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The Antiquity, Legality,
Reason, Duty and Necessity
OF
PRÆ-EMPTION
AND
POURVEYANCE,
FOR THE
KING:
OR,

Compositions for his Pourveyance:

As they were used and taken for the Provisions of the KING'S
Household, the small charge and burthen thereof to the
PEOPLE, and the many great Mischiefs and In-
conveniencies which will inevitably follow
the taking of them away.

By FABIAN PHILIPPS.

Manilius 3,

*Perquè tot Ætates hominum tot tempora & Annos
Tot Bella & varios etiam sub pace labores.*

Virgil Æneid. lib. 8.

*— Sic placida populos in pace regebat
Deterior donec paulatim Decolor Ætas
Et Belli Rabies & Amor successit habendi.*

London, Printed by Richard Hodgkinson, for the Author, and
are to be sold by Henry Marsh, at the sign of the Princes
Arms in Chancery-Lane, 1663.

J. Wall
1720



To the Right Learned and truly
Noble Lord, *Christopher Lord
Hatton*, Baron of *Kirkby*, Knight
of the Bath, Governor of the Isle
of *Guarnesey*, and one of the
Lords of his Majesties most Ho-
norable Privy Council.

My Lord,



*HE Holy Evangelist
St. Luke in his Gospel
and History of the Acts
of the blessed Apostles,
when he inscribed or
Dedicated it to his friend Theophilus,
hath given us to understand that the
Dedication of Books unto such as would
read*

The Epistle Dedicatory.

read and peruse them is no late or Novel usage; for it was in those times, or shortly after, not thought to be unfitting or unnecessary to take the approbation and opinion of Grave and Learned men, of such things as were to be made publicke, as Plinius Junior in his Epistles informs us so that it may with reason and evidence be concluded that the Dedication of Books was not originally to procure the favor of some great or good Man, neither were the Epistles Dedicatory heretofore acquainted with those gross Flatteries, untruths, or immense and accumulated praises of the Patrons or their Ancestors, which some Foreign Printers for their own private gain, do use in publishing Books out of some Copies and Manuscripts left by the deceased Authors, or as too many German and other Authors have of late stuffed their Dedications withall, which

Hero.

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Heroick and great Souls do so little relish, as the Book, themselves would meet with a better entertainment if they came without them; but one of the best and most approved usages of Dedications, hath certainly and most commonly been derived from no other Source or Fountain, then the great desire which the Author had (there being before printing most probably but a few Copies sent abroad) to receive the friendly censure and approbation of some Learned man, who would in those days carefully read and peruse it; and not as now too many men do oscitanter and cursorily take a view onely of the Frontispice or Title, and lay it in the Parlor or Hall Windows to be idly turned over by such as tarry to speak with them, or else crowd it in their better furnished then read or understood Libraries, to make a Muster or great

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shew of such Forces as they have to bring into the Feild of Learning when there shall be any occasion to use them, but neither then or before are able to finde or say what is in them.

But your Lordship being Master of the Learning in Books as well as of an excellent well furnished Library, with many choice Manuscripts never yet published, and very many Classick Authors and Volums printed and carefully pick't and gathered together out of the Gardens of good letters, which an unlearned and reforming Rebellion, and the Treachery of a wicked servant hired to discover them, did very much diminish.

And your Eye and Judgement being able before hand to Calculate the Fate of the Author in the good or bad opinion of

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of all that go by any Rules or measure of right Reason, Learning or Judgement. I have adventured to present unto your Lordship these my Labours in the Vindication of the Legality, Antiquity, right use and necessity of the Præemption and Pourveyance of the Kings of England, or Compositions for the Provisions of their Royall household, for that your Lordship is so well able to judge of them, and having been Comptroller of the household to his Majesties Royal Father the Martyr, King CHARLES the First, and to the very great dangers of your person, and damage of your Estate, like one of Davids good servants gone along with him in all his Wars and troubles, when as he being first assaulted, was inforced to take Arms against a Rebellious and Hypocritical
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part of his people in the defence of himself and his people, their Religion, Laws, and Liberties, and the Privileges of Parliament, and not only remained Faithfull to him, during his life, but after his death unto his banished and strangely misused Royal Issue, when Loyalty and Truth were accompted crimes of the greatest magnitude, and like some houses infected with the plague, had more then one \times set upon them with a Lord have mercy upon us.

And did whilst that blessed King continued in his Throne and Regalities, so instruct your self in those Excellent Orders and Government of his house, as you have been able to enlighten and teach others, amongst whom I must acknowledge my self to have been one, and out of a Manuscript carefully
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The Epistle Dedicatorie.

collected by your Lordship concerning the Rules and Orders of the Royal household, which your Lordship was pleased to communicate unto me to have been very much informed, which together with the many favors with which you have been pleased to oblige me, the encouragements which you have given me to undertake this work, and the great respect and veneration which I bear unto your Lordships grand accomplishments in the Encyclopaedia, large extent and traverses of all kinde of learning, and your knowledge of Foreign Courts and Customs, which being very extraordinary, if you were of the ranke of private men must needs be very much more when it shall be added to the eminency of your Birth and qualitie, and the Trust and Emploiments which his Majesty hath been pleased deservedly to confer upon
a 2 you,

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you, have emboldened me to lay these my endeavors before your Lordship, submitting them to an utter oblivion and extinguishment, and to be stifled in the Birth or Cradle, if they shall not appear unto your Lordship to be worthy the public view and consideration.

Wherein although some may feast and highly content their Fancies with censuring me, that I have been too prodigal of my labors in proving either at all or so largely the antiquity or legality of the Kings just Rights unto *Præ-emption* and *Pourveyance* or *Compositions* for them, when as the Act of Parliament in Anno 12. of his now Majesties reign, for taking them away doth give him a *Recompence* for them; yet I may, I hope escape the censure or blame of setting up a Giant of Straw, and fighting with it when I have done, or of being allied

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ed to such as fight with their own shadows, or trouble themselves when there is neither any cause or necessity for it; when as the Act of Parliament for taking away *Pourveyance* and the Court of *Wards and Liveries*, and *Tenures by Knight Service*, either of the King or others in *Capite*, or *Socage in Capite* did not expressly alleage or allow those *Tenures* and the incidents thereof to be their just rights, but onely that the consequences upon the same have been much more burthensom, grievous and prejudicial to the Kingdom, then they have been beneficial to the King; and alleadging also that by like experience it hath been found that notwithstanding divers good, strickt and wholsom Laws, some extending as far as to life for redress of the grievances and oppressions committed

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mitted by the persons employed in making provisions for the Kings household, and of the Carriages and other provisions for his occasions, yet they have been still continued, and several Counties have submitted themselves to sundry rates, Taxes, and Compositions to redeem themselves from such vexations and oppressions, and that no other remedy will be so effectual as to take away the occasion thereof, especially if satisfaction and recompence shall be therefore made to his Majesty his heirs and Successors, so as very many or most of the seduced and factious part of the people of this Nation having in the times of our late confusions been misled or driven into an ill opinion of it, may with the residue of the people be easily carryed along with the croud to a

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more then imagination, that the Pourveyance and Prae-emption, was no less then a very great grievance, and that his Majesty was thereby induced to accept of a recompence or satisfaction for it, and permit the people to purchase the abolition of that which they supposed to have been a grievance, which do appear neither to be a grievance nor recompence, but a great loss to the King, and as much or more in the conclusion consideratis considerandis to the people.

And that the vulgar, and men of prejudice and ignorance are not so easily, or with a little to be satisfied as the learned, and that in justification of a business from those Obloquies so unjustly and undeservedly cast upon it, and so highly concerning the King and his people, and in a way nullius ante trita pede, altogether

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gether untraden (wherein I cannot honor and obey the King as I ought, if I should not take a care of the rights of his people which is his daily care, nor love them or my self, if I should not do all that I can to preserve his regalities) I can be conscicus to my self of many omissions and imperfections, in regard of sundry importunities of Clients affairs & some troublesome business of mine own which either could not or would not give me any competency of time or leasure, but did almost daily, and many times houely take me off as soon as I was on, and so interrupt and divert me, as I had sometimes much ado when I got to it again, to recollect my scattered thoughts and materials, and Writing as the Printer called for it, with so great a disturbance and amidst so many obstructions, may possibly be guilty of some defects

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formities in the method or stile, some defects or redundancies, impertinent Sallies or digressions, or want of coherencies which might have been prevented or amended, if I could have enjoyed an Otium or privacy requisite for such an undertaking, or have had time to have searched the Archives, and too much unknown or uninquired after Records of the Kings just & legal Regalias, or those multitudes of liberties, customs, and priviledges which the Lords of Mannors and their Tenants do at this day enjoy by the favour of the King and his royal Progenitors, or to have raked amongst the rubbidge of time long ago tripped over, and the not everywhere to be found Abdita rerum, or recesses of venerable Antiquity, or to have viewed all at once what I had done in its parts

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and delineations, and perused it before it was printed in a compleat Copy with a deliberation necessary to a work of that nature and concernment.

But howsoever I speed therein I shall like those that brought the Pigeons or Turtle Doves instead of a more noble sacrifice, content my self libâsse veritati, to have offered upon the Altar of truth, what my small abilities and greater affections could procure whereby to have incited such as shall be more happy in their larger Talents to assert those truths which I was so willing to have vindicated, and to have rectified that grand and popular groundless mistake and prejudice, which multitudes of the common people have by the late Usurping Powers been cunningly taught to have against it; And whether they intended
evil

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evil or good thereby, might be easily misled or mislead themselves to scandalize such an Ancient, Legal, and reasonable custome, and Right of the King, when (as the great Civilian Paulus saith) Rerum imperitiam sibi de rebus quibusdam arrogant & volentes esse Legis Doctores nesciunt de quibus loquuntur nec de quibus affirmant ambitiosè pervicaciter insolenter ineptè de magnis rebus statuere: And it was but a trick of the godless Tyrant and his company of State Gipsies to make the people the more able or willing to covenant and ingage for the maintenance and perpetuity of their Sin and Slaverie, and to bear and suffer greater burdens, taxes, and oppressions then ever Englishmen did before:

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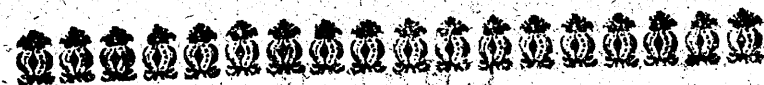
And whatsoever the Fate of these
my labors shall appear to be, can con-
clude in magnis voluisse sat est, and
subscribe my self

Your Lordships

affectionate servant

Fabian Philipps.

THE



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That wise Council and Saying of Solomon, the wisest of Men as well as Kings, To fear God and honor the King, and not to meddle with them who are given to change, should if it were not a part of the Sacred Volumes not be denied an admission into every mans care and observation to follow that advice, as well as to believe that it is good to do so, when as every Nation in the World, in every age and
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generation of mankind, may by woful experience many times acted over subscribe unto it, or be ready to make Oath or Affidavit of the many ill consequences which have very often happened in the Tryal and event of the contrary, and is the more to be followed in the retaining of good Laws, or not changing them upon Light, seldom, small or inconsiderable inconveniencies, for that those ancient and righteous *Judicial* and *Moral* Laws of *Moses* written or dictated by God himself, and originally fitted for the *Jewish* Government, and the Manners and Customs of that his *Darling* and beloved people, were not certainly intended to *Lacque*, after the humors, designs, passions or Interests of men, and those people who were to obey and observe them, but to remain and continue as fixed and permanent, as they were good and profitable, for otherwise they would not have been commanded to be ^(b) taught their Children and after Generations, to be laid up in their hearts and their Souls, written upon the Posts of their houses, and on their Gates, bound for a Sign upon their hands, and as Frontlets between their eyes.

(b) Deut. 6. 8. 9. 11. 18.

