmers or graziers. It is always ſuppoſed that theſe inclofures are rented for convenience; and their rents ought to be no rule for fixing the general value of lands.

If reſtraints had not been put on the ſpirit of incloſing under the reigns of the Houſe of Tudor, it is not unlikely but many waſtes and commons, as well as ſome of the open and undivided fields of arable land, would have been gradually improved, and every one's property in them diſtinctly ſet out. And no doubt can be entertained of the utility reſulting to the public by improving waſte and uncultivated ground. This is an undertaking generally commended, and ſeldom executed. The beſt excuſe that can be made for this neglect is the difficulty of bringing the ſeveral

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proprietors to unite in making the inclosure. Though such a division might be equally serviceable to them and the public, yet, either through a spirit of opposition, or the fear of losing some trifling convenience, or for other interested and private reasons, many attempts of this kind have been defeated.

In some parts of the kingdom, the common people still retain so much of the savage as to look upon extensive and desolate tracts of land with pleasure, and are generally ready to oppose every attempt to bring about an inclosure. But in this, as in many other instances, they must be insensible of their own interest. By dividing and cultivating waste lands, the labourers would find constant employment for a great number of years; and the parcel of ground allotted to the small freeholders, in proportion to their estates in the parish, would be much more profitable than the slender advantages they receive from them in their present condition. In many places, the principal benefits of waste grounds, that

that are common to a parish, are almost entirely engrossed by the rich farmers, who take care to proportion their stock of cattle and sheep to the pasturage. When the herbage is plentiful, they increase the number; and lessen it, when it grows scarce. But this is seldom in the power of the cottagers. They are obliged to depend entirely on the season; and, as this is always precarious, the losses they sometimes sustain are not always sufficient to counterbalance their profits.

But let us suppose the proprietors to reap no profit from the inclosure of wastes, when all the expences are taken into the account, the public will nevertheless receive great benefits; the number of inhabitants will be increased; and the lands, when properly cultivated, must make provisions more plentiful. Some, indeed, of those tracts of land, which pass under the name of wastes, are frequently looked upon as too barren to defray the expences of an inclosure. And this may be the case of a few; but there are others, which, in a

few years, would defray all the charges of division and culture.

Many persons, ready to condemn particular pieces of ground as absolutely steril, will not always reflect, that some of the cultivated lands in their neighbourhood were probably in the same state a few centuries ago, and reputed to be barren, till, by repeated culture, they put off their wild nature, and became useful. It is certain, that, in many countries, waste grounds inclosed only for a few years have been a valuable acquisition to the public and proprietors; and there is no occasion to doubt, but a proper cultivation would make many others equally profitable. Nature has been so various and liberal in her gifts, that it is frequently unjust to condemn any soil as absolutely useless. So great is the variety of trees, grasses, and grain, that some will be found adapted to every soil. We are originally indebted to the hand of nature for the greatest part of the woods in England. Industry has been exerted rather in clearing the lands, than planting them for use. And it is probable,

bable, that many tracts of land, now reputed to be barren, were formerly covered with woods. The trunks of trees, after being buried for many centuries, are sometimes dug up in particular places, which without such evidence could never have been supposed to have grown there. Without inquiring into the causes of these changes on the surface of the earth, which happen in a course of ages, it may be observed, that there are few pieces of ground of so intractable a nature, but, if they became private property, would be made serviceable to mankind.

Besides the inclosure of wastes, many lands in tillage, that are held by several proprietors, might have been improved by the same means. It is scarcely possible, as before observed, in the present state of the open and undivided fields, to cultivate them in the best manner, and employ them to such purposes as are most beneficial to the landlord and the public. A part of them, through the want of a proper respite from the plough by sowing them with clover or grass seeds, cannot yield so profitable a pro-

duce as inclofed lands; and other parts, laid out in common paftures for cattle and fheep, are permitted to continue in their original ftate. Bad hufbandry is common to almoft all the undivided fields throughout the kingdom; and one reafon is, no one can exert himfelf, and depart from the ufual rotation of crops, but others will partake of the improvement. Induftry in agriculture, as in every other occupation, is awakened and fpurred on, when its gains are immediately confined to itfelf, and not thrown, as it were, into the common ftock.

But let us carry our views farther, and confider what effects a general inclofure of the lands throughout the kingdom would have produced, if proper encouragement had been given for this purpofe by the legiflature under the line of Tudor and the fucceding reigns. The firft confequence of fuch a meafure would have been, that the rents of the lands in many counties would have been almoft entirely determined by the nature of the foil; and no diftinction made between graft and tillage-

tillage-lands on any other account than as being moſt proper for either of theſe purpoſes. At preſent, the value or rent of lands depends on a variety of circumſtances, beſides the quality of the ſoil. Before any judgement can be formed on this head, it ought to be inquired, without conſidering the nature of the ſoil, whether they are arable or graſs-lands, antient paſture-grounds, at what diſtance they lie from the place, where their produce is uſually conſumed or ſold, and the general price of proviſions there. Let me be underſtood to ſpeak here of ſuch lands as are occupied by farmers or graziers, and not thoſe which lie in the neighbourhood of populous towns. Now, if we ſhould ſuppoſe all the lands to be incloſed, many of the above inquiries would be needleſs; and the moſt neceſſary one would be, whether as corn or graſs-lands they would yield the greateſt profit to the occupiers. In this caſe the intereſt of the landowner and the public would always coincide; and the huſbandry, be adapted to the nature of the ſoil, and

the demands of the neighbourhood, would be invariably followed. The most profitable return from tillage or pasture would be calculated; and the application of them to either of these uses, that yielded the greatest gain, would be the most beneficial to the public. As long as the lands remain undivided, it is not possible to employ them in this manner. Corn-lands, whether proper for the purpose or not, must continue as such; and the commons and grass-lands must remain as they have done for some centuries. It requires, however, no great skill in agriculture to discern, that whenever it is designed to improve any lands, and apply them to the most profitable uses, the quality of the soil, and the demands of the neighbourhood, ought to be first consulted.

The necessity of keeping the open and undivided fields in constant tillage commonly obliges the owners of grass-lands in the same parish to restrain their tenants from ploughing them; and in many parts of the kingdom the restraint is of equal advantage to both parties; but, if a general in-

closure took place, these restrictions would be in a great measure needless. Grass-lands being made more common, and their rents reduced to an equality with the old corn-lands now supposed to be inclosed, every landlord would be obliged to permit his tenant to apply his lands to such uses as would yield him the greatest profit, and to pursue a mode of husbandry best adapted to the nature of the soil. This is far from being the case at present. It frequently happens, that corn-lands, for want of inclosing, cannot receive a proper culture; nor can their produce in some countries be conveyed to the best market, unless at an extraordinary expence. And in each case the landowner is obliged to sustain the loss.

A second consequence of a general inclosure would be, that the inland counties would abound with pasturage, and the counties upon the coasts would consist chiefly of corn-lands. The grain that is raised in the interior counties must be consumed there, and the quantity proportioned, as far as it can be, to the demand.

But as this is not practicable, when the ſeaſon is favourable, it will be plentiful and cheap; and, as it generally falls out in ſuch caſes, if the following years are unkind, a ſcarcity enſues, and of conſequence an advanced price. And it is chiefly owing to this irregular price of grain, that the land-owners in the interior counties will endeavour to convert their corn-lands into paſtures, as the value of their product is much more certain than that of the other.

The truth of theſe obſervations ſeems to be confirmed by experience. In the inland counties graſs-lands are more frequent than lands in tillage; and the greater part of the acts of parliament for incloſing has been obtained with a view of converting arable lands into paſtures. The extraordinary charge of carrying grain to the ſea-ports in plentiful years, and the moderate expence of conveying the product of graſs-lands to London or other markets, are the chief reaſons, why paſturage abounds ſo much in the interior counties. And for the ſame reaſon, if a general incloſure took place, the greateſt

greateſt quantity of grain would ſtill be raiſed in the counties that border on the ſea. The farmers there have the advantage of ſupplying foreign markets, and ſome remote places in the kingdom, on the cheapeſt terms, and with the moſt expedition. A general incloſure would therefore only increaſe the irregularity of the price of grain in the inland counties. Many lands, now kept in tillage, and applicable to no other uſe in their preſent ſtate, would be converted into paſtures; and the quantity of arable lands would be farther diminiſhed. Corn, indeed, would ſtill be raiſed, on account of the conſtant demand for it, and as beſt adapted to the nature of particular ſoils, or as moſt profitable to the occupiers. But the quantity would probably be leſſened, and its price very much augmented, under unpropitious ſeaſons.

A third conſequence therefore of a general incloſure would be a diminution of corn-lands, and an increaſe of cattle and wool. The land-owners, being at liberty to apply their lands to ſuch uſes as they looked upon to be the moſt profitable to themſelves or

their

their tenants, would undoubtedly in many places, through views of intereſt, encourage paſturage. And though a leſs quantity of ground ſhould be employed for raiſing grain, yet the diviſion by incloſures would enable the occupier to cultivate it in the beſt manner, and corn might continue to be nearly as plentiful as uſual. Such lands as were in tillage in the neighbourhood of populous towns would remain ſo; and thoſe only would be converted into paſtures, which lay at the greateſt diſtance from the market, and might be the moſt advantageouſly applied to this uſe. And, if the quantity of graſs-land ſhould be increaſed, wool muſt of conſequence become more plentiful, as ſheep are generally a profitable part of the graziers ſtock.

A fourth conſequence of a general incloſure would be, that, if a leſs quantity of grain ſhould be raiſed, it would be conſumed at home, and little left for exportation, except in very plentiful years. At the ſame time, the proprietors of ſome antient graſs-grounds would be obliged to make an abatement of their rents, as they would be reduced

duced nearly to an equality in their value to many corn-lands.

If such a general inclosure is not likely to take place, and it should be thought needless or impolitic to direct the landowners by publick authority in what manner to employ their lands, or confine them to a particular mode of husbandry; is it not possible to secure plenty of grain, by erecting public magazines, and filling them in plentiful years? In the act against forestallers, regrators, and engrossers, permission is given to every one to engross and keep in his house, or granary, any quantity of corn, when the price is low (s). And as individuals can seldom take advantage of this liberty, public granaries have been recommended as useful in reducing the price of corn in years of scarcity. This scheme interferes with no one's liberty, but permits the land-holder to pursue his own mode of cultivation, and to employ his lands to such purposes as he conceives to be the most profitable to himself. And, at the same time as

(s) 5 and 6 Ed. VI. c. 14.

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a provision is thus made against the dread of a famine, may not the corn-grower think himself obliged to these public granaries, which are filled with his grain, when the price is low, and he can scarcely find a purchaser? In times of great plenty, it may be justly supposed, that they will rather augment than diminish the price; and, whatever detriment the farmer may afterwards receive from them, they afford him the most likely means of yielding at such times a considerable advantage. This method of providing against the danger of a famine has been practised in Italy, and some parts of Switzerland; and it may therefore be concluded, that experience has confirmed its utility, and in some measure recommended it to general imitation. But the use of granaries may be found, on inquiry, so peculiarly adapted to the exigencies of these states, and so many inconveniences may attend them in other countries, as to discourage their establishment.

In the Ecclesiastical state the corn-grower is obliged to deliver a certain quantity of corn into the Pope's granaries at a fixed price,

price, which his officers dispose of to the bakers at an advanced rate. And the same practice is followed in some other Italian states with a slight variation. Now, on the first view of this plan, there is little in it that deserves imitation. It can be considered only as a mode of oppression, that may keep in awe an indigent populace, but must create and maintain an universal poverty among the farmers. And, what is equally to be lamented, it seldom answers the purpose for which it is pretended to be designed, the prevention of a dearth. There must therefore be some defect in the institution, or abuses committed in the management of these granaries; and other causes probably concur to create the frequent scarcity of grain in some parts of Italy. One reason lies obvious, the general poverty of the farmers, which equally disables them from keeping a stock in hand after a plentiful harvest, and from cultivating their lands in the best manner. And in every country, where the occupiers of the lands are poor, or are not allowed to keep any part of their grain in their hands, on the prospect

pect of a better price; and at the ſame time where the returns of a trade with foreigners are trifling; in theſe circumſtances it may be admitted, that public granaries under proper regulations may be uſeful. They may afford that relief in the time of a ſcarcity, which the farmers are not able to ſupply by the reſerve they have made in plentiful years, and which no individuals, unleſs authorized by the ſtate, can take upon them to do, without employing it for the purpoſe of a monopoly. Wherever the lands are ſufficient by a proper cultivation to maintain the inhabitants, public granaries may be conſidered as indications of an oppreſſive government or of bad huſbandry. And they are liable to ſo many abuſes, that it may be juſtly eſteemed an happineſs to the publick, that they were not erected in England two or three centuries ago, when the liberty of the ſubjects was more precarious than at preſent. They would probably have been converted to the purpoſe of oppreſſion, and have become more burthenſome than any of the public impoſts.

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It must be confessed, that the use of public granaries at Geneva stands clear of these objections and of many others to which they are liable under arbitrary governments. But all the institutions of a free state are not to be hastily adopted by another, that is equally free. The public measures and regulations of a state may and ought to be adapted to the nature of the country, and the situation of the inhabitants; and of this kind we may consider the use of granaries at Geneva. This state possessing only a scanty territory, the products of the lands may be easily brought under regulations, without doing any material injury to the farmers. And, besides this small extent of territory, the general barrenness of the lands, whose returns are uncertain, and seldom admit of any waste, recommends the utility of public granaries.

Nor are the reasons for this measure less convincing, if we reflect on its situation with respect to the bordering states. It may maintain its independence as long as it is able to supply itself out of its own stores.

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If it ſhould be ſo far deſtitute of bread and proviſions, as conſtantly or even frequently to depend on the aſſiſtance of its neighbours, they would ſoon take advantage of its neceſſity, and reduce it to their own terms. Where then all circumſtances are the ſame, let the ſame meaſures be purſued; but, where they are widely different, it muſt be imprudent to adopt them. And the landed and commercial intereſt of Britain, its ſituation, fertility, and flouriſhing ſtate, are ſo unlike thoſe of Geneva, or any of the Swiſs Cantons, that the uſefulneſs of granaries there can be no proof of their utility in England.

Publick granaries are more neceſſary under ſome climates than others, on account of the uncertainty of the crops. The hailſtorm and hurricane, ſo much complained of by the old Roman writers, are almoſt peculiar to the warm climates, and deſtroy in a few hours all the promiſes of a plentiful harveſt. Accidents of this kind are frequent in Italy, and the ſouthern parts of France, and ſometimes reach as far as Switzerland: and the ravages and devaſtations

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they make are not to be repaired without the use of large granaries.

After this deduction of the use of granaries in foreign countries, let us consider how far they might be serviceable in England, and what effects they might produce. Supposing them to be under publick management, the oppressive use that is made of them in Italy, and to which they are always liable, can scarcely be thought a proper recommendation of them among a free people. But, supposing them to be managed with all the honesty and frugality they will admit of, and kept free from every oppressive purpose, what is their utility? It will be said, in the time of a scarcity to reduce the price of grain. And let this be admitted, as it is the professed end of their erection; but let it be at the same time observed, that the price of grain almost entirely depends on the quantity of the crop: and, if this is the case, will not these public granaries at particular times be useful only as far as they are detrimental to the corn-grower, and become beneficial at his expence? If they should fix the price

of grain in a year of ſcarcity at ſo low a rate, that the farmer cannot without loſs ſell his ſcanty crop on the ſame terms, muſt not the landlord bear a part of the loſs, and be obliged to make an abatement in his rent? In ſhort, if theſe granaries ſhould be erected in every county, the farmer would live in the conſtant fear of an unfavourable ſeaſon, and ſcarcely rejoice amidſt a plentiful harveſt.

Granaries cannot be erected, and kept in order under the moſt frugal management, but the proprietors will probably find themſelves loſers in the end. They cannot be built, filled, and managed, unleſs at a great expence. And this, with the dangers from vermin, inſects, and accidents, to which they are always expoſed, and the conſtant care in ſcreening and ſtirring the grain, have almoſt diſcouraged their uſe among ſuch perſons as have already built them for conveniency, or the proſpect of gain. In ſome years of great plenty a moderate ſtock has been laid up; and a ſcarcity ſucceeding in the following year, great profit has been made. If it was poſſible to foreſee a ſcarcity,

city, this would undoubtedly be an advisable measure; but the prospect is in general too uncertain, and the hazard too great, to build too much upon them.

The best provision against years of scarcity is made by the farmers whose circumstances enable them to keep their corn in their hands in hopes of an advanced price. Wheat is better preserved in the straw than in the best regulated granary. And the owners of old wheat-hovels and ricks of corn ought to be considered as benefactors to the public, by providing against the dangers of want, though they are sometimes treated by a thoughtless and licentious rabble as the pests of society.

Without trying experiments that may not answer the expences, or enforcing regulations that may be useless or pernicious to the farming business, the legislature has always in its power the means of regulating the price of grain by prohibiting or permitting its export. Our lands in general are fertile, and subject to as few accidents from hail-storms and irregular seasons as any in Europe. And by a due encouragement

given to husbandry, a sufficient quantity of grain will always be raised, and sold at a moderate price, when the exportation is properly regulated.

It seldom happens in the time of a scarcity of grain but the grievance is in part ascribed to the badgers and other dealers in corn; all of whom, in the estimation of the populace, unite to advance the price of provisions, and take advantage of their necessity. In their rage against these they are apt to forget the general cause of a scarcity, an unfavourable season, and sometimes permit even the farmer himself to escape without censure. And it was probably owing to unpropitious seasons, and the debasement of the coin, that the statute was enacted for regulating higlers and badgers, and suppressing forestallers and regrators. These petty dealers, if unrestrained, might contribute to enhance the price of provisions; and for this reason it was thought proper to put them under some restrictions (*t*).

(*t*) 5 and 6 Ed VI. c. 14.

Higlers,

Higlers, badgers, and ſuch as occaſionally carry goods for hire, are to be found in almoſt every part of the kingdom, and in former times were much more numerous than at preſent: but the petty dealers in corn are peculiar to thoſe populous countries which are unable to ſupply the inhabitants with a ſufficient quantity of grain of their own growth. Their circumſtances are commonly too low to enable them to purchaſe a great quantity at a diſtance, and for this reaſon they generally lay out their ſmall ſtock of money in buying a few quarters in one market, and vending them in another. They are therefore ſo far ſerviceable as to reduce the price of grain in all the markets in the neighbourhood nearly to an equality. And their gain is ſeldom ſo great as to be an object of envy. It ſometimes amounts to little more than the profits of labour and carriage. In ſome places, where the loudeſt clamour has been raiſed againſt them, the people have ſtood indebted to a few in opulent circumſtances for the greateſt part of the corn that has ſupplied the markets. And it would have

been much more adviſeable to have increaſed the number of badgers, than to have leſſened it by improper regulations. For if any one received a conſiderable profit by this kind of traffic, others would have immediately engaged in it, if they had not been reſtrained by the ſtatute, and prevented all the dangers of a monopoly. But the circumſtances of theſe men are generally ſo mean, that, as they can ſubſiſt only by a ready ſale, this danger is only imaginary.

In former times, when many of the markets were little frequented, the principal ſupplies of proviſions were brought in by the higlers and badgers; but the products of the lands are now diſpoſed of in ſo different a manner, as to render their aſſiſtance in a great meaſure uſeleſs. The farmer is unwilling to loſe the profit that is made by the badgers, and for this reaſon he attends upon the market, and expoſes to ſale almoſt every commodity raiſed from his lands. The badgers, however, are in particular countries ſuch uſeful and neceſſary drudges, that in general they deſerve the thanks,

thanks, rather than the indignation of the populace. And ſo uſeleſs was the law relative to them, that the clerks of the peace received a greater benefit from it than the public.

As to thoſe dealers in grain, who are known by the name of corn-factors, and reſide in countries whoſe principal commodity is grain, they ought to be conſidered in a different light. They are generally employed to buy corn by commiſſion, either for the purpoſe of exporting it to a foreign market, or conveying it to a diſtant market in the kingdom. And if it is wanted in any particular country, that is unable to ſupply itſelf, it ſeems to be the moſt adviſeable meaſure to employ them as agents or factors, unleſs it can be ſuppoſed to be the intereſt of every dealer in grain to attend upon the market in perſon, though it may lie at the diſtance of fifty or an hundred miles from his abode. To omit the inconvenience and expence of ſuch an attendance, it is well known, that corn is always bought on cheaper terms by a re-

ſident factor, than it can be by one who occaſionally attends the market.

And here it may not be improper to take notice of the abſurdity of compelling the farmers, in particular places, ſometimes to ſell their grain in the market, and not permitting them to diſpoſe of it by ſamples. Where the commodity of a country conſiſts chiefly in grain, and it is bought for exportation or ſome diſtant part of the kingdom, a reſtraint of this kind is often in the higheſt degree impolitic. It anſwers no other end than to put the farmers to the needleſs expence of carrying it to the market, and ſometimes of bringing it back again in order to deliver it at the place appointed by the buyer. Experience has often ſhewn the futility of this ſcheme for reducing the price of grain; but experience is commonly forgotten in a few years, and muſt be repeated for the conviction of the populace. After theſe orders have been iſſued in particular markets, the farmers uſually take care to ſupply them in ſmall quantities; and, as far as obſervation can be depended

depended on, they have never failed to advance the price.

If corn is purchased in one part of the kingdom in order to be sold in another, it may be taken for granted that it is wanted in the market to which it is conveyed, and must be so far serviceable as to reduce the price of grain raised in that neighbourhood. For the most successful means of making a commodity cheap, is to introduce plenty. Nor is there any danger of a monopoly, unless it should be imagined, that no grain is sown in that country, or that it is imported only by one person. The first of these suppositions is not true in any part of England; and the other wants probability. It frequently happens, that grain is exposed to sale in the same market, which was grown in counties at a great distance from each other. And how it should fall out, that the farmers at such a distance from each other, or the several importers of grain, should combine in fixing the price, must be explained by those who believe it to be possible. The truth is, the price of grain in every country, that is not able to supply itself,

ſelf, will be regulated nearly by the price it bears in a cheaper market, with the additional expence of freight or carriage. As ſoon as corn falls ſo low in its price in one market as to defray the expence of conveying it to another, and allow a reaſonable profit, the corn-factor is immediately employed to purchaſe it. And, if he advances the price in his own market, he muſt reduce it in another by ſending a ſupply. For theſe reaſons, its price in the ſeveral parts of the kingdom differs chiefly on account of the charges of conveyance, and other contingent expences.

The populace of every country is always inclined, in the time of a ſcarcity, to confine the produce of their lands immediately to themſelves. And at theſe ſeaſons we may pity their diſtreſs, though we cannot always approve of their diſcretion. When the corn raiſed in any county cannot be conſumed there, it muſt either be exported into foreign countries, or conveyed to a diſtant market at home, in order to enable the farmer to pay his rent, and maintain his family

mily and ſervants. And by what other means can thoſe parts of the kingdom be ſupplied, that ſeldom grow a ſufficient quantity for their own conſumption? It would be as reaſonable to confine the inhabitants of Nottingham and Witney to ſell their ſtockings and blankets in their own counties, as to oblige the farmer to diſpoſe of his grain in his own neighbourhood. Each will undoubtedly ſeek for the beſt market; and that will be always beſt, where their goods are moſt wanted.

And it is obſervable, that, whenever there is a ſcarcity of grain, the price of all other proviſions is proportionally advanced. It might be ſome relief to the poor, when corn is dear, if they could have recourſe to the ſhambles, and ſupply themſelves ſo plentifully from thence as to have occaſion for a ſmall quantity of bread. But this relief is ſeldom in their power. An inſtance ſcarcely occurs, when corn is dear, and other proviſions are cheap. Their prices generally riſe or fall together, though in ſome reſpects they ſeem to be entirely independent on each other. For ſeaſons unfa-

favourable to the growth of corn are not always so to grass; and yet it is found, by experience, that the grazier advances the price of fat cattle, when the farmer advances the price of grain. And the rates of provisions may be justly thought to be independent on the price of corn, for this obvious reason, that, whenever grain is dear, a greater quantity is always consumed. For, however dear bread may be, it is the cheapest of all provisions to the poor. They will therefore confine themselves to the cheapest diet, and dispense with their usual quantity of shambles meat, which for this reason ought to become more plentiful and cheap. But this is seldom the case. Grain, indeed, from the greater consumption, may become dearer; but, as the consumption of shambles meat is lessened in the same proportion, its price ought to be reduced. And yet, whether its consumption is greater or less, it is always found to be dear, when the price of grain is high. It should seem, therefore, as if the price of shambles meat was not always regulated by the plenty or scarcity of grass, but by the price of grain; and;

and, on the other hand, that the price of grain is always determined by its plenty or ſcarceneſs.

To defeat, as it were, all the efforts, that were made under the reigns of the Tudor-family, for preventing the converſion of tillage-lands into paſtures, laws were enacted for increaſing the breed of neat cattle, which of conſequence acquired graſs-lands for their maintenance. It was ordained by a ſtatute, that no butcher ſhould kill any calf to ſell, which had been calved between the firſt day of January and the firſt of May, in every year, under the penalty of forfeiting ſix ſhillings and eight pence (*u*). This act was frequently revived under the reigns of Henry the Eighth, and Elizabeth; but it was of too general a nature to be uſeful to the public. In particular places, it was more beneficial to the land-holders to deſtroy the calves than to rear them; and, if we except the countries, in which calves had been uſually reared, the law muſt have been very inconvenient to the farmers in

(*u*) 21 H. VIII. c. 8.

general. They therefore, as might be expected, endeavoured to elude or defeat its intention by ſelling their calves to the butchers under the name of weanlings. To prevent this evaſion, an act was made prohibiting the butchers from killing weanlings under the age of two years (*w*). This again, inſtead of increaſing the breed of neat cattle, would induce the people to deſtroy their calves in every place where it was inconvenient to rear them, and could anſwer no other end than to deprive the public of a quantity of veal, that might have been brought to the market, if theſe ſtatutes had never been enacted. To reduce the price of ſhambles meat, it was ordered, that no perſon ſhould take above an halfpenny for a pound of beef or pork, or above three farthings for a pound of mutton or veal, and leſs in thoſe countries where they had been uſually ſold for leſs (*x*). As this ſtatute would probably not anſwer the purpoſe, another was enacted the following year, whereby the go-

(*w*) 24 H. VIII. c. 9.
(*x*) Ibid. c. 3.

vernors

vernors of cities and market-towns, upon a complaint made of any butcher refusing to sell victual by weight as above, were empowered to sell, or cause to be sold, at these rates, all such victual for ready money, to be delivered to the owner; and, to enforce the statute, it was ordained, that, if any graziers or owners of fat cattle refused to sell them upon such reasonable price, as that the butcher might retail them at the prices abovementioned, the justices of the peace, mayors, or governors of cities, might cause indifferent persons to set prices upon them, which if the owners refused to accept, they might bind them to appear the next term in the star-chamber, to be punished as the king's counsel should think good (*y*). As no encouragement was given to fatten cattle, it cannot be imagined, that any other but such as were lean, and could be sold on the lowest terms, would be exposed to sale. After a trial of two or three years, the act was in a great measure set aside, and afterwards repealed (*z*). At the same time that

(*y*) 25 H. VIII. c. 1.
(*z*) 27 H. VIII. c. 9. 33 H. VIII. c. 11.

these

these prices were set upon flesh-meat a power was given to particular persons, named in another act, to set and tax reasonable prices on cheese, butter, and other victuals necessary for man's sustenance, upon every complaint made of any enhancing of prices of such victuals (a). The attempts for increasing the breed of neat cattle not succeeding so far as might be expected, an act was made ordaining, that two cows should be kept for every six score sheep, and one calf reared, and two cows for every twenty beasts, and one calf reared (b). This statute seems to have been enacted in consequence of a plan formed by one of the projectors of those times for reducing the price of shambles meat. "One John Hales in the time "of Edward the Sixth, who had been in a "commission to enquire into inclosures, de-"vised three bills to be put into parlia-"ment, the third of which set forth and "tended to this end, that every man, that "kept in several pastures beasts or sheep, "should keep for every hundred sheep that

(a) 25 H. VIII. c. 2.
(b) 2 and 3 P. and M. c. 3.