For howsoever other Laws which have not so divine an *Original*, or not being *de jure Nature*, and drawn from that holy and excellent fountain of *Scripture*, are and may upon a true (not *Phantastick* or imaginary ballancing) and due consideration of *Conveniencies*, with *Inconveniencies*, be alterable, and either totally taken away or reformed. Yet when the ages past, and daily experiences, have not only told us, but all the people of the world, that new Laws cannot give us that certainty of their effects which the old have done, nor can be like *Christial*, so clear and transparent, as to give us
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beforehand a liberty of discerning the effects hoped for, and that experience is by much a better guide then hopes or expectation; we may with some assurance of reason conclude that *Licurgus* did not ill to ordain that *de legibus semel receptis & probatis differere non liceret*, that the goodness of Laws experimented, should be honored rather then called in question, & did not merit a reproof when for fear of the Inconstancy of the *Lacedemonians*, or a less understanding part of them, he caus'd an oath ^(c) to be taken, that those Laws which he had devised for them, should not be altered until his return from *Delphos*, where or at *Cree* he pined himself to death, to make them perpetual, and that *Solon* was not likewise to be blamed, in imitating him so far as to ordain an Oath to be taken by the people of *Athens* ^(d) not to change the Laws which he had ordained for them, but would rather endure a ten years absence, not much unlike a banishment from that his beloved country, because he would not give them any occasion or temptation of changing them, and that our late *Factionous* and ignorant *Legislators* have been far exceeded and outgone by the inferior and overwise seeming Members, or parts of the body natural, represented in *Menenius Agrippa's* happy Fable to the seditious *Romans* of the mutiny of the Members of the body natural, against the *Belly* or *Paunch* thereof who did not in all that contention and desire of some better (as they thought) order to be enacted betwixt it and the Members, many of them having several interests and interests, propose as our late *Giddy Reformers* have done any thing against the *Sovereignty* or *Supremacy* of the *Head*, or to dislocate or cast it into a meaner situation or condition amongst its inferiors, upon pretence
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(c) Plutarch in vita Licurgi.

(d) Plutarch in vita Solonis.

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that it might be more serviceable if it were placed in a *Co-ordination*, in the middle of the body, or to reside nearer the Belly or Feet, and be a Concomitant of them and their more ignoble Offices would conduce to a better *Reiglement* of the affairs of the Belly, and the rest of the inferior Members, or a more even walking, or at least not so often stumbling of the Feet, and prevent many a prejudice to those now more remote parts from its ordinary care and protection.

And we cannot therefore without some wonder, contemplate the vast difference which appears to have been betwixt all the heretofore popular Pretences, and intended Reformatations of the *Athenian* and *Spartan* Commonwealths now sufficiently quieted and purged of those humors by a *Turkish* Tyranny, and that of the *Romans* in their many Tumults and Seditious under their many several sorts of Governments, and our godly (as they called themselves) *Reformers* of laws, & amenders of *malè administration* (as they supposed) in Government, when as those *Greeks* and *Romans* being *Heathens*, could pursue their ends without rapine and plundering of their fellow citizens, but our men of Ignorance and Innovation, could in their *vertigo* and overturning of Kingdoms and good Laws, finde the way to all manner of Ravage Rapine and Injustice, to enrich and advance themselves by that great gain and spoil which they met with, by the alteration of Laws, and invading their Neighbors and other mens Proprieties.

And at the same time when they made their Jugling self denying Ordinance, and pretended so much to Revelations and Gifts extraordinary could think of nothing more then making themselves great by the ruine of

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of their betters, the afflictions of the poor and needy, the Widdows and Fatherless.

And rather then faile of their prey which had such a pleasant *Haut-goust* or relish *cooked* and palated for them by the *Devil*, would pretend all our Laws and good and reasonable Customs to be as bad as they were antient, and rather call their Fore-fathers fools for enacting or permitting them, then acknowledge those Excellencies, Reason, Justice and Goodness, which were every where to be found in them, as if more then six thousand years of the Worlds age already past, were not time enough to teach mankind necessary helps for its well being and preservation, or as if God having given man a reasonable Soul, endued with all those eminent faculties which he communicated unto it, had confined the right use of them to the later part, decrepit, and old age only of the world, and permitted all the experiments of the long lived Patriarches, and their succeeding Generations, and all the Rules of Prudence and Wisdom, which the former ages had observed and found to be good and useful for the sons of men, to be so bound up in the bundles of vanity, or not worth the heeding, as every *Chimera* or *Megrum* of the less understanding, and more distempered part of the people should be better and more to be followed, and therefore to be taken in and receive as great an entertainment and applause as the Children of *Israel* did their *Golden Calfe* with shouts and acclamations, whilst *Moses* as they thought had tarried too long with God Almighty in the Mount, for his direction in the making of Laws, or as the *Romans* did the more to be respected, twelve Tables of Laws then those of their *Mechanick* and vulgar

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vulgar Judgements and reasonings which the wiser and more noble, not the illiterate and foolisher sort of their Citizens and people had learned, well considered, and brought home from *Athens* and other cities of *Greece*, as fit to be observed or imitated.

When as it might rather be remembered that God in his infinite mercy, to the works of his own hands, did so early distribute the Beams of his Right Reason and Illumination, as the days of old were not without wisdom, which being from everlasting and rejoicing afterwards in
 (e) *Prov. 8. 31. (e) the habitable parts of the Earth, her delights were with the sons of men.*

And therefore *Jeremy* no Fanatique or man of an Imaginary or self conceited mistaken holiness, but inspired by God Almighty, and filled with the wisdom from above, did not tell us as many of our *Novelists* and *Commonwealth-mongers*, and the would be wise of the *Rota's* or *Coffee-houses* would make us believe that all the successful experiments which the long lived world had approved to be right reason, were either burthensome or oppressive, and not to be any longer esteemed, or that the paths of wisdom were worn out, and not at all to be walked in, but with a *thus saith the Lord*, enjoined us, as if there and no where else it were to be found to stand in the (f) ways, and see and ask for the old Paths, where is the good way, and walk therein.

(f) *Jeremy. 6. 16.*

But that would have been to their loss, and rather then faile of their purpose, or forsake their beloved ignorant intermeddling in Government, they could never think any thing to be well, until they had made all things ill, and like Children, would have liberty to do what they list, which would do them as much good, as the liberties

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liberties of their misusing the power of the Sword, or in meddling in matters too high for them, did in these last unhappy Twenty years, and as little conduce to the publick, or their own good and safetie, as for Children to be permitted the use of Swords or Pistols, whereby to kill and mischief one another, or of fire to burn themselves, or set their Parents houses on fire, or as they are said to do in *Gonzaguas* new discovered world in the Moon, to govern their parents, cannot finde the way to obey Laws and reasonable Customs, unless their narrow Capacities, or small Understandings may apprehend the cause of it, the reason of it must like the *Lesbian* rule be made to be as they *whymfie* or *fancie* it, and obedience to Kings or Laws, cut out to their Interest and Conveniencies.

And will not believe that they have Liberties enough unless like *Swyne* got into a Garden, they may foule and root up all that is good and beautifull in it.

And with their cries and gruntings could never be at quiet until they had trampled upon Monarchy, and the majesty and loveliness of it, digged up the Gardens of *Spices*, and stopped the streams of our *Lebanus*. And the late blessed *Martin King Charles* the First, was no sooner in the defence of our *Magna Charta*, and the Lawes and Liberties of *England* murdered, but they and their Partisans must frame a Commonwealth, and pretend a necessity thereof for avoiding the intollerable (as they falsely called them) burdens and oppressions of the people amongst which is ranked that great and most notorious piece of untruth, that the Cart-taking for the King, impoverished many of the people, and that the *Pourveyance* cost the Country more in one year then

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then their Assessments to the Army, which with other matters contained in that most untrue and malicious Declaration of the Parliament of *England*, as they then called themselves, bearing date the 17. day of *March* 1648. are more against truth or any mans understanding, then the tale of *Garagantua's* mighty mouth and stomach of eating three hundred fat Oxen at a meal, and having five or six men to throw mustard into his mouth with shovels. And as false as it was, must for an odium to the late King, and his Monarchicall Government, be translated into *Latine*, and sent and dispersed by their *Emissaries* into all the parts of the Christian world. And from thence or some of the other, I may not say causes, but incentives or delusions, the people, too many of whom were inticed or made to believe any thing though never so much against truth, reason, common sense and their own knowledge, must be taught, for they could of themselves not find any cause to complain of it, to believe that Declaration to be true, to the end that whilst they did then bear and had long before endured very great assessments and burdens they might be enabled, and be the better in breath to sustain for many years more a *seventy*, and sometimes a *ninty*, and not seldome one *hundred* and *twenty* thousand pounds monethly Taxes and Assessments, besides many other greater impoverishments and oppressions, obedience must be called a burden, every thing but ruining honest men, and destroying of Loyaltie an oppression, and every thing but vice and cheating to maintain it a grievance, for the Truths sake, therefore which every good and honest man is bound to submit unto, and defend, and in vindication of his late Sacred Majesty, and the

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the Laws and Honor of my Country, the too much abused *England* by such Tricks and Villanies, and upon no other motive, byasse, or concernment, but to make that scandal which only becomes the Father of Lyes, and the causelesness of that complaint appear in their Deformities and proper colours.

I shall by an enquiry and search for the Original and Antiquity of Royal Pourveyance, as to the furnishing of several sorts of Provision for the Kings House and Stable, at a small or lesser rate then the markets, and a *praemption* for those or the like purposes used in this and most Nations of the World, bring before the Reader the Laws and Acts of Parliament in *England*, allowing it the Legality, Reason, Necessity, and right use of it, the small charge and burden of it, and the consequences which will inevitably follow the taking of it away, which we hope will remove the ill opinion which some worthy men heretofore, by reason of an abuse or misusage only, and some very learned men of late mislled by them, have had of it.

CHAP. I.

The Antiquity of Regal Pourveyance and Praemption, for the maintenance of the Kings Houses, Navy, Castles, & Garrisons, attended by a Jus Gentium, and reasonable Customs, of the most or better part of other Nations.

Which being not here intended or understood to be by an invading of the peoples Rights and Properties in their moveables or immovables, but a receiving.

ceiving or imposing of that which publick welfare, and the contracts or respects of Subjects in general or particular have for benefit received, and to be continued, reduced into reasonable Customs, and made to be as a most ready and willing Tribute, Oblations, or Duty to their Kings and Princes, may go as high as Filial duty and Paternity, and a retribution or gratitude for the peace and plenty which their Subjects and people enjoy under their Government, Love, Honor, and Reverence for their Protection and self Preservation, publick weal and safety, and of every mans particular included in the General, and was to be found in the (g) morning of the world, as well as in the afternoon and evening of it; when as *Joseph* relieving the *Egyptians* necessity, which a national Famine had brought upon them, gave them Lands and Seed-Corn to sow it, that they might have food for their Housholds and little ones, and made a Law over the Land of *Egypt* to this day, that the King should have the Fifth part (of the yearly profits) except the land of the Priests only which became not Pharaohs: And in the Reign of King *David*, when the *Moabites* (h) being become his Subjects sent him Gifts, and *Shobi* the Son of *Nabash* and *Rabbab* of the Children of *Ammon*, and *Machir* the Son of *Ammiel* of *Lodebar* and *Barzillai*, the *Gileadite* of *Rogelim*, in his sorrowfull march against his Son *Absolom*, brought Beds and Basins, Earthen Vessels, Wheat and Barley, Floure, Parched Corn, Beans, Lentils Parched, Honey, Butter, Sheep and Cheese of Kyne, for *David* and the people; and in all or most of the Circumstances of what was lately used in *England*, was no stranger in the happy and famous Government of King *Solomon* the wisest of men (i) whose wisdom excelled the wisdom

(g) *Genesis* 43. 24. & 26.

(h) *1 Sam.* 25. *2 Sam.* 8.

(i) *2 Sam.* 1. 17

dom of all the East Country, and all the wisdom of *Egypt*, for besides the Victuals and Provision which his twelve great Officers or *Sqage* Tenants provided for him and all that came unto his Table; all the Kingdoms which he reigned over from the River (of *Euphrates*) unto the Land of the *Philistines*, and unto the border of *Egypt*, and all other his Dominions (k) brought Presents unto him, and his provision for one day, was thirty measures of fine Floure, threescore measures of meal, ten fat Oxen, Twenty Oxen out of the Pastures, and an hundred sheep, besides Harts, Roe Bucks, Fallow Deer, and fatted Fowl. And all the Earth sought to *Solomon*, to hear his wisdom which God had put in his heart, and they brought every man his present, Vessels of Silver, Vessels of Gold, Garments, Armour, Spices, Horses and Mules, a rate year by year; (l) And he raised a Levy out of all *Israel*, and the Levy was thirty thousand men, and sent them to *Lebanon*, as workmen, ten Thousand a month by course, and two months at home, and *Judah* and *Israel* were many, as is the sand which is by the Sea in multitude, eating and drinking, and making merry, and dwelt safely every man under his own Vine, and under his Figg Tree, from *Dan* even unto *Beer-Sheba* all the days of *Solomon*, and as (m) *Josephus* saith, had Tribute Gatherers over the *Syrians*, who brought him Provision towards the keeping of his house & horses. *Mesha* King of *Moab*, rendred unto *Ahab* King of *Israel*, (n) a Tribute of one hundred Thousand Lambs, and an hundred Thousand Rams with the wool, some of the *Philistines* brought *Jehosaphat* King of *Judah*, Presents and Tribute Silver, and the *Arabians* brought him Flocks, (o) seven thousand Rams, and seven hundred Hee-goats. And in the measure and description of the Holy City,

(k) *1 Reg.* 4. 21, 22, 23.