"he

"he had above ſix ſcore, two kine; and, for "every of theſe two kine, ſhould rear one "calf; and, for every two kine that he "kept beſide more than ten, he ſhould rear "one calf.——The ſaid Hales had ſuch an "opinion of this bill, that he durſt have laid "his life on it, that if it had proceeded, there "would have been within five years, after "the execution thereof, ſuch plenty of vic-"tuals as good and cheap as never was in Eng-"land (*c*)." The laws too againſt converting tillage-lands into paſtures were put in execution, and yet, from the increaſing number of neat cattle, more graſs-lands were neceſſarily required. And, to encourage fiſhermen, and leſſen the conſumption of fleſh-victual, Wedneſday and many other days were appointed to be kept as fiſh-days, and no fleſh-meat allowed to be eaten on thoſe days under a penalty of three pounds, which was afterwards reduced to one (*d*).

(*c*) Eccleſ. Mem. vol. II. p. 134. Parl. Hiſt. vol. III. p. 247.

(*d*) 5 and 6. Edw. VI. c. 3. 5 Eliz. c. 5. 27 Eliz. c. 11. 35 Eliz. c. 7.

 Theſe

These laws afford a proof of the inutility of all attempts of the legislature to direct the management of the lands. The frequent revival and amendments of them sufficiently indicate, that they failed in producing the desired effect, and for that reason must have been more burdensome to the land-holder, than beneficial to the public.

A similar attempt was made for improving the number and breed of horses, and with the like success. Complaints having been made of their scarcity, the exportation of them to foreign countries was in a great measure prohibited, as the most effectual way of augmenting their number. This was the usual method pursued in those times for reducing the price of any exportable commodity; and for a time it might succeed, by detaining for domestic use what was intended for the use of foreigners. The permission, indeed, to export horses was still continued, but under such limitations as amounted almost to a prohibition. For no horses or mares, of three years of age, above the value of six shillings and eight pence, were

were allowed to be exported, unless by special licence (*e*); and horses under this value could scarcely be in request abroad. The demand for them in foreign countries might probably induce some of the landholders to stock their extensive commons and wastes with brood mares and sheep, as long as the exportation of horses and wool was permitted. But the restraint in this instance, as in many others, was far from producing the intended effect. Various methods were employed to defeat the intention of the act. Though the export of horses above a certain value was prohibited, yet, as liberty was given to every one to take with him abroad as many as were necessary for his own use, he conveyed them away under that clause, and then sold them (*f*). And at the same time it became necessary to restrain the Scots from purchasing English horses, as they probably exported such as were not required for their own use. A statute was therefore made

(*e*) 11 Hen. VII. c. 13.
(*f*) 5 Eliz. c. 19.

for prohibiting the ſale or conveyance of horſes into Scotland (*g*).

Beſides theſe acts relative to horſes, there are many others in the ſtatute-book, which deſerve notice, on account of their ſingularity. By one act the owners of every park ſtocked with deer, containing one mile in circumference, were obliged to keep two brood mares, thirteen hands high at the leaſt, under a penalty of forfeiting forty ſhillings a month, for neglect; and the owners of parks, four miles in compaſs, were enjoined to keep four brood mares under the ſame penalty. And by the ſame ſtatute, it was required, that mares ſhould be covered by horſes fourteen hands high at the leaſt, under the like penalty, with an exception of ſome of the northern counties (*h*). And to encourage the breed of good and ſtrong horſes, an act was afterwards made, to oblige the owners of horſes feeding upon waſtes, chaſes, and commons, to keep only ſuch as were above fourteen hands high at the age

(*g*) 23 Hen. VIII. c. 16. 32 Hen. VIII. c. 6. 1 Eliz. c. 7.

(*h*) 27 Hen. VIII. c. 6.

of

of two years. The foreſts and waſtes were alſo ordered to be driven; and every mare or filly, not able, or not like to be able, to bear foals of a reaſonable ſtature, was ordered to be killed (*i*). In a ſubſequent act, every archbiſhop and duke were required to keep ſeven ſtoned trotting horſes for the ſaddle; and a marquis, earl, and biſhop of a thouſand pounds a year, five ſtoned horſes; other biſhops and barons three horſes, and ſome other perſons ſpecified in the act, two or one, according to their eſtates (*k*). And it was enjoined in the following year, that the huſband of every woman wearing ſilk or velvet ſhould keep one ſtoned trotting horſe (*l*).

The legiſlature in thoſe times might have reaſon for this care to increaſe the ſize and number of horſes, as neceſſary for the defence of the realm againſt the Scots, or for military expeditions abroad. But every effort of this kind by public authority, where

(*i*) 32 Hen. VIII. c. 13.
(*k*) 33 Hen. VIII. c. 5.
(*l*) 34 Hen. VIII. c. 5.

the interest of individuals is not consulted, will always be found unsuccessful. Towards the end of the reign of queen Elizabeth, when it might have been expected that all these acts would have produced their full effect, complaints continued to be made against the scarcity of horses for the public service. There might be a few of value in the hands of the nobility and gentry; but the land-holders in general employing oxen for the plough and draught paid little regard to the size or strength of their horses. And it may be justly presumed, that the low price of horses contributed to defeat every effort of the legislature to improve the breed, or increase the number. The lands in general will be employed by the occupiers to such purposes as yield the greatest profit; and, if a greater gain can be made of them by any other application than breeding of horses, it will be readily pursued. In every public direction for the management of lands, the immediate interest of the occupier must co-operate to give it success. Horses may in some respects be compared

to

to many productions of the lands, which are equally advantageous to a nation, whether made use of at home, or exported. And it will scarcely be thought good policy, in almost any instance, to prohibit the exportation of any article raised from the lands, that is not necessary to ourselves. The free export of any commodity is the best encouragement to increase the quantity; and there is perhaps not a single instance, except that of wool, where the prohibition to export it has been the means of reducing its price. The quantity will commonly be proportioned to the demand, whether foreign or domestic; and the value will be regulated by the scarcity or plenty.

The improvement in the size and strength of horses, owing rather to an advanced price than the care of the legislature, gradually brought oxen into disuse both for the plough and roads. Their disuse in most countries is a proof of the greater profit or advantages of horses in the farming business; for there is scarcely a single in-

ſtance, where a profitable branch in this occupation has been entirely loſt or neglected. In former times, there were many more reaſons for the uſe of oxen in works of husbandry than at preſent. Many of the nobility and country-gentlemen kept a part of their eſtates in their own hands, for the purpoſe of ſupplying their families with proviſions without having recourſe to the markets. The oxen uſed for the plough were at a proper age fattened, and ſlaughtered for immediate uſe, or the winter-proviſion of the family. The ſame cuſtom prevailed among the farmers, till the markets became ſo well ſtocked with proviſions as to ſupply them on cheaper and eaſier terms than they could be furniſhed with from their own ſtores. This might be one reaſon for the diſuſe of oxen both by the gentry and farmers; and it was haſtened by the improvement of the roads. Oxen were undoubtedly of great ſervice by their ſtrength in plowing heavy ſoils, or travelling in deep roads, and in ſome reſpects ſuperior to horſes. Theſe being uſually bred upon the waſtes and commons, where little care was taken

taken of the ſize of the ſtallion or mare, were generally ſmall and weak, and unfit for the draught under the ſtate of the roads in thoſe ages. As the horſes improved in ſize and ſtrength, they were in moſt places found preferable to oxen for the plough, and the carriage of goods. They were more expeditious in both inſtances. As ſoon as the roads were repaired, and a communication opened with diſtant markets, the farmers were enabled, by the greater expedition of their horſes, to attend them with grain more eaſily than by uſing oxen in their carriages. And this advantage alone will in moſt countries diſcourage the uſe of oxen. And it may be added, that the improvement of the roads in ſome meaſure prevents their uſe among the farmers in general. They might travel with as much eaſe and expedition as horſes in the roads of former times, but are now ſo unfit for the draught upon many roads, that it will be ſcarcely poſſible by any encouragement to bring them again into general uſe.

We

We have another instance of the inefficacy of a parliamentary attempt to encourage the growth of flax and hemp. In the time of Henry the Eighth a law was enacted, obliging the occupiers of sixty acres of land in tillage to sow one rood with these articles; and, under the reign of Elizabeth, it was extended to one acre (*m*). The intention of these acts was to supply the navy with sailcloth and cordage, without having recourse to foreigners; and at the same time the farmers, who usually employed their female servants, during a respite from other business, in spinning flax and hemp for the use of their families, were furnished with these articles from their own lands. And, if the culture of them had been rightly understood, and a choice made of a proper soil, a sufficient quantity might have been raised at that time for those purposes. But this could not be expected in every part of the kingdom. The farmers in general must have been so unskilled in this branch of husbandry, that their attempts to cultivate these articles would be attended only by

(*m*) 24 Hen. VIII. c. 4. 5 Eliz. c. 5.

loss

loſs of labour, and a ſmall quantity of land. As the nature of the ſoil, in theſe and all other productions of the lands, ought to be firſt conſulted, it was imprudent to enforce the cultivation of them in all places without diſtinction. For this reaſon no general law can be of public ſervice in recommending a particular grain or ſeed to the landholders. This is beſt promoted at firſt by premiums, and afterwards by intereſt. The law was therefore amended under the reign of Elizabeth; and the choice of the counties, where flax and hemp might be cultivated to the greateſt advantage, left to be ſettled by proclamation, to the great relief of the farmers in general, who could not be ſuppoſed to underſtand their proper culture, or expect to receive a profit adequate to their labour (*n*).

If public utility might be pleaded in defence of the law enjoining the growth of flax and hemp, the ſame plea cannot be urged in favour of queen Elizabeth's proclamation to prohibit the growth of woad within eight miles of any of her houſes,

(*n*) 35 Eliz. c. 7.

or

or within four miles of cities, market-towns, and all other towns, where clothing was used (o). This article was of great use to the dyers; but the smell of it was offensive to the queen, and she was desirous to discourage its growth. She nevertheless granted patents to two persons, to sow six hundred acres each with woad (p). And when the proclamation was revoked at the request of the parliament, secretary Cecil told the House of Commons, with some degree of pleasantry, 'the queen only prayeth thus much, that, when she cometh on progress to see you in your countries, she may not be driven out of your towns by suffering it to infect the air too near them (q).'

The statutes for draining marshes and watery grounds, if they had been duly executed, might have been extremely useful to the public. An act had formerly been made for draining Plumstead marsh (r); and

(o) Camden, Ann. p. 510.
(p) D'Ewes's Journ. p. 650.
(q) Parl. Hist. vol. IV. p. 471.
(r) 22 Hen. VIII. c. 3.

at-

attempts of this kind had undoubtedly been made by many proprietors of fenny grounds; but the low value of land, or the want of proper powers to carry designs of this nature into execution, discouraged, or entirely defeated, their intention. As the lands began to receive an additional value by the advanced price of grain and provisions, encouragement was given to drain the grounds on the eastern coasts of the island, which were constantly or occasionally overflowed with water, either through negligence, or the low situation of the country. It must, therefore, be thought an useful undertaking to drain them, and thereby augment the quantity of corn and provisions. It was, as it were, making an addition to the kingdom, and number of inhabitants, by rendering unprofitable lands salubrious and useful. Towards the end of the reign of Elizabeth, it was proposed to recover many hundred thousand acres of marshes in divers countries; and though it could not be expected that success would immediately attend this attempt, there is no doubt but several parcels of waste and marshy land

would

would have been recovered, and made profitable to the proprietors and the public (s).

As beneficial as this statute promised to be to individuals and the nation, it was not obtained without difficulty. When this, and another bill of the same kind, were depending in the house of commons about three years before, the queen sent a message to the house, that the said two bills concerning the draining of marsh and fenny grounds should not be any more read in the house (t). And it appears from Camden, that undertakings of this sort were not generally approved of in his time. "I "shall say nothing, as he tells us, of the "sound and wholesome advice concerning "the draining of the fens in Cambridgeshire "and the adjacent counties, which yet was, "perhaps, nothing but a specious pretence of "doing good to the public for private ends, "that has been so often considered and de-"bated in parliament. It is to be feared, they "would soon return to their old state, as the "Pontine marshes in Italy have often done

(s) 43 Eliz. c. 11.
(t) Dr Ewes's Journ. p. 594.

 "since

" ſince their draining. So that ſome think it " the ſafeſt way to follow the oracle's advice " in the like caſe, not to venture too far " where Heaven has put a ſtop (*u*)." This remark of Camden is the more ſurpriſing, as conſiderable tracts of land in the Low Countries had been recovered from the ſea before his time, by draining or embanking; and there was equal reaſon to expect, that the ſame ſucceſs might attend a ſimilar undertaking in England. If the plea here urged ſhould be admitted, no attempt ought to be made to unite two rivers for the purpoſe of making them navigable, nor even to improve ſuch waſte and fenny grounds as had been for many ages in a ſtate of barrenneſs. But it is as much the part of human induſtry to render deſolate tracts of lands profitable, as to improve the rough materials, which Providence has beſtowed, in order to fit them for our uſe.

The preſervation of the woods again engaged the attention of the legiſlature, on account of the ſcarcity of timber for the uſe of the navy, buildings, and fuel, which

(*u*) Camd. Brit. vol. I. p. 490.

former

former acts had not been able to prevent. The woods, which anciently made a part of the royal forests, and afforded cover to the game, were sufficient to supply the demands of the neighbourhood for buildings and fuel, the chief uses to which they had been for a long time applied. As the passion for the chace subsided, either through negligence or connivance, great waste was committed, or proper care was not taken to fence and preserve them. The woods of the subjects in many countries, on account of the low price of timber, or the claims of the freeholders in the parish to depasture their cattle there at certain times, were equally neglected, or suffered to decay. But the greatest destruction of the woods was made by the iron mills and forges, which increased in number as the trade and navy of the nation were augmented. In many places the principal profit of woodlands arose from the consumption of their products in the neighbouring forges; and, as it may be justly imagined, these would be erected for the convenience of disposing of their goods as near as possible to navigable

ble rivers, sea-ports, and dock-yards, where the greatest quantity of timber and iron was required. The want of fuel might have been supplied by coals; but they were brought to London in too small quantities, or wood was thought preferable, and at that time probably was equally cheap. To remove these complaints of the scarcity of timber and fuel, the legislature judged it necessary to encourage the growth and preservation of woods, to prevent the erection of forges in improper places, and the consumption of timber there by converting it into coal for making iron (*w*). Many useful regulations were therefore made, and directions given in the statutes for these purposes. And though some degree of compulsion might be necessary in those times for putting them in execution, the advanced price of timber now affords, in most cases, a sufficient motive to observe them. It was, nevertheless, of advantage to the public, that before these acts were made, many woods had been destroyed in different parts

(*w*) 35 Hen. VIII. c. 17. 1 Eliz. c. 15. 23 Eliz. c. 5.

of the kingdom by ſupplying the forges erected in their neighbourhood, and the lands converted into tillage or paſture, which otherwiſe might have remained waſte, and almoſt uſeleſs to the proprietors. The profits ariſing from the moſt ordinary woodlands, by the demand of the forges, had enabled the owners to improve or prepare them for more profitable products, corn or graſs, which alteration is, in ſome degree, prohibited by a clauſe in one of theſe ſtatutes.

As the connection between the landed and commercial intereſts of the nation, and the influence they had upon each other, now became more viſible, and required the attention of the legiſlature more than in former ages, it may be of uſe to make a few general reflections on this ſubject.

On ſome occaſions it is no eaſy taſk to reconcile the intereſt of the merchant and land-owner, and allow to each that proportion of gain which will give ſatiſfaction to both. When a nation depends on the products of its lands, and induſtry of the people, and holds no intercourſe with

foreigners,

foreigners, as there is no landed or trading interest to maintain, the point may be easily adjusted; nor is it possible, where the subjects are free, that these should ever interfere. If the price of grain and provisions should be fixed by a law, the manufacturer, artizan, and labourer, will be obliged to conform to it in the prices of their goods and labour. A reduction or advance on one side will create the same on the other. Supposing a reduction to take place, and that all the products of the lands should be fixed at a low rate, the price of labour and all the public imposts must be proportionally low, and the quantity of gold and silver in circulation will be diminished in the same degree. If the products of the lands for a great number of years should be sold at a price exceeding the past, the landowner will advance the rents of his tenants; and these will be obliged to make an addition to the wages of their servants, labourers, and workmen, and to give an higher price for the goods of the manufacturer, and for all the necessaries of life, that require labour to prepare them for use. The gain therefore

on ſuch an advance would be only imaginary in the hands of the landlord and tenant. If the latter received more for the products of the lands in his occupation, he muſt pay an advanced rent, higher wages to his aſſiſtants, and a greater price for his apparel, and almoſt all other neceſſaries. And this would in ſome meaſure be the caſe of the landlord. Upon this view, therefore, the public would remain nearly in the ſame ſtate under every change in the price of proviſions; and for this reaſon it can be of little moment with reſpect to the internal œconomy of any nation, debarred from foreign trade, at what price the products of the lands, and conſequently of labour and all other neceſſaries, are rated, as they will always regulate each other without the aid of the legiſlature.

But another view preſents itſelf, when we take in the conſideration of a trade with foreigners. The merchants and manufacturers have almoſt unanimouſly agreed, that no general article of commerce can be ſold on any other terms in the markets abroad than as being the cheapeſt. The price of proviſions, therefore, which regulates the price

price of labour, must be upon an equality with that amongst foreiguers, in order to enable the merchants to enter into competition with them in the sale of any manufacture abroad. Or if the price of labour is higher, a balance must be made by the cheapness of the materials, and carriage, the use of engines and machines, or the superior industry, abilities, and frugality of the work-men. Where therefore the value of the goods is more owing to the material than to labour, that nation, where the material is cheapest, will meet with the readiest sale for them in the markets abroad; but where the value of the goods arises chiefly from the labour bestowed upon them, that nation, where the workmen receive the lowest wages, will the most readily dispose of them amongst foreigners. In short, it seems to be the general reasoning of the merchant, that as the wages of his workmen must advance in proportion to the expence of the necessaries of life, so he must advance the price of his goods in the same proportion, and for this reason, under a very high price of provisions he will be in dan-

ger of losing his trade with foreigners. According to this mode of reasoning, it must be the interest of every commercial state to keep down the price of provisions, and make the products of the lands as subservient to foreign trade as to the profit of the owners.

How far this reasoning ought to be admitted depends in some measure on the nature of trade, which may be considered in three different lights; as arising from the freight or carriage of merchandise from one nation to another, from the consumption of home-made manufactures, and the productions of the lands, or from an exchange of such commodities with foreigners as are designed for domestic use.

We learn from the earliest accounts of maritime commerce, that the richest and most populous nations were not always the most powerful at sea, or reaped the benefits arising from the conveyance of merchandise from one country to another. This was generally in all ages, as far as history will enable us to trace it, the lot of free states, excepting the city of Alexandria

and

and a few other places, whose landed interest was inconsiderable, and the soil of their country not remarkable for its fertility. Several cities on the coasts of the Mediterranean, by a kind of succession, had carried on this species of traffic above two thousand years before it settled in the western parts of Europe. On the declension of the Hanse towns, the Hollanders obtained it; and, without possessing all the advantages which their predecessors in this branch of commerce enjoyed, they are equal to any of them in opulence and power. It is little more than three centuries ago since the greatest part of the European states applied themselves to foreign trade; and before that time there were few tarifs, or navigation-acts, which are always injurious to the interests of these maritime carriers. Under the present commercial regulations established in almost every country in Europe, the trade of these states cannot be so successfully carried on as it was in former ages. Nor would it have been in the power of the Hollanders to have supported their commerce under so many

restrictions as are now put upon it, if they had not made themselves amends by their fisheries. Confined to a small tract of land, that is unable to supply the inhabitants with provisions, they enlarged, as it were, their territory by making the produce of the sea as beneficial as the crops of a rich and extensive country. And we may ascribe the flourishing state of Holland rather to its fisheries, and the profits of its distant settlements, than to the cultivation of its lands, or manufactories. And as this and almost all former states of the same kind have generally been unable to supply their inhabitants with provisions of their own growth, it cannot be expected, that the landowner should obtain any exclusive right in disposing of his corn and other products of the soil, or that his landed property should be considered in any other light than as relative to the support of commerce. In these states grain and provisions will always be sold on the same terms, adding the expences of freight and other necessary charges, as in the cheapest country in the neigh-

neighbourhood, that will permit them to be exported; and for this reason the value of the products of their own lands must be regulated by the price they bear in other countries. There can be therefore no landed interest to support in these commercial states, that subsist chiefly by the carriage of merchandize; nor will it ever be an object of national concern, or require any public regulations. The greater part of the inhabitants, debarred from agriculture, will apply themselves to trade or manufactures, and purchase or rent lands only for convenience or necessity.

Nor will the domestic consumption of their manufactures, or products of their lands, be thought of moment in those states, as making only a small part of the national riches. The number of inhabitants is generally too small, and their frugality and economy are too great, to give proper encouragement to an internal trade. It is only in a populous and extensive country that this can flourish, where it will be always proportioned to the products of the lands, and the industry and circumstances of the people.

people. The value of these will circulate in every state, though a trade with foreigners should be entirely prohibited; and on this view we may estimate the internal wealth of every nation. Among the numerous and rich inhabitants of a fertile and extensive country, the domestic consumption of the manufactures and products of the lands will far exceed the returns of foreign commerce; or, in other words, the value of its own goods consumed at home will far surpass the value of its exports or imports.

But though it lies in the power of every state to encourage and regulate its domestic trade, the extent of it will always depend on the general circumstances of the inhabitants. It has already been more than once observed, that where the wants of the people are few, and they are chiefly supplied by the spontaneous products of the earth, it is impossible that trade should flourish. In most parts of Europe it is necessary for the support of commerce, that the property of the lands, or a considerable share of the national riches, should be, in

some

ſome meaſure, divided among the people. An oppreſſed and indigent commonalty can neither conſume a due quantity of its own manufactures, nor of the commodities imported in exchange for its own, to give proper encouragement to trade. Neceſſaries alone will be required by ſuch ſubjects; and when the imports of a nation, or its domeſtic conſumption, are confined to theſe, its trade will be always inconſiderable. In a free ſtate, where the people are in eaſy circumſtances, the domeſtic conſumption of the manufactures and productions of the lands will be the greateſt; where the nobles are numerous, and the property of the lands is chiefly veſted in them, the internal trade will be proportionally diminiſhed; and where the government is deſpotic, as the proviſion of mere neceſſaries will be the principal care of the ſubjects, induſtry and labour, which lay the foundation of commerce, will be exerted no farther than to attain them. In every civilized country, it may be laid down as a maxim, that the accumulation of landed property by particular perſons, or that very high rents, which keep

keep the occupiers of the lands and their labourers in a state of poverty, equally tend to the diminution of foreign and domestic trade. The wealth of the nobility expended in mere luxuries makes a less addition to the public revenues, and the consumption of manufactures, than if it was divided amongst such a number as would place them in a state of independence and ease. And all the efforts that can be made to encourage commerce in any nation, whose nobles are numerous, and commonalty poor, will be found fruitless upon trial. It is not easy to calculate how much more English farmers and their assistants contribute to the public revenue, manufacturers, and land-owners, than an equal number of Polish, Russian, Italian, or French peasants and labourers. There is no other rule for determining this point, than by comparing the diet, cloathing, and expences, of an equal number in each nation. The surplus on such a comparison is paid to the revenue, land-owners, manufacturers and merchants.

In every state, as before remarked, where no trade is carried on with foreigners, there

there can be no opposition between the landed and commercial interest; but, if no violence is used, they will always regulate each other. But if foreign trade is encouraged in a rich and extensive country, a landed interest will be created; and in every free state a constant jealousy will be maintained between the land-owner and merchant. Every civilized country admits of a trade with foreigners; but the extent of it, like domestic trade, will depend, in some degree, on the general state and circumstances of the people. If landed property is vested in few hands, and the commons are vassals to the land-owners, trade will consist chiefly in the import of luxuries; and these will make a slender addition to the national riches or revenue.

And it is observable, that in every state, where the lands are the property of a few, the imposts on luxuries are moderate, and the crown-lands extensive; and that, as civil liberty and commerce gain ground, the former are increased, and the latter diminished. In former ages, the history of England, and almost every other European

ſtate, and in modern times Poland, and ſome other kingdoms in the North, afford us inſtances of this kind. Amidſt the enormous wealth and luxury of a few, and the poverty of the greateſt part of the people, it is almoſt impoſſible, that foreign or domeſtic trade ſhould be carried on with vigour. The lower rank of people muſt be releaſed from a ſtate of vaſſalage, and in proportion to their ſituation in life placed in eaſy circumſtances, and the produce of the lands and national riches muſt be more equally divided, before this event can be expected. An indigent and oppreſſed commonalty can add little more to the publick ſtock of wealth and revenue than an equal number of ſavages. A more expenſive diet, better cloathing, and a more equal diſtribution of property among the landholders, manufacturers, and labourers, are requiſite to encourage domeſtic trade in every country; and its foreign trade will be always more conſiderable, as long as the greater part of the people has an overplus left, after providing neceſſaries, to expend on

goods

goods imported in exchange for their own.