(l) *1 Reg.* 10. 24, 25.

(m) *Josephus de Antiquitat. Jud. lib.* 8.

(n) *2 Reg.* 3.

(o) *Chron.* 16.

(p) Ezekiel 45. & 48.

shewed to the Prophet *Ezekiel*, in the Twenty Fifth year of *Jehoiakims* Captivity (p) a portion of the City and Suburbs and Oblations were appointed for the Prince.

(q) Nehemiah 5. 18.

Which custom or right due to the Kings or Governors, was not after the long and lamentable Captivity of the Children of *Israel*, at their return and building of *Jerusalem*, either forgotten or thought fit to be laid aside, when as the Righteous *Nehemiah*, considering the necessities of the people, refused the bread of the Governor, (q) and that which was prepared for him daily, which was one Oxe, and six thousand sheep, and also Fowls, and once in ten days, store of all sorts of wine.

Nor was that usage and way of remuneration to Superiors, confined only to the pedagogue of the *Fews*, under the Severities of their *Mosaical* Laws, or their being so much weaned from avarice or selfishness by their remissions in their years of *Jubile*: their many oblations, free-will, offerings, and chargeable Sacrifices, and no less a penaltie then death ordained for not obeying their Princes or Magistrates, but was by a light of nature and emanation of right Reason, some way or other brought or carried to the *Greeks*, no despisers of wisdom or prudential imitations.

(r) Hom. Iliad.

Agamemnon at the siege of *Troy*, was able to treat the chief of (r) the *Grecian* Army in his Tent, with all fitting provisions; And *Eustathius* the Scoliast saith, that the King had, at the devision of any spoils, an extraordinary share assigned him for such entertainments.

The *Spartan* Kings had in all Sacrifices the Chynes and the skins for their honorary Fees (as amongst the *Hebrews*, the Priests had the shoulders) and in that

(s) Potius de moribus Gentium.

that popular rustick and unmanerly Commonwealth of the (s) *Lacedemonians*, their Kings even in the time of their insolent *Ephori*, who dominered over them, and when they lived and were maintained *ex publico*, out of the publick, could not be denied by the Laws of *Lycurgus* in egressibus, their marches or progresses, *capere quancunque pecora libuerit*, to take what Cattel they pleased, *Et singulis quoque Calendis, mensium singula pecora eis, e publico data fuerint*. And in the Calends of every month, the people gave or presented Cattel unto them, *Apollini immolanda*, to sacrifice to *Apollo*, and when their *Pythii*, or those two whom the Kings did use upon occasions, to send to *Delphos* to consult the Oracle, were publickly to eat with them, *Regibus ad Canam non euntibus bina Chenicis, id est Semimodia Farina & uni singula Cotyle, (i. e.) sextarii presentibus dupla data fuerint*, if the Kings, (for sometimes they had two) came not to the place appointed to eat with the *Pythii*, certain large proportions of meat, wine, and other Provisions were sent them, and when they did come, had a double proportion, more then the *Pythii*, allowed them.

The *Athenians* whilst they were a Republick, highly valuing, and carefully preserving their Liberties, had their Tolls and *vectigalia publica*, their Senators as well as their Judges having an allowance or pensions out of them and their *Sitophilaces* and *Eximentatores* or Overseers of the Corn, were able to take care of the Provision of Corn, *quod in Atticum imperium adveheretur, duas partes in urbem mercatores deferre cogent*, that two parts of the Corn which should be brought to (t) *Athens*, should be by the Merchants brought into the City.

(t) Sigonius de Repub. Athen. 540. & 541. Eudæus in Pandect. 192.

By

By the Pattern whereof, or from the Laws of Nature and right Reason, the Romans in the greatest opinion and ruse of their Liberties, were not also without their *vectigalia, qua ex importatione & exportatione rerum ventalium capiabantur*, Imposts for the import and

(u) *Appian. l. 1.*

export of things to be sold, and besides the (u) *decumanum frumenti*, their Tenth or Tithes of the Husbandmens Corne, which was delivered unto them, the Magistrates had *sine pretio*, freely and without recompence their *emptum*, or that which was bought for a certain sum of money, or at a rate (x) *quam Aratores vendere*

(x) *Rosinus de antiquitate Rom. 993.*

accepto ex S. C. pretio cogebantur quod frumentum Romanam ad alendum populum a magistratibus Romanis mittebatur, which the Farmers being compelled by the Law or order of the Senate to take a certain price for, was sent by the Magistrates to Rome, to feed or nourish the people, (y) *Tenebantur Campani, Samnites, Lucani, Brutii & Tusci, aliqui unam & semis, alii, duas decimas pecorum*

(y) *Pancirollus comment in notitiam imperii occidentis, ca. 5.*

quas alebant populo Romano exhibere, the Campanians, Samnites, Lucani, Brutians, and the people of Tuscany, were bound yearly to send to Rome, some one and a half, others two Tenths of their Cattle, which they bred *pro Annona* for their provision, and had also that which was called (z) *Estimatum quia estimabat magistratus & in cellam suam in usu familiae suae asportabatur*, because that according to the Magistrates rate, it was brought into their Houses or Granaries, & *interdum pro frumento pecunia acciperent*, & was sometimes released or discharged for money, did usually impress workmen and many things necessary to the building of Forts or Castles, or other uses in their Military & Publick affairs, their Consuls had at their coming into their Provinces, *honoraria*, or Presents

(z) *Rosinus de Antiquitat. Rom. ca. 14. 24. & lib. 10. c. 22.*

sents *Honoris loco* in respect and honor done unto them, and did at their coming into a Province, as *L. Posthumus Albinus* the Consul did, *litteras mittere ut sibi magistratus obviam exirent locum publice pararent in quo diverterentur jumentaque cum exirent, inde praesto essent*, send their Mandate or Letters to the Magistrate, requiring him to meet them, and provide a Lodging and Carriages to be ready when he should depart. And besides other Tributes, imposed upon Countries (a) subdued, had a portion in Corn, commonly the Tenth part, besides other necessaries for the Provision of the Lieutenant and Soldiers maintained there, and for other like purposes at a reasonable price. *Fulius Caesar* being Consul with *Tibullus*, *anno urbis condita 691.* made a Law that when any Magistrates of Rome, passed by any Province, the people should furnish them with Hay and Victuals. (b) *Et Angariarum & Parangariarum praestatio inter Vectigalia qua Regalia dicuntur annumeratur quia ea Regis aut Imperatoris jura propria sunt cum olim eo nomine significarentur munera onerum vehendorum provincialibus imposta*, and Cart-taking or pressing of ships, carts and horses, were under the names of *Angaria* and *Parangaria*, not infrequently taken to be Regalities and Rights due to Emperors, Kings or Princes, who had their *Annonarii & praefecti Annonae*, Surveyors or Pourveyors of Corn, and in times of dearth did cause it to be given to the people without money. (c) *Fus quoque Angariarum & Parangariarum supremus habet magistratus quo jure necessitas incumbit equos plaustra naves prestandi*, the power of pressing horses, carts or ships belongeth to the Supreme Magistrate, and there is by Law, a necessity of furnishing them.

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(a) Annotations upon Tacitus.

(b) L. Julia de Magistratibus.

(c) Cod. tit. de cursu publico Ant. Tibullus de celeberrimo Regibus.

In the time of *Trajan* the Emperor, who for his goodness and excellent Government was called *herba parietaria*, the wall Flower, and *delicia hominum*, the delight of his people, *presides provinciarum exactiones dabant*, did licence or did give warrant for the taking of carts and horses, and then and afterwards, *Tributa & species ex Provinciis exacta ad aulam principis in Rhedis & Fumentis cursus publici transferebantur*, the Tributes and Provisions gathered in the Provinces, were by Carriages and the Horses of the publick, carried to the Palace of the Prince, or to his Army, inso much as *si immunitas aliquibus concedatur neque ab Annona, neque ab Angariis, neque veredo excusari possunt nullusque ab hoc onere nec Ecclesia excusabatur* (d) in the Grants of exemptions or immunities, Pourveyance and Cart-taking were not to be included, for that none, nor the Church itself were to be excused from such duties, whence ships as *Vlpian* saith came to be arrested by Princes, and imployed for publick use, and *Simon* of *Cirene* was made to carry the Cross of our Blessed Saviour, (e) *Judex pro Justitia exequenda capere potest Asinum vel Equum, vel currum a subdito ut cum eo ducatur malefactor ad supplicium*, a Judge in order to Justice, and to carry a malefactor to execution, may command a mans horse, asse, or cart to be taken, and likewise, *officialis pro servicio publico potest capere jumentum alienum pro mittendis victualibus in exercitum, vel pro servicio* (f) *Regis vel Baronis, aut facere mandatum de persona, & semper debet dari salarium angariato constitutum*, an Officer may for the service of the publick imprest, another mans horse, and himself also, to carry victuals to the Army, or for the service of the King, or a Baron, giving the Salary

d) *Pancinol. in notitia utriusq; Imperii ca. 6.*

e) *Maranta Speculum aureum parte 6. de executione sententia.*

f) *Bart. in l. i. l. i. u. nullam navem id in princip.*

Salary or rate allowed, the *Presides* or Governours of Provinces (*g*) *cunctes ad aliquam civitatem unam tantum angariam & duos paravedos & totidem officium petere possunt*, in their Journey to any city or town, might imprest one Carriage and two Palfreys.

(g) *Novel. Maximian. tit. 1. de Curialibus.*

Et ita invaluerunt ista consuetudines, and so strong such or the like customs came to be, as the Emperors *Theodosius* and *Valentinianus* did in their Rescripts order that (h) *ubi iter arripimus omnes debeant solita ministeria exhiberi & neminem ab Angariis Parangariis vel plaustris, vel quolibet munere excusari*, when they were to make any expedition or progress, every man should in all Provinces or places, through which they should pass, perform their accustomed duties, & that no man should be excused from furnishing of Carts, or from other payments or services. And did upon some complaints, that messengers sent into the Provinces, to carry tydings of *Victories*, *Leagues* or publique Joyts, did take too much for the Pourveyance, or *si sacros vultus inhiantibus forte populis inferimus*, when the Emperors should themselves bless the people with their presence in their Progress, did ordain (i) *ne quid accipiant immodicum*, that they should not be unreasonable or immoderate in it. And the Emperor *Leo* did ordain that no man should deny his Service in *murorum extruptione seu comparatione frumenti aliarumque specierum*, for the building of walls, providing of Corn and other Provisions.

Cujac. tit. 48. ad librum 10. Cod. Justinian. 1429.

Cujacius Commentar. & Expositio Novel. tit. 63.

Upon a remission of some Tribute by the Emperor *Valentinianus* to *Numidia*, & both the *Mauritania* *s* *quatuor millia aureorum & ducentas tantum solverent, & ducentas militares Annonas & 800. capita id est equorum pabula*
 D *singula-*

singulasque Annonas solidis quatuor per annum iussit astimari, they were ordered to pay but yearly Four thousand and two hundred Crowns, Twelve hundred measures of Military Corn or Provisions, and Fodder or Provision for eight hundred horses, every one of those *Annonæ* or quantities being ordered to be rated at four shillings *(k)* *Justinianus tantis sed solidis quinque singulas Annonas compensari mandat*, and *Justinian* ordering the same proportions, did command five shillings to be paid for every of those *Annonæ* or quantities.

(k) Pancirollus comment. in notitiam Imperii occidentis c. 65.

In that ancient custom of Posts or speedy Messengers instituted by *(l)* *Cyrus* amongst the *Persians*, and brought into use amongst the *Romans* by *Augustus Caesar* before the coming of *Christ*, *provincialium pascunia equi cum hominibus ad currendum destinatis alevantur*, the Country or Provinces did bear the charges of men and horses,

(l) Zenophon. lib. 8. Paidia.

(m) *quod Severus Imperator postea abolevit id fisci onus esse iubens*, which *Severus* the Emperor afterwards took away and put that charge upon himself, as Princes do sometimes in other matters upon some necessity or reasons of State, but not for any evil in the thing it it self no more being signified thereby then the remission of some Subsidies in *England*: after they were Granted to *Queen Elizabeth*, can declare them to be evil or inconvenient, for it seems by *Spartianus*, it was

(m) Pancirollus in notitia Imperii orientis.