When any article of commerce is peculiar to one country, and neceſſary to another, an advantage may be made of this neceſſity, and a trade in ſome meaſure forced. But articles of this kind are extremely rare. There is ſcarcely a commodity of conſequence in commerce, which is ſo peculiar to one country or neceſſary to another, but the want of it may be diſpenſed with, or ſomething elſe ſubſtituted in its place. In every other article, it is not always the cheapneſs of goods, that encourages a traffic in them, or determines the nature and quantity of the imports or exports of a nation. For commerce may be conſidered as conſiſting chiefly in an exchange of commodities between two nations, for the benefit of each other. This is the preſent regulation of trade throughout every civilized part of Europe; and its utility is ſo well underſtood, that no nation is willing, for any length of time, to traffic with another on any other terms. Whatever nation will take

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in exchange the peculiar produce of the lands or manufactures of another in the greatest quantity, if no particular reasons intervene, will have the preference in its markets. So that the cheapness of goods is not always the only recommendation of their sale among foreigners. It is fruitless to make the most advantageous offer of goods unto some nations, if the products of their soil, or their manufactures, are not taken in exchange. We find a variety of instances of this kind in Britain; and the same may be found in every state in Europe. We prohibit the wear of many French, Italian, and Indian goods; and it is not on account of their dearness, but of their cheapness, compared with similar goods of our own, that they are prohibited.

In former times, before the principles of commerce were well understood, the cheapness of every article of traffic was its chief recommendation both at home and abroad; but as present the manufactures of one state will be received only in another, whose interest it is to receive them, and which has it in its power to make a proper exchange.

change. The practice of prohibiting the import of particular goods is used in almost every state. Our coarse woollen cloths are, perhaps, cheaper in proportion to their quality, than any other that are manufactured in the northern parts of Europe; but to receive them in other states in too great quantities would, probably, discourage their own manufactures; or, what is as likely, the goods and merchandize, that must be imported in return, are either useless to us, or would be detrimental to some of our fabrics. And no commerce can long subsist between two nations, if the goods exported to the one, and received by the other, are not in some measure beneficial to both. The advantage will lie on the side of that nation, whose commodities require the greatest number of hands to raise or manufacture them. The cheapness of goods cannot, therefore, be the only requisite to encourage a trade with foreigners; as, in some cases, it is the interest of a nation not to admit them on any terms; and, in others, it may happen, that proper merchandize is wanting to make an exchange, or that it would

be inconvenient to receive it. Bullion, indeed, where its exportation is permitted, may encourage a traffic between two nations; but this is a mere article of commerce, and possessed of no other advantages beyond others, except that its importation is no where prohibited.

But let us suppose, that foreign goods are imported in return for our own, and intended for home consumption, and consider how far this traffic affects the interest of the land-owner. The people, as well as the land-owners, derive a great part of their maintenance from the products of the lands, and they consume most of the articles that are imported, in exchange for our own. Reduce then the rents of the lands, or the value of their produce, and the consumption of foreign goods will be lessened in the same proportion, and of consequence trade must decline. The merchant can have no inducement to import commodities of any kind, unless designed for exportation, whenever purchasers are wanting at home. If the rents of the

lands,

lands, or the value of their products, ſhould be reduced to an half of their preſent value, and conſequently an equal abatement made in the price of every article dependent upon labour; would the conſumption of our manufactures, or of foreign goods received in exchange, be increaſed? We ſhould certainly be enabled, by this reduction, to underſell foreigners in the markets abroad, where no prohibition lies againſt the admiſſion of our goods; but how ſhall the merchant diſpoſe of the commodities he imports in return? In order to make a balance, he muſt ſell them at an half of their former value, or import only half the quantity, and at the ſame time the taxes, duties, and cuſtoms, muſt be proportionally diminiſhed.

It is generally imagined, that foreign, like domeſtic trade, is carried on to the greateſt advantage by buying cheap, and ſelling dear; and, without doubt, this is profitable to individuals; but it is not always equally profitable to a nation. Food and cloathing muſt be provided by the inhabitants of every country; and the re-

mainder of their gains may be laid out in the purchase of luxuries, in the consumption of foreign goods, and in paying the public levies; and the greater this remainder is, and the greater the number of persons who possess it, so much more extensive will be the foreign trade of that country, and so much higher the value of the public imposts; for, excepting the gain that is made by the freight of goods, the foreign trade of every nation in Europe, under its present regulations, can never exceed the surplus of the rents, products of the lands, and the wages of industry and labour, which remains after the purchase of their own native commodities. So far every nation has it in its power to admit the goods of foreigners, and no farther. Bankruptcy must be the consequence of a more extended commerce, unless the deficiency is made up by the gains of freight. In short, the foreign traffic of every nation, excepting that which depends on maritime carriage, will amount to no more than the surplus abovementioned; that is, what is not expended on the necessaries of their own growth

growth and manufacture, may be laid out in the purchase of goods imported.

How far trade depends on the general condition and circumstances of the people may be collected from its state in France. Though it is possessed of all the advantages of climate, situation, industry, and number of inhabitants, Great Britain carries on as great a trade with foreigners. If the rents of the lands in France, or the value of their produce, may be supposed to exceed ours, as from the extent of the country may be justly imagined, yet the more equal distribution of property, and the more easy circumstances of the people, give a superiority to our trade. And wherever the people are held in a state of poverty, it is not in their power to pay even moderate taxes, or to consume a great quantity of their own manufactures, or the commodities imported in return for their own. We are told, by a writer in the British Merchant, "that "the price of meat and wheat doth little "concern the poor manufacturers of "France. As they generally drink no-"thing but water, or at best a sort of be-

"verage, which is water pressed through "the husks of grapes after the wine is "drawn off, they save a great deal on that "account; for it is well known, that our "people spend half of their money in "drink (x)." In another part of the same work we are told, "there are three pro-"vinces in France full of large forests of "chesnut trees, and abounding so much "in that kind of fruit, that the common "people have no other food all the year "round, and no other drink but water. If "chesnuts, and such like productions of "the earth, for which we are chiefly be-"holden to nature, very little to the la-"bour of man, are the greatest part of the "subsistence of the people employed in the "paper manufacture of France, there can "be little doubt of their living at less wages "than our English labouring people; even "my adversary would not have the confi-"dence to assert, that a belly-full of chesnuts, "which grow without the labour of man, "shall cost so much as a belly-full of bread,

(x) Brit. Merch. vol. I. p. 7.

"which

"which pays so much to the ploughman, "the seedsman, the reaper, the thresher, the "miller, the baker, and innumerable other "labourers, who have bestowed some work "upon every loaf that was ever eaten (y)." A later writer than the former describes the French peasants as equally poor. It is in the country, he tells us, that we can best discern the difference between France and England. The English peasant is rich, and enjoys in plenty all the conveniencies of life. If he labours for the merchant, he participates, like other Englishmen, of the advantages of commerce. A state, wherein the peasant lives at his ease, cannot be otherwise than rich; and the lands will be always cultivated in proportion to the riches of the occupier. The fruit of his labour is not only sufficient to supply his wants, but places him in a state of procuring that kind of superfluity which makes life comfortable. In England, as well as Holland, the villages are better built than in France. Every thing shews the riches of the inhabitants.

(y) Brit. Merch. vol. II. p. 261.

I have found them to be well cloathed in every place. After this description of the English farmers, he informs us, he knew provinces in France, where the peasants drank nothing but water (z). Under the present regulations of trade in every part of Europe, the state of commerce must be low in any country where the farmers, manufacturers, and labourers, are so cheaply and coarsely fed, and live in such a state of poverty. As they are able to purchase only a few of their own commodities or products, that require labour to prepare them for use, it cannot be supposed, that they should promote a trade with foreigners by consuming their goods. It would be more advantageous to France and its trade, both at home and abroad, if the inhabitants of the provinces, where chesnuts are so plentiful, lived on bread and shambles meat, instead of chesnuts, and encouraged the farmer and other workmen, who in return would augment the public revenue and national riches.

(z) Lett. de Le Blanc, vol. II. p. 64.

From

From the acceſſion of Henry the Seventh, to the end of queen Elizabeth's reign, though the circumſtances of the people ſeem to have been too low and mean to encourage the import of foreign commodities, yet our exports were very conſiderable, and conſequently our imports muſt have been proportionally great, in order to make a balance. And the reaſon of this extent of our foreign trade was, that many articles of general uſe, which are now ſupplied by ourſelves, were at that time imported from abroad. Velvets, ſilks, linen, and divers other goods, were then received in exchange for our native commodities, and ſupported our trade. And when the import of many articles was prohibited, new kinds of foreign commodities ſupplied their place, and prevented the declenſion of our traffic. The extent of our commerce in thoſe ages may therefore, in ſome degree, be attributed to the import of many articles, which, though now prohibited, were ſo neceſſary, that the people were obliged to purchaſe them, and by that means our merchants were enabled to maintain and

even

each enlarge their foreign connections. And during the reigns of the Tudor line, our commerce made a greater progress than it had done from the Norman conquest to the accession of that family.

Under the reigns of these princes, Europe seems to have awakened from the lethargy with which it had laboured from the time of the Crusades. The discovery of the East and West Indies rouzed a spirit of enterprize in almost every European nation, and led them to extend their commerce among their neighbours, and to form closer connections with each other. The riches imported from the newly discovered countries excited an activity in those nations, who were not allowed immediately to partake of their spoils and products, and engaged them in any undertaking that opened a prospect of gain at home or abroad. The returns of domestic industry and manufactures were looked upon, by the Spaniards and Portuguese, as too slow and inconsiderable to merit the attention they deserved; and, in seeking the riches of foreign countries, they neglected the internal wealth

wealth arising from industry and population, which is more durable and substantial. Spain suffered its husbandry and manufactures to fall into decay, in return for the treasures brought from America. A spirit of emigration and avidity possessed the minds of its inhabitants; but few returned loaded with a greater share of wealth than might have been more honourably acquired at home by agriculture, manufactures, or commerce. Fortunately for the English, they were excluded from those countries in America, where the chief profits arose from mines of gold or silver; and by this disappointment they were left at liberty to cultivate a commercial correspondence with the neighbouring nations, and apply themselves to the improvement of their own country. And this opportunity seems not to have been neglected. While the Spaniards and Portuguese were busy in making settlements abroad, and labouring to exclude every other nation from sharing in the spoils or profits of the trade to the countries they claimed in right of discovery, the English were employed in improving

their

their manufactures, enlarging their trade, and forming a naval power on the basis of national industry and commerce. A less quantity of wool was exported, and the number of our cloths proportionally increased. Almost every branch of trade was rescued out of the hands of foreigners, who were no longer indulged with privileges detrimental to ourselves. The Hanse merchants were not permitted, as in former times, to monopolize the northern trade. Their charter was revoked by Edward the Sixth; and, though they were connived at, or for a time protected under the succeeding reign, the company was at last entirely dissolved by the resolution of Elizabeth. The Northern States were the best adapted for the sale of our woollen manufactures, and made the most profitable returns; but our trade with other countries was not neglected. Our merchant-ships visited the coasts of the Mediterranean, and the western parts of Africa. A trade was opened with Muscovy, Brasil, and the East Indies, and a few ships were sent to fish on the banks of Newfoundland. Though all these branches of com-

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merce were not of equal advantage to the nation, they encouraged a ſpirit of enterprize in our merchants and ſailors, and made ſuch an addition to our navy, as to become more formidable at the latter end of Elizabeth's reign than in former ages. But as theſe mercantile plans were chiefly formed in her time, and could not immediately produce their beneficial effects, the conſideration of them belongs to a later period.

Our foreign and domeſtic trade, which had been encouraged under the reign of Edward the Third, met with ſo many interruptions till the time of Henry the Seventh, that it made very ſlow advances. The wars, which almoſt inceſſantly ſucceeded each other, diverted the attention of the people to other ſubjects; but in times of public tranquillity, it was taken into conſideration by the parliament, and laws were enacted for ſupporting and encouraging it both at home and abroad. Many of theſe were, indeed, ill calculated for the purpoſe, as muſt always be the caſe on the eſtabliſhment of foreign trade, and the introduction or improvement of manufactures. Experience is the beſt

guide

guide on these occasions; and it requires time to discover the utility or inconvenience of public regulations on so complicated a subject. The separate interests of the prince and people, and the influence of foreign states and merchants, served to perplex it. What might have been advantageous to the people was sometimes detrimental to the public revenue; and it was not always easy to obtain a repeal of laws, that were profitable to the prince. Nothing could be more impolitic than to tax our cloaths, when sent abroad, because a duty was paid on the export of wool; and yet it was a long time before the public interest was so far regarded as to obtain this exemption. It would have been more beneficial to the public, as well as the merchants and manufacturers, if, instead of taxing cloaths, an additional duty had been laid upon wool exported, in order to enhance its price among foreigners, and encourage our own fabrics; but, if the prince had been willing to comply, the land-owners would probably have opposed so useful a measure. They derived a considerable profit from the export of wool, and looked upon every restraint

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and additional duty upon it as detrimental to their interest, and calculated to form a monopoly by our manufacturers. The benefit of confining our wool at home, for the use of our fabrics, was not considered in a national light, but only as a means of reducing its value at the expence of the landowners. The interest too of foreign merchants, with whom we were connected, frequently interfered in deliberations on this subject, and made it difficult to reconcile the national interest with the privileges they had long enjoyed, and the revenue they brought into the exchequer. And the management of our foreign trade had been so long in their hands, that it could not be violently wrested from them, without injury to ourselves. The confederated towns in the north were always ready to resent every innovation in the accustomed mode of traffic, and to interrupt the sale of our merchandize in every country where they had any influence. Attempts were frequently made to abridge their privileges; but the design was never completely

pletely executed till the reign of Elizabeth, when the nation was prepared for it by the improvement of our manufactures, and the increase of our shipping.

The avarice of Henry the Seventh led him to encourage trade in order to bring money into his exchequer, as much as to enrich his subjects. On some occasions he seems to have been wholly guided by national interest, and at a particular time is said to have assisted the merchants out of his own treasure (*a*). To enlarge the number of our ships, a former statute was revived, wherein it was enacted, that Gascoigne wines and Toulouse woad should be imported only in our own vessels, and that all English commodities should be exported in our ships, if they could be met with (*b*). Care too was taken, in the commercial treaty with Florence, that the English alone should export wool thither in their own ships (*c*). And, in after-times, when the trade with Russia was opened, no other

(*a*) Anderson's Hist. of Com. vol. I. p. 337.
(*b*) 5 R. II. st. 1. c. 3. 4 H. VII. c. 10.
(*c*) Anderson's Hist. of Com. vol. I. p. 309.

than

than English vessels were allowed to be employed in it (d). These designs, however imperfectly executed, were calculated for augmenting the number of our ships and mariners, and in length of time might enable us to carry on the national commerce without the assistance of foreigners. Dispensations, indeed, were sometimes granted by the crown, which in some degree defeated the intention of exporting our goods in English vessels; but these were afterwards recalled, and the act confirmed (e).

Our foreign connections were formed chiefly with the Netherlanders, who received the greatest part of our wool; and, when our manufactures were improved, admitted our cloths. As the quantity of these was constantly increasing, the export of wool was proportionally diminished, and our workmen were encouraged to enter into competition with the Flemings in the European markets. They were aided in this

(d) Anderson's Hist. of Com. vol. I. p. 405.

(e) 6 R. II. c. 8. 4 Hen. VII. c. 10. 23 Hen. VIII. c. 7.

design by the lower price of the material, and probably by the cheapness of labour. The duty on wool, though moderate, and the expences of freight, undoubtedly enhanced its price in foreign countries; and the wages of our manufactures may be justly supposed to have been lower than those of the Flemings, among whom the influx of wealth, by the long establishment of manufactures, must unavoidably have enhanced the price of all the necessaries of life. In one of our counties, our manufacturers were authorized by the parliament in some degree to monopolize the wool. Norfolk wool, proper for worsteds, was not allowed to be exported (*f*). In the county of Berks, foreigners were precluded from buying the wool grown there from the time of clipping the sheep till the Candlemas following. And this law was afterwards extended to seventeen counties (*g*). And it may be reasonably presumed, that our manufacturers would take the benefit of this indulgence, and purchase wool on

(*f*) 6 H. VIII. c. 12.
(*g*) 4 H. VII. c. 11. 22 H. VIII. c. 1.

lower

lower terms than foreigners. At the same time, these restrictions gradually prepared the way for a total prohibition against the export of our wool. The interest of our merchants was likewise preferred to that of aliens. Denizens had sometimes lent their names to cover the export of wool by merchant strangers, on account of saving the additional duty payable by the latter. A law was therefore enacted, by which denizens were obliged to pay the same duty as aliens (*h*). And it was perhaps of some advantage to our merchants, and the nation in general, to revive a former law, which obliged alien merchants to expend on English goods the money they received in exchange for the commodities they imported (*i*). As gold and silver can be so easily secreted for exportation, it was extremely difficult to prevent it; but as far as the law was observed, the balance of exchange was retained for our use.

To encourage both foreign and domestic trade, several laws were made against mo-

(*h*) 11 H. VII. c. 14. 22 H. VIII. c. 8.
(*i*) 3 H. VII. c. 8.

nopolies, and for abridging the rights or powers claimed by corporations and chartered companies of merchants. The Londoners, in virtue of a by-law, had debarred the citizens from carrying their goods to the fairs held in different parts of the kingdom (k). And the company of merchants trading to Hamburgh and other parts of the north, excluded all other merchants from trafficking to the places included in their charter, unless they paid a considerable fine for their admittance into the company (l). These by-laws, as well as others established in the boroughs, were found to be so detrimental to the public, that a general law was made for disabling every corporation from making by-laws in diminution or diminution of the kings prerogative, or the common profit of the people, without being examined and approved by the chancellor, or other persons specified in the act (m). Oppressions of this kind called for redress, as injurious to trade. The

(k) 3 H. VII. c. 9.
(l) 12 H. VII. c. 6.
(m) 19 H. VII. c. 7.

princes,

princes, however, still continued to grant monopolies to particular persons, for a valuable consideration; and the practice was not entirely suppressed till after the reign of Elizabeth.

It is difficult to discern the usefulness of the statute for limiting the prices of cloth, though lord Bacon speaks of the wise model of the act, not prescribing prices, but stinting the manufacturer not to exceed a certain price, that the clothier might drape accordingly as he might afford. According to the act, scarlet cloth was not to exceed sixteen shillings a yard, and any other coloured cloth was limited to eleven shillings (*n*). A law of this kind must effectually prevent all improvements in making fine draperies, and can be defended only on the presumption that we had not wool of our own growth proper for the purpose, or that it would not be advantageous to import it, or the dying materials from abroad. These, however, seem not to have been the reasons for enacting the statute. It must at all times be impolitic to limit

(*n*) Life of Henry the Seventh, p. 597. 4 H. VII. c. 8.

the price of any woollen manufacture, if improvements in it can be supposed to be of public utility. The finer the cloth is, the greater number of hands it must necessarily employ; and the price of this, as of every other manufacture, will regulate itself, without the interposition of the parliament. The quantity of all manufactured goods will be always regulated by the demand; and, as long as this continues, the manufacture will be carried on, and even improved by the dexterity which the workmen acquire by practice. When the demand ceases, the workmen will be obliged to apply themselves to such other branches of business as are in request. Luxury in apparel, and the wear of superfine cloth, though of our own manufacture, were, indeed, in those ages considered as detrimental to the publick; but of all other species of extravagance, it is, perhaps, the most beneficial to the nation, by the great number of hands it employs to manufacture it. The house of commons was so sensible of the national benefit arising from a moderate degree of luxury, as to reject a bill

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for restraining luxury of apparel, though many of the articles were imported from foreign countries (o). And a numerous body of workmen in any branch of business must be useful to the tradesman and farmer, by affording to both an opportunity of disposing of a larger quantity of their respective commodities. But we have no reason to be surprised at regulations of this kind, as the price of hats, caps, and bows, was settled by the parliament (p). These statutes could not be injurious to the makers of these articles, as they would take care not to exceed the limited price; but, for a very obvious reason, this limitation could not be in the least degree beneficial to the public. The act, which enforced a former one, and required that our cloth should be barbed, rowed, and shorthbefore it was exported, was much more useful than the other (q). This was calculated for adding to the number of our workmen, and securing to ourselves those profits,

(o) Parl. Hist. vol. IV. p. 184.
(p) 3 H. VII. c. 13. 4 H. VII. c. 9.
(q) 3 H. VII. c. 11.

 which

which foreigners derived from this branch of business. Its effect in a lesser degree was similar to that of exporting the wrought, instead of the raw materials of any manufacture.

Though Edward the Third, and some of his successors, had occasionally given encouragement to the Flemish weavers, who resorted hither, and we stood in some degree indebted to them for the introduction of some new manufacture, or improvement of the old, yet they frequently met with rude treatment from the populace and inhabitants of the boroughs. Foreign weavers had been prohibited from exercising their business in England, under the reign of Richard the Third (r): but Henry the Seventh invited weavers from Flanders; Edward the Sixth gave encouragement to foreign Protestants to settle here; and Elizabeth had an opportunity, by the troubles in the Low Countries, of adding to their number by making her dominions an asylum for the refugees from these States. It may be reasonably supposed, from their

(r) 1 R. III. c. 9.

longer

longer application to the manufacture of cloth, that they would excell our native workmen in skill and dexterity, and import some improvements, that had been made in their own country by a larger experience, than we could boast of. And their situation as foreigners would undoubtedly oblige them for a time to be more industrious and dependent than our own workmen. In length of time they became so numerous, as to create the envy or jealousy of the natives, who frequently laboured to depress them, or to put them under inconvenient restrictions in their respective professions. An act was made, under the reign of Henry the Eighth, prohibiting foreigners from employing more than two journeymen, or taking any apprentices, unless they were natives (s). The indiscriminate admission of foreigners may be thought an impolitic measure in particular States; but in the infancy of any manufacture, or in order to introduce some new art, it must be the in-

(s) 24 and 25 H. VIII. c. 2.

terest

terest of every government to encourage such foreigners as possess the requisite skill to instruct the natives in these branches of business. In all other respects, the benefits of a general naturalization are merely temporary. Tractable, industrious, and useful, on their first admission they are preferable to the native workmen, as well as superior in their skill. After a long residence, they lose every advantage they possessed over the natives, and contract the same defects. By the additional number of hands, which would be the consequence of a general naturalization, the wages of workmen in the same manufactures would be for a time reduced. And this is probably the whole benefit that could be expected from such a measure. But wherever a manufactory is established, it is well known, that workmen are seldom wanting, except on occasion of some extraordinary demand; and, from the gradual increase of the inhabitants in almost all manufacturing towns, a sufficient supply of hands may be always expected without the influx of foreigners. In despotic states, or in populous cities, where

where the police is severe, no inconvenience can arise from the introduction of foreign artificers. They will add to the number of the people and strength of the government; but in free and extensive States the same advantages are not to be expected. The admission, however, of foreign workmen into England in those ages was of much greater service to the public than can be expected at present.

In modern times it would be thought strange policy, that the manufacturers and mechanics in any profession, whether natives or aliens, should be almost debarred from taking apprentices, under the frivolous pretence of engaging the hands which should be employed in works of husbandry. In this instance public interest seemed to require that the utmost liberty should be allowed to the manufacturers, not only on account of enlarging the number of their workmen, and the quantity of their goods, but of encouraging the consumption of the products of the lands. The poor too, who were burthened with numerous families, were in some measure debarred from providing

viding for their children. Apprentices might, indeed, be put out, but such only whose fathers were possessed of twenty shillings a year in rent or lands; and afterwards the condition was extended, with some exceptions, to forty shillings (t). Norwich first obtained an exemption from this law, and afterwards the whole county (u). When this liberty was granted, none were allowed to make cloth, unless they had served an apprenticeship of seven years (w); though there is no doubt but the whole art might have been learnt in a much less time. This law was, in some degree, for a time repealed under the reign of queen Mary, and afterwards revived under Elizabeth (x). The reason assigned for reviving this statute was, that the workmen might be properly qualified for their business, and no bad goods imposed upon the public through their unskilfulness: as

(t) 7 H. IV. c. 17. 5 Eliz. c. 4.
(u) 11 H. VII. c. 11. 12 H. VII. c. 1.
(w) 5 & 6 Edw. VI. c. 8.
(x) Phil. & Mary, Sess. III. c. 7. 4 & 5 P. & M. c. 11. 5 Eliz. c. 4.

if

if the best workmen would not always engage the greatest number of customers. This point may be safely left to the determination of the public, which will always give the preference to the ablest workmen, without regarding the time of their apprenticeship. The masters could have no objection to this law, as it enabled them to detain their apprentices longer in their service, and prevented them from interfering in their own occupation. It seemed, likewise, to give a value to their craft, as if a proper degree of skill could not be attained without serving a long apprenticeship.