(n) only done in regard that he desired *se commendare hominibus*, to get an applause of the people, *stabulata men in quibus equi alevantur provincialium sumptibus reficiebantur*, but the Stables notwithstanding in which the horses were kept, were to be Repaired by the people. The *Terciocerius* an Officer so called, did look to the *Bastages* or publick Carriages, *Et res trans-*

(n) Spartianus cap. 6. in Severo.

transvehendas & transvectas ut frumentum Constantinopolim devehendi, did order or send out Warrants for Carriages for the Emperors Journeys, or to carry Corn for the publick to *Constantinople*; *Et in diversis orientis Regionibus erant corpora seu collegia nautarum quorum quique per vices onera publica ferre cogebantur propter quod incommodum a muneribus civilibus immunes erant & à Tributis liberi & quandoque ad mercedulam Philici nomine accipiebant* *(o)*. And in diverse parts of the East there were certain Corporations or Societies of Men, of which every one by Turns were compelled to those publick Carriages, in consideration whereof they were freed from the bearing of all Offices in the Common-wealth, and from Tributes, sometimes receiving a small reward, called *Philichus*. *in mediterraneis quoque jumenta & plaustra habentes eidem oneri erant obnoxii quæ Angaria vocatur*; And in the Mediterranean they which had Carts and Horses were subject to the like duties.

(o) Pancirollus Comment. in notitiam Imperii orient. 86.

The *Wisigothes* had their *erogatores Annonæ per singulas civitates & castella*, their Stewards for all provisions in all Cities and Castles. And *Theodoricus* King of the *Gothes*, though so great an enemy to the Civil Law, and the Laws of other Nations, as he forbade the use of them with a *nolumus sive Romanis legibus, sive alienis institutionibus amodo amplius convexari*, and would (as our *Pride* the Drayman, and *Henson* the Coffer, and many of our *Committeemen* were of late troubled with reason and our *English* Laws) be no more vexed with them, could give notwithstanding such an entertainment to the right reason of them concerning *Pourveyances*, as when he enjoyned a care in distributing

(p) LL. Wisigoth. lib. 9. tit. 6.

(q) LL. Wisigoth. lib. 2. tit. 9.

(r) *Cassiodorus
variarum l. 12.*

ting the *Annona* or military provisions, he could say *ad-
ditum est etiam beneficii genus ut in presenti devotione pra-
ceptis Regis, nec divina domus* (the Kings house in the
respectfull language of those times) *videatur excepta sed
totum communiter sustineatur*, and would have that be-
nefit extended to his own House, that it might also be
sustained by it.

(s) *Ibidem.
lib. 11.*

And had them so much at his command as he ap-
pointed *Annonas praebendas infirmo venienti ad locum
pro recuperanda sanitate*, provision to be made for one
that was for his health removed to a better aire.

(t) *Leg. Jul. de
Annon. Cujacius
Paratit. in lib.
Cod. Justiniani*

Those *Annona* being not only confined to corn, but
comprehending *omnia alimentorum genera*, all manner
of yearly provisions for victuals, *qua praediorum Provin-
cialium Domini conductoresque tuendi exercitus causa
quotannis praebant*, which the Provinces subject to
the Roman Empire yearly paid towards the support of
the Army, *Et solebant preberi in speciebus ipsis verum
constitutione (postea rediguntur ad praeia definita in dele-
gationibus quae eo nomine singulis officiis dantur)* and
were usually paid in kind, but were afterwards reduced
to certain prices by Officers appointed to that purpose,

(u) *C. de An-
non. & Tribut.
vegetius.*

(x) *Lib. 1. tit.
de Annon. &
Tribut.*

(y) *Cujacius in
lib. 1. Cod. Ju-
stiniani 52.*

*qua Annona eis debita taxantur & capita, aut praeia eo-
rum quae sumunt ex tributis illius, vel illius provinciae,
vel ex publicis Horreis*, by whom the Provisions of the
Provinces, or that which were taken out of the pub-
lique Barns or Granaries were duly rated, *Et quae mili-
taribus palatinisque officiis ex eorum qui possessiones te-
nebant collatione erogabantur*, and gathered by the Em-
perors Officers, which Doctor *Ridley* in his view of the
Civil and Ecclesiasticall Law extends to all things ne-
cessary for the Princes House and Family.

2) *Ridley's view
of the Civil
and Ecclesia-
sticall Lawes.*

In

In the time of *Charlemaigne*, or *Charles* the Great,
who subdued the *Goths*, and other Northern and un-
ruly Nations, infesting the *Roman* Empire, *Tractatoria
Legatorum*, the Treatments or entertainment of Mes-
sengers, by a custome borrowed from the *Romans*, for
such as were by the Kings Letters or Warrants sent to,
or by the Emperor, were usual, and they might make
use of horses, *adscriptis etiam bonis & mansionibus qui-
bus sumptu publico ali deberent*, and had houses and
lodgings assigned, where out of the publick, provisions
should be made for them, and *quid unicuique in itinere
commearus prestare deberet varie pro dignitate et quali-
tate personarum plus Episcopo quem rex mittebat Abati, et
Comiti non tantum minus autem vasallo decernebatur*,
which were to be according to the dignity or quality
of the persons sent, as more to a Bishop, less to an
Abbott or Earl, less then that to a more inferour, *et a
subditis et provincialibus suppeditarentur*. & were furnish-
ed by the Subjects and People of the Countries, and it
was a great favour for some Religious Houses and for
Bishops and Churchmen to be exempted from it, *Et
per singula territoria discurrentes mansionaticos et para-
vedos accipiunt*, and all places where they came were
to have some entertainments, *tunc namque solebant sub-
diti hospitio non modo recipere missos et legatos Principis,
Comites, Duces, et eorum ministros verum et viaticum
eis pro unius cujusque dignitate prestare*, for then the
Subjects were not only to receive the Kings or Prin-
ces Messengers or Earls, or Dukes and their Attendants
employed in their Affairs, but to give them enter-
tainment according to their dignities, and it was so espe-
cially ordained, as *de missis nostris discurrentibus* saith,
an

(a) *Cod. Tb. &
Justinian. lib.
12. & Cujacius.*

(b) *Rignonius
Not. in lib. 1.
Marculfi 465.*

(c) *capit. lib. 4.
cap. 72.*

(d) *Bignonius
Not. in Mar-
culfum.*

an exprefs Law of that good and virtuous as well as great Emperor, *vel ceteris propter utilitatem noſtram*

(e) Capit. Car. M. lib. 3. ca. 39.

iter agentibus ut nullus mansionem contradicere eis preſumat, no man was to deny any employed upon his ſervice entertainment in his houſe, *regis quoque recipiendi idem onus provincialibus incumbere eiſque rei cura ad mansionarium*; and the King was in his Progreſs or travelling, to have the like, and the care thereof belonged to an Officer called *Mansionarius*, or *Mansionum Mareſcallum* the Marſhall, or as we now call it, the Harbenger, to whom ſaith *Hinckmarus* out of *Adalhardus*,

(f) Hinckmarus Ep. 3. c. 23.

it belonged, *ut in hoc maxime ſollicitudo eiſ intentae eſſet ut ſuſceptores quo tempore ad eos illo in loco Rex venturus eſſet propter mansionum preparationem ut opportuno tempore preſcire potuiſſent ne aut tarde ſcientes propter afflictionem familie importuno tempore peccatum, aut iſti propter non condignam ſuſceptionem*, to take great care that thoſe who were to receive the King when he ſhould come, might have ſuch timely notice, as for want thereof the Family might not be put to the greater trouble, or puniſhed for not worthily entertaining him;

(g) Hotoman Franco Gallia.

And the old French whom *Franciſcus Hotomannus* would make to be the freeſt of all Nations, were ſo uſed to thoſe *paratas* or *paſtus*, making proviſions for their Kings, as they did make *livrees* (a term now uſed in France for proviſions or meats, which in ſpecie were daily provided for the Kings houſe.)

(h) Bignonius Not. in 1. lib. Marculf. 447. c. 448.

Et olim magiſtris hoſpitijs Annona qua in Comitatum Regium importabatur per praconem ſtatuendi pratum eoſque panis gradioribus mulctandi, qui ſocietatem conſiſſent ut Annona Carior eſſet; and therefore the Stewards or great Officers of the Kings Houſhold did heretofore appoint

appoint the rates of proviſion for the Kings houſe, publickly proclaim it, and puniſh ſuch as did confederate to raiſe the prices or make them dearer, *Et non hoſpicium modo Regi aliſque ab eo miſſis dabatur verum & parabantur alimenta*, not lodging or houſe-room only, but food and proviſions were to be provided for the King, or ſuch as he ſhould employ upon his occaſions.

Nor was it unuſual amongſt the ancient Germans, who *totam ſpirantes libertatem*, though they were loath to come behind any Nations of the world in freedom, *ex omnibus qua terra producere ſolet uſui neceſſariis exceptis vix bubus & ſemmibus ad excolendam terram idoneis de ceteris quantum neceſſe fuerit militi profuturis ad regios uſus ſuppeditare equum illi arbitrentur*, of all which the earth produced, and was neceſſary for uſe, except Oxen and ſeed to ſow the ground withall, and might ſupply the Army, to furniſh ſome part for the uſe of the King.

(k) Oibo Friſingenſis de geſtis Friderici lib. 2. ca. 12.

In *Franconia*, that great part or Circle of the German Empire which is waſhed with the Rhine, *non antea vindemiarum cuiquam conſeſſum quam domini quibus decima debentur permiferunt, & ſuis expenſis decimam in domini Torcular inferre debent*, no man was to gather and preſs his grapes without the Lords licence, and every man was at his own charge to bring the tenth part thereof to their Lords.

(l) Boemus de moribus Germanum.

By the Laws of the *Ripuaris* or Borderers upon the Rhine, a penalty of 60 ſhillings was to be impoſed upon him *qui Legatarium Regis, vel ad Regem, ſeu in utilitatem Regis pergentem hoſpicio contempſerit*, who ſhould reſuſe to lodge any Embaſſadour of the Kings, or ſent unto him.

LL. Ripuar.

And

(m) LL. Lombard. 3. tit. 2. Imperator Carolus.

And amongst the Lombards such a care there was to be in every man of all the Kings concerns, as *nemo presumat ad Regem venienti mansionem vetare & que necessaria sunt sicut vicino suo ei vendat*, no man was to deny any of the Kings Lieges, lodging in his journey to the King, but was to sell him things necessary as cheap as to his Neighbour.

(n) Martinus Cremerus de Regno Poloniæ.

In Poland which is an Elective Kingdome, and where the people take no small care of their Liberties and Priviledges, the *Agrestes* and *Ascriptitii*, Socage Tenants and Husbandmen, besides their Rents paid to the King in money, *Pensitant Pecurias, Frumentarias, Avenarias & aliarum rerum pensiones, nec Agricola, sed et oppidani quin et equites, sive milites non penitus immunes sunt*, doe provide, Cattle, Corn, Oates and other provisions, and not only the Husbandmen, but the Burgers: neither are the Knights or Gentry altogether free from it, *Fumenta autem ei quacunque iter facit, et canes cum venatoribus ejus alere necesse habent*, but doe furnish horses and carriages and provisions for his Hounds and Hunters. And the Kingdome being divided into four parts, *Rex in orbem quotannis inuisit*, the King every year visiteth them in his Progress, *et quorum singulis ternis mensibus alunt Regem Regumque Comitatum*, and every Province for the space of three moneths doe furnish him and his Court with provisions of victuals.

(o) Boemus de moribus Germanorum.

The dull and frozen *Muscovite* or *Russian* denies not his Prince his labour when he calls for it, or a part *ex ferarum exuviiis*, of the fures which he getteth.

(p) Mosconia Topograph.

The *Tartars* as fierce and unruly as they are, and a nasty People nearly related to beasts, who live in Tents all the Summer, and remove from place to place with

Thuanus. l. 69.

with their *Cousins* the Cattle, and in their Cottages or ugly Houses daubed with their Cattles dung all the Winter, drink Mares milk, and eat Horse-flesh, carrion, and garbage, bestowing many times no more Cookery upon it then what the wind and sun affords them, do willingly furnish their Prince or great *Chan* with horses and all kind of household provisions as well in time of Peace as Warre.

The *Laplanners* and *Samoites* bordering upon the *Dane* and *Russe*, when they hold their Mart at *Cola* upon *St. Peters* day, cannot keep it, unless the Captain of the *Wardhuys*, that is Resident there for the King of *Denmark* be present, or send his Deputy to set prices upon their Stock-fish, Train-oyl, Fures, and other Commodities, as also the Emperour of *Russia's* Customer or Tribute-Taker, to receive his Custome, which is ever paid before any thing can be bought or sold.

Fletchers History of Russia.

At *Naples* a Tribute is yearly paid *pro singulis factis pro hospitibus presidiorum, & nobilium quorundam qui Proregem comitantur*, by every house towards the charge and provision of the Presidents and Nobles which attend the Vice-Roy, and every two years great Donations are presented from the Churches.