At the same time that the depopulation of villages was complained of, by converting tillage lands into pastures, complaints were made of the decay of cities and market towns. The parliament frequently granted considerable sums for rebuilding or repairing them; but no reasons are assigned for their decay till the reign of Philip and Mary, when the cause is ascribed to the country tradesmen bringing their goods to sell there, to the detriment of

persons

persons in the same business, who were resident there (y). In another act it is attributed to the removal of the manufacturers into the country, where they occupied small farms, and employed themselves in making cloth, whereby divers cities, boroughs, and towns corporate, as the act tells us, were utterly decayed and depopulated, and husbandry and tillage very much decayed (z). From these representations it might be inferred, that a general depopulation had taken place equally in the cities and villages. That the number of engrossers and petty farmers might be diminished by uniting small farms, or by converting village-lands into pastures, might probably be true; and that many ancient towns, formerly distinguished for their wealth and population, had declined, might be equally true; but that the real number of the people was sensibly diminished, the increasing state of our trade and manufactures forbid us to believe. The circumstances of the lower rank of people were so far improved, as to

(y) 1 & 2 P. & M. c. 7.
(z) 4 & 5 P. & M. c. 6.

enable

enable them to purchase a greater quantity of manufactures for their own use than in former ages, and our foreign trade and export of cloth were constantly increasing. And these afford a presumptive evidence of the increasing number of inhabitants throughout the kingdom. As the boroughs and corporate towns had long been the seats of trade and manufactures, and enjoyed particular privileges for carrying them on with success, they became populous and flourishing. Fairs had been held in them, and the neighbourhood was usually supplied with such articles as were not exposed to sale at any other place in the country. As the foreign trade of the nation increased, many of these ancient towns were found inconvenient for carrying it on to advantage, and others better adapted to this purpose gradually rose upon their ruins. And one reason of the decay of some populous towns may be attributed to their exactions and oppressions, which drove many of the workmen into the country or other towns, where they might carry on their business with

with greater freedom. The inhabitants of the villages must therefore increase in the same proportion as the other diminished. Complaints were nevertheless made of the decay of husbandry. And it is probable the manufacturers in the country were, as is generally the case, unskilled in works of husbandry, and occupying only small parcels of land, sufficient for the maintenance of their families, were unable to supply the markets with an additional quantity of grain or cattle. The labourers in husbandry had been so long treated as vassals, and the wages were so low, that they were willing to render themselves in those branches of manufacture which promised a more profitable return to their industry. And the petty farmers, who earned a scanty subsistence on account of the low price of grain, endeavoured to follow their example by learning the art of weaving, or employing such as had learnt it. And this mixture of occupations affords a proof of the improving state of our woollen manufactories, and of the greater profit derived from them than

than the labours of husbandry. Under former reigns the villains and labourers in agriculture fled to the manufacturing towns and boroughs, on account of obtaining higher wages, and avoiding the tyranny of the land-owners; and many fruitless attempts were made to retain them in the country: endeavours, equally useless, were now used to retain the inhabitants in the boroughs and cities, by laying all such as were not freemen under inconveniences in the sale of their goods, or confining the making of cloth unto such as had served an apprenticeship of seven years, or had been employed in it for so long a time (*a*). This removal of the manufacturers into the villages seems to have been a measure properly calculated for the benefit of trade, as provisions were usually cheaper, and the rents of houses more moderate, than in populous towns. But it was not considered in this light by the inhabitants of the boroughs. They solicited for an exclusive right of making or vending particular manufactures, under a pretence

(*a*) 4 & 5 P. & M. c. 6.

of examining the goods, whether they were properly made, as well as of restoring their towns to their pristine flourishing state. Norwich obtained an act for making hats; Bridport for making ropes, Shrewsbury for dressing Welch cloths, and York for making coverlets for the whole county (*b*). But so many inconveniences were found to arise from these exclusive rights, that in a few years they fell into disuse, or were revoked; and the manufacturers were allowed to settle wherever they found it to be the most convenient. Some of the cities and market towns might gain a temporary advantage by these grants; but they were unable to maintain or recover their former state of wealth and population by the operation of such violent measures. Manufactories will generally be settled where they can be carried on with the greatest advantage to the merchant and workmen; and every effort, to enforce their continuance in particular places, will be

(*b*) 5 & 6 Edw. VI. c. 24. 21 H. VIII. c. 20. 4 Edw. c. 7. 34 & 35 H. VIII. c. 10.

found

found ineffectual as soon as they become inconvenient to the workmen. The tyranny exercised in the boroughs drove away the manufacturers; and the burgesses, who had formerly complained of the oppressions of the crown or barons, were in their turns equally oppressive and tyrannical over all the workmen who lived within their jurisdiction. Convenience, and a proper degree of liberty, will not only introduce, but establish, manufactories in particular places; and the towns, which are chosen to be the residence of the merchants, will reap the benefit of the manufactories carried on in the neighbourhood, without the aid of statutes to enforce the residence of the workmen in particular places.

As the number of our woollen manufacturers was constantly increasing, new regulations and directions were required in making cloths; and the statute-book abounds with many of this kind. The process in almost every branch of the manufacture is distinctly prescribed to guard, as far as possible, against frauds and impositions; but these were so various, that succeeding acts

were necessary to amend or improve the former, or to provide against some new species of fraud, which had been unforeseen or neglected. One general observation may be made on all these statutes, that the directions are sometimes more minute than necessary, and in some instances subjected the clothmaker to inconveniences, without any gain to the public. The merchant will always have a command over the workmen with whom he trafficks, and oblige them to comply with his orders. And, as may be justly expected, he will take those advantages to himself which he denies to the manufacturer, and put him under many restraints, while he himself is left at liberty. One benefit nevertheless attended these acts, that the manufacturers were directed to the best mode of making cloths, and debarred from frauds, which would have been equally detrimental to the public and their own interest.

If the woollen manufacturers were permitted to settle the wages of their servants and workmen by a voluntary agreement, the same liberty was not granted to those

who

who were engaged in ſome other occupations. Various attempts were again made to aſcertain the wages of artificers, ſervants, and labourers in huſbandry, and to fix the hours of working in the different ſeaſons of the year (*c*). If theſe ſtatutes ſhould be thought of uſe in confining labourers to their work a determinate time, and aſcertaining what the ſervant and maſter might demand of each other, they were not of equal ſervice in exciting emulation and induſtry. As all the workmen were placed on the ſame level by the equality of their wages, the ſlothful and induſtrious were confounded together, and ſlender encouragement given to excel each other in application and diligence. The artificers would not ſubmit to the regulation; an act was therefore made to indemnify the maſters for giving higher wages than were appointed by the ſtatute (*d*). It may be practicable to fix the wages of workmen in particular towns and occupations, and no

(*c*) 11 H. VII. c. 22. 12 H. VII. c. 8. 6 H. VIII. c. 3. 2 and 3 E. VI. c. 15. 5 Eliz. c. 4.

(*d*) 12 H. VII. c. 3. 4 H. VIII. c. 5.

inconvenience may ensue; but it is extremely difficult to adjust them by a law in every part of the kingdom. A difference in the price of provisions and other necessaries requires a difference in wages; and, for this reason, those may be considered as high in one county, which may be thought too low in another. After many fruitless attempts to regulate what will not admit of an universal regulation, the justices of the peace were authorized to settle the wages of workmen and labourers in their respective counties (e). And in length of time, the justices not interfering, they were left to be settled by the custom of the country, and the discretion of the master, who would endeavour to proportion them to the skill and abilities of his workmen, and sometimes to his own or their necessity. If a combination of workmen to advance their wages can be prevented, it will be needless to ascertain them by statutes. But it is seldom in the power of artificers or labourers in any occupation to enter into these combinations with any

(e) 5 Eliz. c. 4.

prof-

prospect of success. When a particular craft or occupation is in the hands of a few, a combination may for a time succeed, but in the end it will defeat itself. For when the wages are high in any branch of business, so many are tempted to engage in it, that in a few years it is so much overstocked as to bring about a reduction. Where all foreign trade is debarred, and the price of provisions and other necessaries remains the same, the wages of workmen may be settled by the legislature, which will always endeavour to adjust them so as to yield a maintenance to the industrious. In those ages great alterations were incessantly taking place in every part of the kingdom. The improving state of trade and manufactures, the accession of wealth by industry and commerce, a more expensive mode of living among the lower rank of people, an advanced price of provisions, and the debasement of the coin, necessarily required some addition to be made to ancient wages, which the statutes endeavoured in vain to prevent. Nor was the addition wholly lost to the public. It was paid to the land-

owner, the manufacturer, merchant, or the taxes and imposts of the state. In short, the wages of workmen in common occupations, except in very populous towns where combinations may be formed to advance them, will be regulated by custom and the expence of living, without the aid or direction of the government.

If it should be thought practicable to settle the wages of workmen, it may be justly considered as a more difficult task to limit the expence of dress and apparel, and confine every one according to his rank and condition to the wear of particular cloths; and yet this was attempted by various statutes (*f*). In this instance the subjects might have been indulged with the liberty of expending their money without detriment to the public. A small degree of luxury in the article of dress would have been of service to the manufacturers in promoting the consumption of their goods, and at the same time would have encouraged industry, in order to supply this additional

(*f*) 1 H. VIII. c. 14. 6 H. VIII. c. 1. 24 H. VIII. c. 13.

ex-

expence of cloathing. And the flourishing state of trade towards the end of queen Elizabeth's reign may be in some measure attributed to the improved state of the people, both in their dress and mode of living. In their former state of vassalage, as before observed, they were equally unable to purchase the goods of our manufacturers, or those of foreigners received in exchange for our own. The common people, now earning more in consequence of their freedom and the increase of the national trade, were enabled to expend more in their apparel and other articles. And the gentry, proud of their rank and family, were willing to keep up a distinction between themselves and the vulgar even in their dress.

And, fortunately for the commonalty and the interest of trade, vassalage had gradually fallen into disuse, though a few might be retained in a state of servitude upon some of the royal demesnes. The dissolution of the monasteries gave freedom to many of the villains settled upon their estates; and Henry the Eighth and Elizabeth emancipated some others, who were confined on the

the lands of the crown (g). If we had not the love of domination and rule, so natural to mankind, to account for the fact, it might seem strange, that the landowners should continue for so long a period of time to insist on their power over the descendents of the ancient serfs, as it was rather beneficial to themselves or the public. Hired servants and freemen are in all respects preferable to slaves. Labouring for their own profit, they will be more industrious and attentive to the business in which they are engaged. Their subsistence depends chiefly on the possession of these qualities, while the forced service and labour of the other produce only slothfulness and discontent.

Though the legislature gave the utmost encouragement to trade, both at home and abroad, by complying with the petitions of the merchants and manufacturers in almost every instance where any inconvenience or obstruction was desired to be removed, or improvement made in

(g) Anderson's Hist. of Com. vol. I. p. 344. 415.

the

the woollen manufacture, yet their good intentions were sometimes defeated by the crown. A dispensing power had been occasionally exercised by former sovereigns; and the princes of the line of Tudor, not less despotic in their principles and conduct, frequently assumed it, to the detriment of trade and the general interest of the subjects. They granted patents, monopolies, and charters to corporations and trading companies, which narrowed the foundation of commerce, and gave to individuals those privileges in particular branches of domestic trade, which ought to have been laid open to all the people. Exclusive rights to trading companies on their first institution may be sometimes useful, and even necessary for their support; but they require frequent reviews. Their inconveniences can seldom be discovered without trial; and the spirit of monopoly, which they usually introduce, leads the members of these chartered companies to attend more to their own immediate gain than the interest of the public. The merchants commonly paid a large sum for those trespasses on the laws,

laws, which they were authorized to commit by the indulgence or connivance of the crown; and indemnified themselves by the export or impore of prohibited goods. Licences of this kind were frequently granted; and they must have had a pernicious influence both on foreign and domestic trade. And yet, by a strange act of complaisance, the parliament gave permission to Henry the Eighth, during his life, to dispense with or revive the statutes for exporting the commodities of the realm, or bringing in of foreign merchandizes (b). His two immediate successors, though unsupported by the same authority, occasionally assumed the like power. The parliament in the time of Philip and Mary attempted in vain to cancel the licences granted for importing prohibited goods; and it was equally unsuccessful in a more general bill, calculated to make void all such monopolies as were granted by the queen, her brother, and father (i). If queen Elizabeth would not so openly countenance an

(b) 26 H. VIII. c. 10.
(i) Parl. Hist. vol. III. p. 345.

infringe-

infringement of the ſtatutes, ſhe was very liberal in granting patents and monopolies, till, by the repeated remonſtrances of the parliament, ſhe had the good ſenſe, and regard for the ſubjects, as to recall or ſuſpend the greateſt part, and maintain only ſuch as were uſeful. Many of theſe patents are enumerated by the parliament; ſome of which affected the whole kingdom, and neceſſarily enhanced the price of thoſe articles which the patentees were ſolely authorized to ſell (*k*).

Our foreign trade alſo met with ſome interruptions, which were not ſo eaſy to remove. The Engliſh trade to the Netherlands, in thoſe ages, was of greater value than to any other country; and yet it was ſometimes ſuſpended by the wars or diſagreements which occaſionally broke out between the two nations. Henry the Seventh, diſguſted at the Flemings, baniſhed for a time thoſe who were ſettled in London, and prohibited all intercourſe with their countrymen abroad; and in return

(*k*) D' Ewes's Journ. p. 648, 650.

they

they expelled our merchants. But the interest of both countries was so much injured by these violent proceedings, that a reconciliation soon took place. And this was the more easily effected, as the interruption in trade was more severely felt by the Flemings than the English. Our merchants continued to purchase the goods of the manufacturers, and by that means supported them in their usual occupations (*l*). Under the reign of his successor, all commercial intercourse was sometimes suspended by his engagements with France against Spain. And at a particular time, when hostilities had commenced, the merchants were not so complaisant, though threatened by the king's minister, as to buy commodities, as they told him, which they knew not how to utter (*m*). In the infancy of a manufactory, these interruptions must be sensibly felt by the workmen, as their circumstances seldom enable them to carry on their business without a ready sale of their goods. But, when a manufactory

(*l*) Bacon's Life of Henry the Seventh, p. 611.
(*m*) Herbert's Life of Henry the Eighth, p. 90.

has

has been long eſtabliſhed; theſe interruptions are a kind of neceſſary evils. They enable the maſters to prevent an advancement of the wages of their workmen, who commonly attempt to raiſe them when there is a conſtant and uninterrupted demand for their work. And the ſlow advances of the wages of manufacturers and artificers are more owing to this cauſe than to the efforts of the legiſlature, or the care of their maſters to keep them on an equality.