Segetus de Principibus Italiae.

The Grand Duke of *Florence* or *Tuscany*, *vestigal quod ipsi darium vocant pro animalibus qua Florentiam ducuntur percipit*, hath a Tribute which they call there *Dairo*, for all Cattle which are brought to *Florence*.

In *Hungarie*, which hath been in this and the foregoing Century or Age an Elective Kingdome in the House of *Austria*, the *Coloni*, Farmers, or Husbandmen and common-People are obliged *ad gratuitas operas & labores sex dierum*, to work six dayes for nothing

Leges Hungariae 537. Decret. Passonien. Anno 1566. Artic. 14. & Decret. Passonien An. 1600. Artic. 13.

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in the fortifying of Castles and Garrisons; & anno 1600. propter penuriam Annonæ & defectum jumentorum, by the scarcity of victuals and defect of Horses and Cattel for Carriages, the States of Hungary not being able to promise certam vecturam victualium, what victuals they could carry and provide, did hope, if God send them more plenty, quod non deerunt regnicola qui pratio quantum fieri potuit victualia conveyent, that the Inhabitants of the Kingdome would take care that victuals may be provided and carried as cheap as may be.

Messenius de Legibus Suecorum Gothorum, lib. 2. 53.

The Swedes who do boast themselves to be the remaining parts of the Ostrogothes, & are an Elective Kingdome, are omnia tributa & census Regi debita vehere & transferre juxta Regis voluntatem, to carry and bring to the King his Tributes and Rents (which are there much in provision) or where else he shall please to dispose of them.

And by that grand guide of Reason, the Civil Law, which in all the Kingdomes and Provinces of the Christian World is the Cynosura or Pole-starre, by which for the most part their Governments are steered and directed. That custome of Pourveyance for the Princes private as well as publick use was ever so inseparable and usual, and so little scrupled at or complained of, as it grew to be as universal as it was ancient, and in the later time, and old age of the Civil Law, as well as the morning, youth and age of it, to be justly accompted to be principis privilegium & gloriosa militia currus et naves accipere subditorum pro vehendo res de loco ad locum si sibi necessarium fuerit tam pro casu suo quam pro bello, a Priviledge and Right due to Princes and the publick welfare, to impress and take

Julius Ferrerius de re & disciplina militari 137. Sect. 155. & 157.

Ships

Ships and Carts of their Subjects when there shall be need, as well for their own use and occasions as in times of warre, Et si naves & plaustra tempore exercitus occultentur poterunt confiscari de jure, & talem confiscationem esse legitimam, saith Ferretus, who wrote no longer agoe then in the Reign of the Emperour Charles the Fifth and our King Henry the Eighth, cum agatur de honore & commodo universali ac de principis Imperio, and if Ships and carriages or carts should be hid whereby they might not be taken for the use of the Army, they were by Law to be confiscate, and such a confiscation is lawfull when the publick honor and profit are concerned, or they are seized by the Princes order. And Ulpian saith ad onus fructuarii pertinet si quod ob transitum exercitus penditur, & si quid municipio nam solent possessores certam partem fructuum municipio viliori pretio addicere, et ad fructuarium hac onera pertinebant, it belongeth to the Tenant or Farmer, if the Army pass that way, to pay contribution, and also to a Garrison for the Tenants, and did use to send in a certain part of provisions at cheaper rates then ordinary. And in oneribus patrimoniorum etiam hospitium susceptio ponenda est, the lodgings and free-quarter of persons imployed for the use of the publick were likewise to be born plerumque enim militibus supervenientibus, vel publicis personis ea iter facientibus hospitia in civitatibus præbere oportuit; and commonly if any Souldiers or publick persons travailed that way, they were to have lodgings & free-quarter in Cities, Et ab his oneribus qua patrimonii, vel possessionibus indicuntur, neque numero liberorum, neque ullo alio privilegio quem excusari, and from which publick charges which are laid upon mens Patrimonies or Estates, no man was to be

Alber de Rosa in l. jubennis c. de sacrosanct. Ecclesia.

Ferretus de disciplina militari 137.

Ulpian in l. Si pendentes. E. 3. de muneribus patrimon. lib. 10. c. l. 3.

L. 3. Sect. in eos milites D. de muneribus.

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excused by having many children, or by any other privilege; *Ab hoc tamen hospitii recipiendi munere militibus veteranis medicis Philosophis vacatio immunitasque principum constitutionibus indulgetur*, from which notwithstanding old Souldiers, Physitians and Philosophers or (poor Scholars) were only so favoured by the Prince as to be exempted.

In *Spain*, a Kingdom very fruitfull in Taxes, and never or seldom parting with any that have been once raised or charged upon the people, witness their *Cruzado's* for the holy warre, and Assesments for the expelling of the Moors: there is a *Consilium* or Tribunal which hath cognizance, and judgeth *de Annona* concerning corn and other provisions: And the King continueth to this day (which might spare contribution towards the maintenance of his house) a *decimam omnium vanalium*, tenth of all sorts of things, which are sold, imposed by King *Fohn ab belli subsidium*, upon occasion of a warr in *Anno 1366*.

Mariana de redditibus Hispanie.

Mariana, ibid.

In *Portugal* the King hath his publick Tolls and *Alfandega's* *ex quibuscunque vanalibus* out of all victuals and commodities, of some a tenth, some a fifth, and of others some other part.

The Commonwealth of *Venice* so mingled, and as well as may be composed of an *Aristocratie*, *Democratie*, and a small part of *Monarchie*, and with such a harmony and content of her Citizens as the *Doge* or Duke Senate and Magistrates (rather then the common people) are by many worthy Authors and Writers reported to enjoy a most clear and satisfying liberty; have their *Proveditori All-sale*; who rent the Salt-pits, and take care that the City be served at reasonable rates, their

their *Signori della Grascia*, who do supervise Cheese, Bacon and salt things, *Signori del vino*, who look to the condition and rates of all kind of wines, and a sort of *Ediles* called *delle ragion vecchie* whose office it is to entertain forraign Ambassadors or Princes, and to defray their charges at the publick expence of *St. Mark*, and their *Signori delle biani* who are to take order that the City be well provided with a sufficient proportion of wheat and other grain. And their Duke having *speciem regiam, non potestatem*, the shew of a King only, but little of the power, and *qui aulam non alit ut liberi principes, sed congruam solam familiam*, though he keeps not a Court as free Princes doe, but only a private Family, hath *ex publico erario*, a yearly Salary, and the greater because every year he is to feast the Principal of the Senate, and *ne ullus prateritus videatur veteri instituto ac lege constitutum est*, to the end that none may seem neglected, by an antient Law and Custom, is to send every winter five wild Ducks to every Citizen that hath voice in the great Council.

Johannes Cornicus Synopsis de Repub. Venet.

Ja. Howells Survey of the City of Venice & Contarenius de Repub. Venet.

Contarenius de Repub. Venet.

The States of the United Provinces in the *Netherlands*, who are well contented to call themselves *Staghe Mogende* and *Groot Mogende* great and high and mighty Lords, & like a *Corporation of Kings* govern the people by a false perswasion of liberties, under more burdens and Taxes then they ever endured under their Earles of *Holland* and *Friesland*, and their *German* and *Spanish* Monarchs, can in their *Low-country* and *leveling* humour, and the ill measure which they take of reverence to their betters, afford the Prince of *Orange* and his Court and Household, which is not small, a freedom from Excise, upon the buying of all provisions for his

his house, which after the rate of its griping would goe a great part of the way to as much as what the King of England saves by his Pourveyances, and the like to the Queen of Bohemia her Retinue and Court when she was resident amongst them, Embassadors of forraign Princes, the English Company of merchants of the Staple, their Armies & common Souldiers when they are in the field or a Leaguer for all their victuals and such like provisions, their ships and men of warre at sea, and to the University of Leyden for their Wine and Beer.

Philippus Cas-
us a Zesen de
Leone Belgico
186. & 226.

The States Generall having great and fitting stipends from their severall Provinccs, whom they represent in an Assembly or standing Counsel at the Hague, and the Deputies of every Province sent to the Hague, when their Comitia, or as it were, Parliaments are there assembled have each of them four Florens, or our eight shillings a day allowed them, the Princes of Orange, besides their great places of Captain General by Sea and by Land, which yielded them great profits as well as power, had 1000 pounds sterling a moneth stipend, *et cum in castris agebant, et in ipsa erat expeditione* when they were in the League or any service of warre had for a present given them, forty thousand Florens being almost four thousand pounds sterling for a Present or Honorary, *magnaue pecunie vis qua centum millia persape excedebat in eundem conferebatur,* and a great sum of money, over and above which many times was more then one hundred thousand Florens, or ten thousand pounds sterling for Spies, Intelligence, and other necessities without any accompt to be given for it: which stipends of the Prince of Orange, and the States of Holland, or the Duke of Venice, including their charges of Diet,

Diet, Servants and Retinue, and all other necessities belonging to the honor of their employments, being paid in money, or raised by Taxes or Excise out of the people, have no other difference with the Pourveyance or Royall provision for Kings or Princes, but that the stipends are in money, and a gross summe large enough to take in all occasions and necessities, and most commonly more then needs. And as to that particular, being a great deal more then the Pourveyance or compositions for it would amount unto, many times falls more heavy upon the people in the lump then it doth or could in a Pourveyance by distribution of it into small parts, for that Commonwealths and those Free States or Combinations of governing and taxing are never no loafers by making finding or taking advantage of necessities, or catching opportunities of burdening the people, and getting such overplus as may either help to enrich their Treasuries, and furnish out their magnificence in publick, or too often their private and particulars, wherein our cunning Church-wardens and Epitomes of Free States in their Parishes and the Grandees of some of our Cities and Corporations are very well instructed.

In the German Empire now much lessened in its ancient rights and prerogative by granting them away to severall Princes Hanse Towns and Imperial Cities, by indulgences, necessity of State affairs, or want of money, the Angaria and Parangaria, duties of furnishing hofses and carts upon any publick necessity, are not denied to the Emperor, and upon occasions of warre extraordinary collationes prastantur que Fodron appellantur, et ea appellatione non solum pabulum equorum quod Futter vocatur, set et frumentum hordecum aliaque res ad Impera-

Vulteius num.
7. Otto Orln-
gensis de iure
publico Imperii
Romani.

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Imperatoris exercitum victui, extraordinary provisions called Foder are furnished, which in the *German* or high *Dutch* signifieth not only horse meat, but corn, barley, & other food for the Emperors Army. *Et aliorum sententia verior esse videtur qui dicunt extraordinariam collationem, quae pro Imperatoris Utilitate, et necessitate indicitur supra ordinarias et statas indictiones census et tributa.* And the better opinion is, that Pourveyance or Provisions may be taken for the necessary occasions of the Emperor over and above his Tributes, or what is paid unto him. And as that excellently learned *D. Weymondus* now deceased Chancellor to the Prince Elector of *Brandenburgh*, was pleased to inform me at his late being here together with Prince *Maurice* of *Nassau*, Embassadors from that Prince Elector *pre-emption*, and a power of ordering moderate rates and prices in the Markets is *passim in tota Germania*, now in use in all *Germany* as well by the Emperor as the Electors, and many other lesser Princes.

And if the *French* who have yet their *Terms des droits de Bordage* of provisions which Tenants were obliged to furnish for the Kings Household, and their *grand Provost de l'hostel* Lord Steward of the Kings house, *met priz et taxe a pain vin viandes foin et avoine*, had in the year 1654. power to rate the prices of wine, victuals, hay, provender, and all things appertaining to the provision of the Kings House.

And were wont to be very wary in parting with Regalities, have by any ill advice turned away the honour of hospitality, and that magnificence and good which ariseth thereby to their Kings and Princes, and put their Court to *board-wages*, which falling short, or coming

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to be ill paid or long forborn will but starve the Household, and so keene the appetite and projects of the Court when they shall be every day pursued by their own necessities, and put in mind to make what shift they can for themselves, as that Nation which is already over-spread with Taxes as *with a Garment*, may in due time, if they doe it not already, easily acknowledge the difference betwixt this Kingdome and its just Laws and Liberties, and the present *mode* or fashion of that which by departing from their antient and better Laws and Constitutions, is now for the most part cut into Tallages and Commands in warre, Titles and *Outsides* of honor, and Offices granted not to the deser- ver, but the best Chapman, and betwixt making Pourveyance for the Kings Household, and necessaries to support his Regalities, and paying as many kinds of *Gabels* and Impositions instead of it, as there be weeks in the year, and the rich and plentiful living of our English Yeomen, *Franklins* and Farmers, and their *Paysants* whose hardship and beggerly way of living makes them to be but as Slaves to their Gentry and Nobility. And the dependencie of the *Noblesse*, or the Nobility and Gentry upon the King for charges and places, making them so little able to want or be without their Trade of warre, as if there be no forreign warres, they doe commonly make it out in rebellions and combustion amongst themselves, which bringing a large addition to the ordinary burdens of the *Paysants* or Countrymen, renders them ever unable to purchase themselves some freedome or exemption of Taxes, by getting themselves to be made Gentlemen, and taking share in the fortune and ravage of warre; and that be-

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ing not to be compassed, are to live as well contented as they may in being their drudges, and to take it for a happiness to make some of their children to be their Lacquies or *Fack Puddings*, very fine for a little time of every year, when their fantastical *Apish* clothes are new, but in rags, foul and lowlie linnen, and vices, all the year after.

And that the custome and usage of Pourveyance, and the smaller trouble & charge thereof, will be much better which being by the light of nature & irradiations of wisdom and right reason, not only confined to the *Jews*, *Gracians*, *Romans* and *Europe*, hath diffused and spread it self to the *Mahumetans*, and the more remote Heathen, as may appear by good Authors and Writers of their Customes and usages, and by our Ambassadors sent from hence in the behalf of our Merchants as the learned and greatly experienced Sir *Thomas Roe*, besides many Sea Captains, Navigators and Traders into the farther parts of the World, as Captain *Hawkins*, Sir *John Davis*, Mr. *Methwold*, Captain *Saris*, Captain *Whittington*, Mr. *Courtrop*, Mr. *Peyton* and others, and of some *French* and *Venetians* trading into the East and West *Indies*, *Tartary*, and other farre distant places, whose written relations in their adventurous discoveries of most of the habitable parts of the earth, and search after Trade and Commerce, were very carefully collected by Mr. *Samuel Purchas*.

For in that great extent of Kingdoms and Provinces belonging to the *Grand Signior* or Emperor of *Turkie*, there comes yearly to the *Ottoman* Port from *Egypt* great store of Dates, Prunes and other dried plums of divers sorts, which the Cooks doe use in their dressing

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sing of meat, great quantities of honey from *Valachia*, *Transilvania* and *Moldavia*, which are presented to the *Grand Signior*, and oyl (of which there is an unspeakable consumption made) brought from *Modon* and *Coron* in *Gracia*, the *Saniack Begh* of that Province, being bound to see the Port sufficiently served therewith. The Butter (of which there is also spent a great quantity in that it is much used in most of their meats) comes out of the *Black sea* from *Mogdania*, and from *Cassa* in great Oxen and Buffale hides, and fruits of all sorts are daily brought for Presents.

In the great Empire of *Persia* there are *urbes complures* (*) *Briffonius de regno Persiae, lib. 1.* *alimenta donantes, una panem, altera ova, alia obsonia suppeditant*, many Cities which have severall assignations for furnishing provisions for the King and his publick uses, and the Subjects do over & above other great Tributes, pay other things towards the maintenance of the King, as those of *Armenia*, Horses, *Babilonia*, four moneths victuals, the rest of *Asia* eight, and other Regions their particular commodities, and some of his Guard receive no money but victuals for their wages.

The antient more Eastern or *Cathayan* Tartars doe daily from *October* to *March* send unto their great *Chan* great store of cattel. And on his Birth-day great Presents, and it is the custome of those which bring Presents unto him at New-years tide (which the Rulers and Governors of Provinces never fail to do;) or at other times of the year to present nine times nine of gold and horses, and of all that they bring, so as sometimes he hath at once one hundred thousand horses; and when he hath any use of his Dukes, whom they call *Morscis* or *Dirvoimorscis*, they are bound to come & bring with them their

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Souldiers to a certain number, every man with his two horses at the least, the one to ride on, and the other to kill when it cometh to his turn to have his horse eaten. And the Governours of Countries and Provinces doe send the best of the wild beasts, which the Hunters take as Stags, Boares, &c. unto the Emperor in Wains or Ships many daies journey, and if farre distant, the skins only to make armour.

In *China*, and the vast Provinces thereunto belonging, where they think they have a Monopoly of wit and bragging of their two eyes, would not willingly allow the *Europeans* any more then one, every house not privileged, payes a Tribute towards the expences of the Kings Household, and the great numbers of the Royall Line, which (in a Country where Polygamy is allowed, are many thousands,) are all maintained at the publick charge, every man payes a Tribute for his person, lands and trees, and all that he hath: Every Province yearly sends its Legates or Deputies, and all his kindred bring Presents unto him, in so much as ten thousand Vessels in a year are employed by water to carry Tributes and provision for the Kings Household, and all dainties and things of worth or value presented to him for the service of him and his house.

The greatest part of the King of *Fez* his Tribute is paid in corn, cattel, oyl and butter.

In *Guinea* the King hath a Custome of fish which is sent by his Slaves every morning to his house. And the *Prete* or Emperor of *Ethiopia* hath of that King besides gold an yearly Tribute of three thousand five hundred Mules, and three hundred Horses.

And it is a custom in the *East-Indies* near the *Portugals* Domi-

Dominions, that when any *Vice-Roy* cometh newly over all the Kings bordering upon *Goa* which have peace and friendship with the *Portugals*, do send their Embassadors unto him to confirm their Leagues with great and rich Presents, which do amount unto a great mass of treasure.

In the Province of *Goa*, as appears by the confirmation of their Customs by (b) *John* King of *Portugal* in the year 1526, and that which is now continued and in use amongst them under the government of the *Portugues*, at what time soever the chief Master of the Ports with the Clerks or Clerk of his charge together, or any one of himself shall goe to the Island about matters concerning the Kings affairs, or any one whom they shall send to the Island, or to the Towns of the same, they are to give them their meat according to their use and custome: and also to the Kings Factor or Officer of that Office, when they shall goe thither to provide in any matters concerning the Kings Affairs, or the Towns of the Island, and whatsoever footman shall go of any message pertaining to the Kings service, or the recovery of any of his Rents they shall give him every day, that he shall be there without dispatching two measures of Rice for his meat, or one *Leal* (a piece of money of the value of our three farthings) to buy *Betre*, which is an herb that they do use to eat, and out of their Trade or Customs do pay one per cent. for provision of Fortresses.

In the Kingdom of *Barnagasso* the King hath besides Silks and Cloth of Gold, and other precious things for Tribute, Horses, and payeth himself 150. Horses to *Pretious*, or *Prete John* Emperor of *Ethiopia*, of whom he holdeth.

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(b) *Treatat. Don Duarte de Menezes.*

The Kingdom of *Ogby*, besides a Tribute of Gold and Silver, sendeth him yearly a thousand Beeves.

In *Ethiopia* the *Prete* or Emperor upon the coming or returning of Embassadors, gives order to his Subjects or Vassals to furnish them with provisions for their Journey, and not long agoe commanded one to whom he had but a little before given a little Lordship, containing not above 80. Houses and two Churches to furnish an Embassador with five hundred Loads of Corn, a hundred Oxen, and a hundred Sheep.

The *Gozagues* do yearly pay to their King, besides great quantities of Gold and Silver, a thousand Beeves alive.

The *Maldives* do yearly pay unto their King the fifth part of the grains which they sowe, and give him a Portion of their *Coco's* and Limmons; and besides their Taxes compound also for fruits and honey.

(c) *Varennius*
lib. 10. de regno
Japan.

The Princes and great men in (c) *Japan* do contend who shall give most to the *Cesar*, and almost impoverish themselves by their Presents: All the houses in the City of the Kings Residence are by the King taxed towards the making of Fortresses.

In *Firando* in *Japan*, when any forraign Merchants are by the King invited to see Playes and publick Shows, they send Presents to him, and every forraign Merchant that comes thither, may not sell his goods untill he hath carried a Present to the Emperor. And when any of the Kings white Elephants are brought unto him, the Merchants in the City are commanded to come and see him, and bring every one a Present of half a Ducat, which altogether amounteth to a great sum of money.

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In *Industan* when the *Mogol* goeth abroad, or in progress, every one (saith Sir *Thomas Roe*) by whose house he passeth is to make him a Present, Sir *Thomas Roe* himself doing it when the King or *Mogol* rode to the River of *Darbadath*. All the *Persian* Merchants doe bring their goods first to the *Mogol*, who buyes what he pleaseth, and after his Officers have set the rate they may sell to whom they will. All men strive to present him with all things rich and rare, and no man petitioneth him for any thing empty-handed, and thereby come to preferment, some giving him one hundred thousand pounds in Jewels at a time.

The King of *Achen* commands those of *Tecoo* to bring thither their Pepper, which none may buy but he, and puts off his *Surat* commodities in truck to them at what rates he pleaseth, and oftimes sends his commodities to *Priaman* and *Tecoo*, enforcing them to buy them at his own rates, none being suffered to buy or sell before he hath vented his own.

At *Bantam* the Governor or Protector so called useth to send in the Kings name to the people to serve him with sacks of Pepper, some a hundred, some fifty, some ten, some five at the Kings price, which was a Riall less in a Sack then the Merchants paid: Divers bring Presents of Rice and Cashes, and some bring imbroidered cloth for the Kings wearing.

Nor were the more civilized part of the Heathen only accustomed to the way of Pourveyance or bringing provisions or presents to their Kings and Princes, but the wild and savage part of them were by the Lawes of nature, and glimmerings of the light of reason, taught to doe it.

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In *Mexico* in the *West-Indies*, and its large Dominions under the Emperor *Montezuma*, containing 100 Cities and their Provinces, the people did pay a certain yearly Tribute to the King for water brought by pipes into the City: Those that hold lands did yearly pay unto him one third part of their fruit and commodities which they had or did reap, as gold, silver, stones, dogs, hens, fowls, conies, salt, wax, honey, mantels, feathers, cotton, and a certain fruit called *Cocao*, which they there used for money; also all kinds of grain, Garden-herbs and fruits: Some Towns paid 400 burdens of white Mantles, others great Tropes of wood full of Maiz, Frijoles, &c. some four hundred burdens of wood, others four hundred planks of Timber; some every six moneths brought four hundred burdens of Cotton-wool, and others, two thousand loads of Salt, two hundred pots of Honey, twenty Xacaras of Gold in powder, and some a Truss of Turkie stones, and paid besides the King of *Alzapuzalco* a Tribute of Firre and Willow-trees towards the building of a City.

Divers Provinces are bound to provide fire-wood for the Kings house amounting unto two hundred and thirty weight a day, which was five hundred mens burdens, & for the Kings particular Chimnies they brought the Bark of the Oak.

The *Incas* or *Indian Kings* before the coming of their unlucky loving friends the *Spaniards* had their Tributes yearly brought unto the Court, and when any work was to be done, or any thing to be furnished for the *Incas*, the Officers knew presently how much every Province, Town and Family ought to provide, and by their Registers strings and knots, knew what every one was to pay

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pay even to a hen or burden of wood.

And as *Inca Garzilasco de la Vega* a Native of *Coxco*, relates in his book of the ancient customes of those Countries, did amongst other Tributes make and furnish clothes and Arms to be used in warr.

In *Virginia* the *Weroances* under-Lords or petty Kings did hold their lands, habitations and limits to Fish, Fowl or Hunt, of their sovereign, King *Powhatan* to whom they pay Tributes of Skins, Beads, Copper, Pearl, Dear, Turkies wild Beasts and Corn.

And in all Savage Countries the English Merchants and Navigators, as Mr. *Edward Winslow*, a man afterwards too well known amongst the *plundering* and *mistaken* godly at *Haberdashers Hall*, hath related, at his return from thence doe make presents to the Savage Kings,

In *New-England* the *Sachims* or Lords are subject to one *Sachim*, to whom they resort for protection, and pay homage; neither may any make warre without their privity; every *Sachim* knoweth the bounds and limits of his Country, and that is as his proper Inheritance and out of that, if any of his men desire Land to set their corn, he giveth them as much as they can use, and puts them in their bounds. Whosoever hunteth, or killeth any venison (which is there much of their food) he bringeth him his Fee, which is the fourth part of the same, if it be killed on the Land, but if in the water, then the skin thereof. Once a year the people are provoked by the *Pineses*, Knights or Councillors of the *Sachims* to bestow much corn on the *Sachim*, who bring him thereupon many Baskets of corn and make a great Stack thereof.

In *Florida*, where they all goe naked, and doe but little

little exceed the beasts of the field in understanding, and want the wit of most part of the Nations of the world to cover their nakedness, they can notwithstanding crowd in amongst them and subscribe to that rule and part of right reason in making retributions and acknowledgements to their Kings or Governors for self-preservation; so as a Lord of that Country brought the Governour of the Plantation, which was made there, two Deer skins, and in one Town they made him a present of 700 wild hens, and in other Towns sent him those which they had or could get.