The connection with Spain, by the marriage of queen Mary, might have been of great ſervice to our trade, by maintaining a good correſpondence with the Netherlanders, and other ſubjects of the Spaniſh dominions, if it had been properly improved: but the nation ſeems to have received no commercial advantage from this union of the two crowns. The export of cloth to the Netherlands was for a time prohibited; and a conſiderable loan was extorted from our merchants ſettled at Antwerp, by laying an embargo on the ſhips prepared to convey it thither. And

afterwards the queen obtained from the merchant adventurers in London the sum of fifty thousand pounds, for leave to export cloths, which should have been sent abroad by the Italian merchants (n). These arbitrary exertions of power must undoubtedly intimidate our merchants, and lessen that confidence in the aid of government which is so essential to their protection and support.

Though the connection with Spain was weakened by the death of queen Mary, and Elizabeth and Philip either lived in a state of hostility, or were incessantly jealous of each other's views and designs, yet every interruption of trade to the Low Countries was so detrimental to the subjects of both princes, that their ministers were always desirous to bring about an accommodation. According to some writers, two hundred thousand pieces of cloth were annually exported to the Netherlands by the English (o). And, according to Camden, the trade between them amounted yearly to

(n) Hume's Hist. vol. IV. p. 434.
(o) Anderson's Hist. of Com. vol. I. p. 396.

twelve

twelve millions of ducats (p). Notwithstanding this union of interest, it was impossible to maintain a cordial agreement between two rival powers, that never could be brought to place a confidence in each other. A jealousy always subsisted, and acts of violence were committed on each other's subjects before a public declaration of war. When the goods of our merchants in the Netherlands were seized by the order of Philip, Elizabeth repaired their losses by confiscating the effects of his subjects who resided in England (q). But after the capitulation of Antwerp, and the dispersion of many of the merchants who were settled there, a commercial correspondence became less necessary. The loss sustained by our merchants was soon repaired by the connections they formed with other countries. The loss to the Spaniards was irreparable. Many of their merchants and manufacturers removed into other states, where greater freedom was allowed, and applied themselves with equal industry to

(p) Hen. of Queen Eliz. p. 395.
(q) Id. p. 446.

their former occupations. Almost all the northern parts of Europe received a benefit from the removal of the inhabitants of the Low Countries. They instructed the natives in many new branches of manufacture, and opened or enlarged a commercial intercourse between the several nations of Europe. Though the English had larger dealings with the subjects of Spain in the Low Countries than any other people, yet, after the first shock of so great a revolution, they suffered the least from a total interruption of commerce. So many new sources of trade were now opened in almost every part of the world, that they found a mart for their cloths, and every other commercial product of the kingdom. Russia, Hamburgh, and other northern countries, supplied a market for the cloths, which had formerly been disposed of to the subjects of Spain. No just complaints were made of the decaying state of our woollen manufactories. They seem rather to have been increasing during the whole reign of Elizabeth; and at the latter end of it the

quantity of cloth exported was perhaps as large as in modern times. A greater quantity is probably manufactured at present; but as our domestic consumption is enlarged by the greater number of people, and higher expences in the article of clothing, it may be doubted whether the quantity exported has been augmented.

The despotic principles of the princes of the Tudor-family have been justly complained of as inconsistent in many instances with the national interest and freedom of the subjects. They were nevertheless productive of some beneficial consequences. The turbulence of the barons, and the preceding civil wars, had introduced such a spirit of licentiousness and disorder among all ranks, that the laws were only occasionally observed. Such a state of licentiousness made, what it will ever make, a tyrant in some measure necessary. The former kings, either through fear of irritating their enemies, or through favour to their friends and abettors, had been often remiss in the execution of the

most salutary laws. The nobility, long habituated to arms, either at home or abroad, were unwilling to submit to those restraints, which were necessary to the tranquillity and improvement of the kingdom. Attended by their vassals and dependants, they were formidable to the crown, and ready to break out into acts of violence and hostility on every occasion of disgust or offence. And the licentiousness of their conduct had infected the inferior order of people. Many of these had been trained up in habits of idleness, and were unqualified for exerting that industry which the support and advancement of trade and husbandry required. And it became necessary, for the public good, to break the connection between the nobility and their vassals, and gradually introduce a mode of government which might promote and maintain the interest of all the subjects, and reduce them to an equal submission to the laws. This reformation was begun by Henry the Seventh, and carried on by the four princes of his family who succeeded him. The power of the nobility was imperceptibly weak-

weakened, and by the advancement of the commons reduced to that ſtate of obedience to the laws, and influence in the government, which the welfare of the nation ſeemed to require. The imperious and arbitrary diſpoſition of the princes in this inſtance became uſeful to the ſubjects in general, by relieving them from the exactions and oppreſſions to which they had been long ſubjected by the barons. The avarice of Henry the Seventh, and the prodigality of his immediate ſucceſſor, contributed in ſome degree to the ſupport of liberty, and the national welfare. The firſt gave encouragement to trade and manufactures, to enable the ſubjects to pay the ſubſidies and taxes, and by the influence of their wealth acquired from commerce to counterbalance the power of the ariſtocracy. And the miniſters of his avarice, however ſcandalous and ſevere in many of their proceedings, enforced an obedience to the laws, which had been partially executed by his predeceſſors, and inured the ſubjects to regularity and order. Henry the Eighth, not equally attentive to the advancement of

trade and manufactures as his father, by his profusion became dependent on the parliament for granting supplies of money, which necessarily gave it an additional influence in the administration of public affairs. And, however tyrannical in his disposition, and sometimes disgusted with the parliament, he was generally desirous to obtain its sanction to his measures. A more frugal prince might have maintained himself a great number of years by the spoils of the monasteries, without applying for the pecuniary aids of the parliament. By a concurrence of circumstances, his imperious disposition became beneficial to the public, and led him to bring about revolutions in the state, which a more cautious prince might have declined. His profusion left his son Edward dependent on the assistance of the parliament. And though various efforts were made, by repeated debasements of the coin, to relieve the subjects from large contributions, they were found unsuccessful upon trial. And every measure of this kind is always more oppressive than the national levies, when raised in the usual

manner

manner by the authority of the parliament. The advanced price of grain and provisions by these debasements of the coin, though only nominally so, irritated the inferior class of people, and led them to break out in riots and insurrections. The king's ministers, aiming at popularity, soothed them with acts which were ineffectual to their relief. They repealed the act for settling the rate of the interest of money; they regulated the badgers, forestallers, and regrators, enforced the acts against inclosures, set a price on corn and provisions, and almost extorted the products of the lands out of the hands of the occupiers. Measures of this kind will be always agreeable to the populace, and upon trial will be found either useless or detrimental to the public. A proper method was at last taken for removing the discontent of the people, arising from the reduced value of the coin and the high price of corn, by importing grain from abroad. This additional quantity would in some degree contribute to reduce its price at home, without forcibly wresting

 it

it out of the hands of our farmers (r). The statutes relative to the making of cloth were extremely useful, and with a few amendments continued in force a great number of years.

Under the reign of Mary, his successor, the seasons were unkind, and the people, as usual, discontented with the high rates of provisions. And their discontent was augmented by her violent proceedings in the affairs of religion. These engaged the attention of the public so much, as to divert it, in some degree, from the consideration of other subjects. By her connection with Spain, the trade to the Netherlands might have been enlarged; but, as before remarked, the advantage was lost by her arbitrary exactions and impositions on the merchants. The odiousness of her government preserved the subjects from large contributions; and yet the exhausted state of her treasury obliged her to court the assistance of the parliament, which enacted some useful laws relative to the woollen manufacture.

(r) King Edward's Journ. p. 22.

Eliza-

Elizabeth, in every period of her reign, had many difficulties to contend with, which obliged her, however reluctantly, to apply for the pecuniary assistance of her subjects, and the sanction of the parliament to her measures. She was, nevertheless, so jealous of her prerogative, that she allowed it only a very limited authority.

Her despotism kept the people in subjection; and the success of her undertakings strengthened the authority she assumed. The prompt and regular execution of justice created a respect for the laws, and promoted order and industry. The power of the aristocracy was now no longer formidable to the sovereign or the subjects. The care and attention of the commons were employed, as far as they could, to guard against the despotism of the crown, and to maintain the rights to which they were entitled by the constitution. Her frugality and oeconomy were undoubtedly commendable; but the methods taken, to relieve the subjects from public aids, seem not to deserve equal applause. Excepting what accrued from the sale or profits of the

crown.

crown-lands, customs, and duties, and occasional grants of the parliament, her revenue was raised from the distribution of patents, monopolies, charters, and dispensations of the laws. And these were more burthensome and vexatious to the people than the most liberal contributions would have been, when levied by the order of the parliament (s). By opening new sources of trade in foreign countries, and encouraging the export of our grain and manufactures, she laid the foundation of a naval power on the national commerce, upon which alone it can be maintained and supported. The appointment of fasts and fish-days, for the encouragement of fishermen, might make a small addition to the number of sailors; but a marine can neither be formed nor maintained without an extended commerce. At the same time, the improvement of our manufactures, and the additional number of workmen they employed, gave a greater value to the products of the lands; and the permission to

(s) Hume's Hist. vol. V. p. 492.

export

export grain at higher prices than in former ages more effectually promoted tillage than all the laws against inclosures.

The nobility, now freed from the feuds and contests which had formerly engaged them, began to expend their money on sumptuous buildings, and those useful and ornamental articles which give birth and encouragement to genius and industry (t). The political connections formed, by every prince of the Tudor-line with many of the states of Europe, obliged the subjects to visit foreign countries, and introduced a taste for travelling. Italy was visited by many of the gentry, as well on account of curiosity as of business, where the polite arts and the refinements of life had made a greater progress than in any other country, and from whence they brought back a taste for building, and more elegant accommodations. And this was aided by the influx of wealth from the returns of commerce, the improved rents of the lands, the prizes taken from the Spaniards, and

(t) Camd. Ann. p. 452.

the

the plunder of their American settlements. Learning too, though chiefly engaged in religious controversies, began to be considered not only as an elegant amusement, but as necessary to the accomplishment of a gentleman. Travelling, and the mercantile and political connections formed abroad, introduced more courteous manners among the gentry, and enabled them to shake off that bigotted attachment to the customs of their own country which often prevents the admission of those inventions and improvements which may be adopted from foreigners.

The enlarged state of commerce gave an influence to the mercantile part of the nation. Enabled, by the profits of their traffic abroad, to assist the crown with money in the times of public exigence, they met with that encouragement from the sovereign, and respect from the parliament, which will always be attendant on wealth. And by the same means they obtained an influence in the legislature; and though they were not always guided by public interest, yet they assisted in suggesting and

applying

applying the propereſt meaſures for maintaining and enlarging the commerce of the nation. The charters of the boroughs and corporate towns, and monopolies in ſome branches of trade, granted by the crown, impeded for a time the progreſs of commerce, both at home and abroad; but the influence of the corporations was ſo great, and excluſive charters to trading companies were thought ſo uſeful or neceſſary, that they met with little oppoſition from the parliament. When many patents and monopolies were ſuppreſſed by Elizabeth, the chartered powers of corporations and trading companies, though at that time almoſt equally oppreſſive, paſſed unnoticed; or, if abuſes were complained of, they were never redreſſed. Trade, nevertheleſs, under all theſe reſtrictions, kept gradually increaſing, and making an addition to the wealth and number of the people. So many new connections were formed by our merchants in foreign countries, that an interruption of trade in one place was regained by its progreſs in another. While Spain was neglecting its manufactures and agriculture, and

relying

relying for its chief support on the produce of its American mines, England was laying the foundation of a more durable power, in its commerce, navy, and industry of its people.

And the landowners felt the influence of an extended commerce, and of the improved circumstances of the inferior rank of subjects. These were now enabled by the profits of their labour to purchase the products of the lands and the conveniences of life at higher rates, and to live in a more comfortable manner, than in preceding ages. The nobility and gentry, having now no longer occasion for the service of their tenants and vassals, augmented their rents, and enforced an industry to which they had not been accustomed. And the high price of grain, by permitting its export, enabled them to discharge this advance of their rents. Instead of the villains and cottagers, a body of yeomen began to be formed, whose circumstances permitted them to occupy larger farms, to cultivate them in a better manner, and to make a more ample provision for the support of their families.

A bare

A bare subsistence had been the lot of almost all the ancient occupiers. Their farms were too small to afford more, and their circumstances were too mean for undertaking the management of a larger quantity of land, that might have yielded a more comfortable maintenance.

The improving state of our trade, manufactures, and husbandry, imperceptibly emancipated the descendents of the ancient villains or serfs, who, although free as to their persons, were still considered in some places as annexed to the manor. There were now so many ways of obtaining their liberty, by engaging in the navy, manufactories, and other occupations, that they could not be held any longer in confinement. The boroughs, though at that time the seats of monopolies and oppression, or, as lord Bacon styles them, fraternities in evil, had long received the fugitives from the lands and tyranny of the barons, and by a year's residence secured their liberty. And the free and improved state of the lower classes of the people led them to industry; and this introduced regu-

regularity and order. The nation seemed to be rouzed from its former inactivity, and ready to engage in any undertaking that promised an improvement in its state. And the commons, who had formerly been depressed by the aristocracy, were now enabled by their wealth to acquire so much influence in the legislature, as to controul the exorbitant power and prerogative of the crown, which, if unrestrained, might have been fatal to liberty and the public welfare.

FINIS.