A Cacique at *Panico* near *Florida* and his men, as their manner is, weeping in token of obedience, made the Governor a Present of much Fish.

And this custom of Pourveyance and gratefull acknowledgments, being thus diffused and to be found amongst the farre greater part of all the Nations of the world, we may well conclude it to be almost as universal as the use of Beds, *Physick*, *Horses* and *Shoes*, or the custome of washing of hands, and so generally, as if the Sun had in his journies been employed by God Almighty, the Author of all *Wisdom* and *Goodness*, to scatter and infuse it with his light into the minds and understandings of mankind.

And that those few places or parts of the world which have not that custome, because their Kings are their Peoples Heirs, take what part of their Estates they please, and govern by an Arbitrary power, may when they arrive to a better understanding acknowledge and bewaile the want of it.

And that from these and the like customes of real and willing obedience, love to their Princes and their honor

honor and dignity, in which their native Countries and themselves did partake and had so great a share, came those great and marvailous publick works.

As the *Piramides* of *Egypt*, the *Obelisk* cut by *Semiramis* out of the mountains, the *Pensil Gardens* made by *Nebuchadonisor*, the costly and most magnificent Temple of *Solomon*, which was seven years in building by one hundred eighty three thousand six hundred men employed therein, the second Temple at *Ferusalem* which was 8 years in building, and 10000 workmen at a time working upon it, a part of the River *Euphrates* cut and brought into *Tigris*, *Ninive* built and walled 480 furlongs about and 10000 workmen at a time employed.

The stupendious and great Wall of 40 leagues in length built in *China*; the *Picts* Wall as yet a wonder in its ruines and remains, built betwixt some part of *England* and *Scotland* of 80 miles in length, by *Adrian* the Emperor; and another in or near the same place by the Emperor *Severus*; *Grahams Dike* in *Scotland* built by *Caraculus*; the *Vallum Barbaricum*, a great Wall or Trench made by the Emperor *Julian* in *Germany* to defend it against the incursions of the Barbarians; the four great High-wayes or Roads in *England* called *Watlingstreet*, the *Fosse*, *Erminstreet* and *Iknelstreet*, leading to the four Quarters or several parts of the Kingdome; the *Aqueducts* stately Buildings Palaces, Castles and Forts, and many other publick works built by the Romans, and the greatest part of the Nations of the World, serving to beautifie and adorn as well as strengthen it, which could never have been made or done by the greedy rates of workmen, or the extremities or hire of the utmost farthing.

And hence it will be now time to imbarke for old *England* and our *British Isles*, the more antient habitation of the *Britains*.

CHAP. II.

Of the Use and Allowance of Pourveyance in England, and our British Isles

Where those prudential as well as antient, just & reasonable Customes, being by a long usage of time incorporated into the *Civil Law*, and so universally allowed and received amongst many Nations, as they may well be said to be established *jure naturæ & gentium*, by a Law of Nature and Nations, could not be any stranger, when as the *Romans* by the conquest of it, and the *Governors* and *Legions* transported hither, were not likely to leave behind them their own Lawes and Customes, especially such as these which had been appropriated to *Martiall* affairs, and the support of the Honor and Dignity of the *Governours* or *Lieutenants* of *Provinces*.

For in *Britain* when *Julius Agricola* in the Reigns of *Nero* and *Domitian* governed for the *Romans*, such kind of *Pourveyance* for publick uses, or support of the *Magistrate* was taken, as (d) *Tacitus* his Son in Law in his life relates when he did *frumenti & tributorum auctiorem equalitate munerum mollire circumscisis quæ in questum reperta*, mollifie the augmentation of *Tribute* and *Corn*, with equal dividing of burdens, cutting of those petty extortions, which grieved the *Subjects* (more then the *Tribute* it self) for it seemed that the *Romans* had ingrossed all the *Corn* of the *Country*, and instituting a *Monopoly*

(d) Tacitus in vita Agricole.

no body thereof, compelled the poor *Britains* to buy it again of them at their price, and shortly after laying a new charge upon them, as to victuall the *Army*, or the like, to sell it again under foot, and the *Cart-takers* for carriage of provision did use to take up *Carts* at places farre distant and make them pay well to be spared, whereas the same thing, saith Sir *Hen. Savile* the learned *Scholiast* or *Commentator* upon *Tacitus*, might have been done without molestation of the people, but not with like gain to the *Officers*; nor were our *Ancestors* the *Britains* so unhappy in their friends the *Saxons*, likely to be unlearned in those customes of *Pourveyance*, when that great and famous *Lawyer Papinian*, did afterwards at *York* for some years together under the *Emperor Severus*, as our great (e) *Selden* intimates, *dicere & docere jus Casareum*, keep the *Courts* of *Justice* according to the *Roman* Lawes, and that those Lawes flourished and continued here as directors and assistants of their *Government* for more then 350 years after, that is to say from the fiftith year of *Christ* to about the year 410, since when or before the *Irish* paid very antiently their *Coshery* or *exactio Dynastæ Hibernici, quando ab incolis & sub ejus potestate clientela victum & hospitium capiebat pro seipso suaque sequela*, (f) *Tributes* to their *Kings* or *Rulers* of lodging and victuals for them and their *Retinue*, and so long continued it as it is not yet out of the memory of some men with how much honour and esteem an *Earl* of *Desmond* lived in the Reign of *Queen Elizabeth* amongst his *Tenants* in *Ireland*, where when he yearly made his *Progress*, they having comfortable bargains, were some for one day and night, others for two, and some for a greater part of time, to entertain him and his no small company.

(e) Selden disertat. ad Flavianam 478. & 479.

(f) Ware de Antiquitatibus Hiberniæ.

And

(46)

And those reasonable Customes of Pourveyance without destroying of property have not been difused, but have with relation to publick uses or benefits kept company with our municipall Lawes and Customes during all the Saxon times, untill the Reign of *Canutus* the Danish King, who notwithstanding his Agreement with King *Edmond Ironside*, made in a single combat in *Alney Mead* before *Gloucester* in *Campo Martio* view of the Danish and English Armies, to divide the Kingdomes of *England* and *Denmark* betwixt them, having by the death of that valiant Saxon King, and his own and others treachery gained and gotten to himself the whole Kingdome, murdered *Edmond Ironsides* kindred and friends, denied his children their fathers right in the Kingdom of the (g) *West Saxons*, & banished them, deprived his Cousin *Olaus* of the Kingdome of *Norway*, and acting an haughty and domineering Tyranny, thought his Prerogative to be so boundless, that he took it ill that the (h) *Sea* (which is only commanded by him that stilleth the raging waves, and rideth upon the wings of the wind) did not adore his feet, and run back like the river *Fordan*; and having Demeasns & Provisions enough of his own for the maintenance of his Household, and lazy and unruly *Lourdanes*, did in a contrivance of some ease to the people in small or less considerable matters the better to please them, and assure his new Dominions *sapientum adhibito Consilio*, by advice of his Parliament or (i) Council in *Anno 1010. ut quo prius opprimabatur onere populum liberaret*, that they might be freed from the burden with which (as he said) they were formerly oppressed; amongst other things, by a Law, Order and Command, his Officers, as the learned Mr. *Lambar*

(g) *Simeon Dunelm*, 175, 176, & 178.

(h) *Chronic. Bromton* 912.

(i) *LL. Canuti* 67.

(47)

Lambar hath out of the old English or Saxon published it, *ut ex aratione & pradiis suis propriis qua sibi fuerunt ad victum necessaria suppedient neque alius quisquam victui sui adjumenta prestare invitus cogatur, atque si eorum aliquis hoc nomine mulctam petierit is proprii capitis estimationem Regi dependito*, that out of his own Demeasnes they should provide necessaries for his Household, and that none be compelled to furnish any provisions: And if any of his Officers should impose any penalty upon them, for not furnishing such provisions, he should himself forfeit or pay a great sum of money, amounting to near as much as he was worth. But as *John Bromton*, who wrote in the Reign of King *Edward* the third, hath recited that Law, it doth something differ from that which Mr. *Lambar* hath mentioned, and is only in these words, *praecepto propositis meis omnibus ut in proprio meo lucentur, & inde mihi servant, & nemo cogatur ad firma adjutorium aliquid dare nisi sponte sua velit*, all his Reeves (or Officers) were commanded that they should make the best profit they could of the Kings Lands for his use; and that no man should be compelled to add or pay any thing more then his Rent or Farme, unless he should do it of his own accord; (k) *Et si quis aliquem inde gravabit mere sua Reus sit erga Regem*, and if any should disturb them therein they should forfeit and pay a Fine to the King.

And that Law (or Edict, or Proclamation rather then a Law) taken as it is either in *Bromton* or *Lambar*, was but only intended, as the title and body of it signifieth, *de victu ex pradiis regis* concerning his Tenants in his own Lands and Demeasnes, and any provisions to be made by them over and above their Rents, but did

(k) *Chronic. Johannis Bromton* 930.

(48)

did not discharge Cart-taking, or other parts of the Royal Pourveyance in his own Demeasnes, not extended to any Lands or people other then the Kings own Demeasnes, and can signifie no more then his desire to spare the Tenants of his own Lands from being charged with any provisions for his House, who, as Sir *Edward Coke* saith in his Comment or Annotations upon (l) *Magna Charta*, and the Statutes of *Articuli Super Chartas*, being the Kings Tenants in antient Demeasne, have ever since enjoyed many great priviledges, as to be free from payment of Toll, paying of wages to the Knights of the Shire which serve in Parliament, and the like.

(l) *Coke 2. part. institutes Comment in Artic. super Char-*

(m) *LL. Gulielmi Conquestoris 2.*

And were by speciall priviledge granted by *William* the (m) *Conqueror*, to have upon Judgements obtained against any that did them wrong, double the forfeitures and penalties (or damage) which were to be adjudged to any other.

And the word *peopme*; as Mr. *Sommer* saith in his Glossary *victum proprie sonans*, signifying only some provision of victuals reserved, it is not likely that, the *firma adjutorium* in *Bromtons* Translation of that Law or Edict of King *Canutus* could be meant or expounded, that no provisions should at all be paid; for then it would have signified the whole Rents to have been acquitted if no moneys had been used to have been paid together with provisions. Or if as the judicious

(n) *Spelmans Glossar. in verbo firma 274.*

(n) Sir *Hen. Spelman* saith, the word *Farme* doth import *tam redditus pecuniarias ex elocatis provenientes quam Annonarias*, as well for rent in money as corn, and other provisions for housekeepings, *& pro cana prandio corrodio convivio epulis et omni mensa apparatus sumitur*, and

(49)

and is taken for a Corrody, Supper, Dinner, Feast, or any other provision to furnish the Table; and that some money and some provisions were paid for their Rents; it remains a doubt what that favour intended by *Canutus* his Law or Edict should be interpreted to be, or how much of that Kings provisions towards the keeping and maintenance of his house, were by him remitted; or if it shall be understood to have been only *in alba firma qua argento penditur non pecude*. only in money, which if at all was very seldome used in those times; that also must be denied to have been either the meaning or practise of that Law or Edict of *Canutus*, when as the Tenants of the Crown have been found to have paid their provisions for Housekeeping in *Edward* the *Confessors* reign before the Conquest, and after in the reigns of *William* the *Conqueror*, *William Rufus*, and part of the reign of *Henry* the first; so as the way to get out of it will be in all probability to understand it to be no otherwise then a forbidding the rapines and the outrageous taking of the peoples Cattel, Corn and Provisions by his unruly *Danes*, who had so lately been invading and plundering enemies, and were scarcely denizend.

For in the same (o) Parliament we find his Law, that (o) *LL. Canuti 78.* *Dona portionis honoraria aliaque debita Dominis officia in suo semper statu immutato manerent*, honorary oblations or customes for drink, with other duties (of Tenants to their Lords, should continue as formerly and remain unchangeable. And the Customes of *England* afterwards extant, and to be found in old Charters and *Doomsday* book, do accordingly often mention *Bordland* to find provisions for the Lords Houses or Tables,

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Drostand,

Drofland, to drive their Cattel to Fairs, Markets, &c. *Berland*, to bear or carry provision of victuals or the like for them or their Stewards in their remove from place to place; *Patura* or *Drinklan*, or *Scot ale*; a Contribution by Tenants towards a Potation, Drinking, or an Ale, provided to entertain the Lord or his Steward coming to keep his Courts, (p) *Gavel Malt*, *Gavel Corn*, & *ad deferendum & cariandum ad costas & expensas tenentium usque ad granarium*, and to carry it at the Tenants charges to the Lords Granary, *Gabulum mel- lis* or Rent-honey, *Oate-gavel*, Rent-oates, *Wood-lede*, to carry home his wood, *Gavel* or Rent-timber to re- pair his house, and *Gavel dung*, to carry out his dung, often used in *Kent*, where they think that in liberties and privileges they doe surpass most of the other parts and Provinces of *England*. And could at the same time also lay a greater burden upon the people then his pre- tended ease amounted unto in that his Law touching his own Demeafnes, and enjoyn the *Romecot* or *Peter- pence* for every house or chimney, which he had given the Pope *larga manu & perhenniter*, as (q) *Bromton* saith, and a charge upon the people to a perpetuity, as he thought of that which the former Kings had made, but some temporary grants of, to the See of *Rome*, with great penalties for the non payment thereof: And un- der severe mulcts commanded the yearly payments of the *Cirickseat* or Oblations for First-fruits to the Church, which was then, as Mr. *Sommer* saith, *a census sive in gallinis, sive in aliis rebus pro adium decima sol- vendis*, a Rent or Duty to be paid in Hennis or other things for the Tithes of their Houses, or as a *Symbolum* or *munus*, gift or offering.

(p) *Sommer* Treatise of Gavelkind.

(q) *Chronic.* *Bromton* 912.

And

And though *William* the *Conqueror* had a great af- fection to establish *Leges Noricas*, *Danish* or *Norway* Lawes then used in many Provinces, yet was *Eng- land* so happy in its unhappines, as he did not, but *precibus Anglorum atque Normannorum deprecatus*, tired with the petitions and importunities as well of his *Nor- mans* as the *English*; *ut per animam* (r) *Regis Edwardi qui sibi post diem suum concesserat coronam & regnum. & cu- jus erant Leges, nec aliorum extraneorum exaudiendo concederet eis sub legibus perseverare paternis*, as he re- spected the soul of King *Edward* who gave him the *Crown* and *Kingdome*, and whose Lawes they were, and not any strangers, that he would not hearken unto them, but give them leave to enjoy the Lawes of their Ancestors; whereupon *consilio habito & precatu Baro- num*, by the advice and counfel of the *Barons*, when his conquering *Normans* as well as the subdued *English* thought it to be most for their good and safety to be go- verned by *Edward* the *Confessors* Lawes, and the good old Customes of *England*, he did after an enquiry of (s) *duodecim sapientiorum de quolibet comitatu quibus ju- rejurando injunctum fuit*, twelve of the wisest men of e- very County upon their oaths restore to them *patria le- ges*, their own Lawes, especially the Lawes of (t) *Edward* the *Confessor*, which were first instituted by King *Ed- gar*, and had long lain asleep; but at the same time took a care by a Law made on purpose, *ne quis domino suo debitas prestationes* (which did then and antiently sig- nifie services and duties to be done) (u) *subtrahat propter nullam remissionem quam ei antea fecerit*, that no man upon any release or discharge made thereof should with- hold or deny his service or accustomed dues to the Lord,

(r) LL. *Edwardi* *Confessoris*.

(s) *Chronic.* *Leibfeldense*.

(t) LL. *Guliel- mi* *Conquestoris*.

(u) LL. *Guliel- mi* *Conquestoris*.

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which

which repealing as it were *Canutus* his Law did not certainly exclude the King or his Successors in their own particulars, when as he procured by another Law, *ut jura regia illa servare pro viribus conentur subditi*, that all his Subjects should endeavour all they could to preserve his Regalities, *Et ex illo die* (the Laws of *Canutus* vanishing probably as those of *Cromwell* did) *Leges Sancti Edwardi multa autoritate veneratas, & per universum regnum corroboratas et observatas*, and from that time the Lawes of *Edward* the Confessor were greatly revered, and through all *England* observed. For we find not that Law of *Canutus* either repeated or mentioned (as the Laws of some of the *Saxon* Kings were) or any thing of that nature enacted or confirmed in or by the Laws of *Edward* the Confessor, *William* the Conqueror, or King *Henry* the first; but on the contrary the Laws of *Edward* the Confessor confirmed by *William* the Conqueror doe expressly ordain, that *debent enim et leges et libertates jura, et justas consuetudines* (x) *regni, et antiquas a bonis predecessoribus* (which could not well be meant or intended of any of *Canutus* or any the *Denelage* or *Danish* Lawes) *approbatas inviolabiliter modis omnibus pro posse suo servare*, every man ought to his utmost to keep and conserve the Lawes, Liberties and Rights, and the just and ancient Customes of the Kingdome.

(x) LL. Edwardi Confessor.

* Spelman in verbo Angaria

The Abbot of *Ramsay* was by a Charter of *William* the Conqueror exempt from * *carriage* and *Purveyance*.

And the Book of *Doomesday*, which was made in the sixteenth year of his Reign, and remains ever since an unquestionable record of the Kingdome, is

not

not without some *vestigia* or footsteps of *Purveyance* in the Reign of that good, and to this day ever honored King, *Edward* the Confessor, where it is said that *tempore regis Edwardi reddebat civitas de (y) Gloucester (y) Tit. Glou. xxxvi l. numeratas xii. sextaria mellis ad mensuram cestrescire. & ejusdem Burgi, & xxxvi. Dacras ferri, C. virgas ferreas ductiles ad claves navium Regis, & quasdam alias minutas consuetudines in Aula & in Camera Regis*, in the time of King *Edward* the Confessor the City of *Gloucester* did pay yearly six and thirty pounds in moneey, twelve measures of honey containing six Gallons a piece, according to the measure of the Town, six and thirty *Dacres* (a proportion then known by that term) of Iron, and one hundred *Rods* of Iron, to make nails for the Kings Ships, and certain other small Customes for the Hall and Chamber of the King; *Et in scriptone Rex tenet de annona xv l.* the King had fifteen pounds *per annum* provision of corn and other victuals.

The *Bordarii* often mentioned in *Doomesday* Book were such as held Lands *mensa domini designatas & esculenta indicta, videlicet ova, gallinas, aucas, porcellos, et hujusmodi exhiberent*, appropriate to a *Purveyance* for the Kings Table, furnishing Eggs, Hens, Geese, Pork and the like; and for the *Huscarles* or household servants so called, concerning whom it is there said (z) *Et gilda pro decem hidis, scilicet ad opus huscarum unam marcam argenti*, and he paid taxes for ten hides, that is to say, a mark of silver for the use or maintenance of them, *Tit. Northantescire reddit firmam trium noctium vii 202. (vel edulia ad cenam unam) 30. lib. ad pondus*, made provision for one night of the value of thirty pound;

(z) Tit. Dorsetshire, & Spelman in verbo Bordarii

Et tit. Oxenfordsc. Comitatus Oxenford reddit
 (a) *Spelman glossar. in verbo firma 275.* (a) *firmam trium noctium, hoc est 100 lib.* furnish-
 eth provision for three nights of the value of 100
 pound. *Et Doomsd. tit. Wiltf. Wilton. quando Rex ibat*
in expeditione, vel terra, vel mari habebat de hoc mane-
rio xx. sol. ad pascendos suos Buzcarlos, aut unum homi-
nem ducbat secum pro honore quinque hidarum, when the
 King went upon any expedition by land or sea, he was
 to have out of that Manor twenty shillings to feed his
Buzcarles, Mariners or Seamen; or took for every five
 hides of land, or that then (esteemed honorable) quan-
 tity of land a man with him.

But howsoever if that of *Canutus* discharging Pour-
 veyance were a Law neither altered nor repealed, it did
 but like his Laws touching *Ordeal,* and delivering over
 the Murderer to the Kindred, & other of his Laws which
 proved to be unpracticable, rather make the matter
 worse then better, by his renouncing Pourveyance in his
 own Demeasnes: for that Law and Resolution of his did
 meet with so little observance, as in the Reign of King
William Rufus, and a great part of the Reign of his
 Brother King *Henry the First,* the Kings Servants and
 Court for want of their former provisions grew to be
 so unruly, as (b) *multitudo eorum qui curiam ejus se-*
quebantur quaque pessunda eum dirperent & nulla eos co-
hibente disciplina totam terram per quam Rex ibat devas-
tarent; and a multitude following the Court, took
 and spoiled every thing in the way which the King
 went, there being no discipline or good order taken;
Et dum reperta in Hospitiis que in vadabant penitus abse-
mere non valebant ea aut ad forum per eosdem ipsos querti-
erant pro suo lucro ferre ac vendere aut supposito igne cre-
 mare

(b) *Hist. Edmer. lib. 4. 22. 94.*

mare, aut si potius esset lotis exinde equorum suorum pedi-
bis residuum illius per terram effundere aut aliquo alio
modo disperdere solabant; and when they could not con-
 sume that which they found in the houses whereinto
 they had broken, made the owners carry it to the Mar-
 ker, and sell it for them; or else burnt their provisions,
 or if it were drink, washed their horses feet with it, or
 poured it upon the ground, in so much as *quique precog-*
nito regis adventu sua habitacula fugiebant, every one
 hearing before hand of the Kings coming, would run a-
 way from their houses, which probably bringing in a
 dearth or scarcity of corn, might be the cause of the
 Tenants of the Kings Demeasne Lands, bringing in the
 later end of the Reign of King *Henry the First,* (for
 then it was and not before, as it appears by *Edmerus*
 and *William of Malmsbury* who lived in his time) to
 the King their Plowshares instead of Corn to Court on
 their backs, and making heavy complaints of their po-
 verty and misery, procured that King to change their
 Rents, which before were used to be paid for the most
 part in corn, cattle and provisions, and were wont a-
 bundantly to supply his household occasions, and with
 which *in primitivo regno statu post conquestionem,* the
 Kings of *England* from the Conquest untill then did
 plentifully, as (c) *Gervasius Tilburienfis,* who lived al-
 so in his Reign hath related defray the charges of their
 Courts and Housholds into money with six pence in the
 pound overplus, lest the value of the mony should after-
 wards diminish: but whether *Canutus* his Law were then
 in force or not, or could be sufficient to abrogate those
Fura Majestatis, Rights or Prerogatives of our Eng-
 lish Kings, we find King *Henry the first* after those dis-
 orders

(c) *Lib. rub. in Scaccario.*

orders (in his greatest compliance with the English, and his need of their aid to defend him against the pretensions and better Title of his elder Brother Robert Duke of Normandy, and his cou'ring of them unto it *per libertates quas sanctus Rex Edwardus spiritu Dei provide sancivit*, by the antient Lawes and Liberties of holy King Edward, which he had granted them, and a promise to grant them any other) retaining his Pourveyance, and putting it into better order; for as *William Malmesbury* hath recorded it, *(e) Curialibus suis ubicunque villarum esset quantum a Rusticis gratis accipere quantum & quoti pratio emere debuissent edixit transgressores, vel gravi pecuniarum multa, vel visa dispendio afficiens*, directing and ordering those of his Court in whatsoever places he should abide, what and how much they were to receive from the Country people *gratis*, and without money, and at what prices and rates they should buy other things, under great penalties of money or punishment by death, and was *optimatibus venerabilis & provincialibus amabilis*, revered by the Nobility and beloved by the common people; and in his Charter, which was for a great part of it the original of our *Magna Charta*, where *(f) omnes malas consuetudines quibus regnum Anglia iniuste opprimebatur inde aufert*, he took away all the evill Customs with which *England* was oppressed; *Et quas*, as the Charter saith, *in parte hic posuit*; and which were in part recited, and with which the discontented Barons & Nobility of *England* claiming their antient Liberties, were so well contented in the 14. year of the Reign of King *John*, when *Steven Langton* Archbishop of *Canterbury* produced it unto them, as, *gausi sunt gaudio magno*

(d) Mat. Paris 61.

(e) Malmesbury lib. 5. 91.

(f) Mat. Paris 240. & 258. & Charta H. 1. de libertatibus.

magno valde & juraverunt omnes quod pro his libertatibus si necesse fuerit decertabunt usque ad mortem; they greatly rejoyced, and swore that they would if need were contend unto death for those Liberties: there is no mention of any evil in Pourveyance, nor any order for the taking of them away. And might as justly & rationally continue in the Reign of King *Henry* the second his Grandchild, as that custome or usage for the Bishops and dignified Clergy to take their provisions of the Inferior Clergy, and their Carriages or Carts which Pope *Alexander* in a Council or Synod held at *Rome*, where were present the Bishops of *Durham*, *Norwich*, *Hereford* and *Bath*, and divers Abbots sent from *England*, did notwithstanding many complaints not against the Pourveyance it self, but the immoderate use of it, onely limit and restrain them, *secundum tolerantiam in illis locis in quibus amliores fuerint redditus & Ecclesiastica facultates, in pauperibus autem mensura tenenda*, to be moderately taken in such places as had more large possessions and Ecclesiastical Revenues, and less of those who were in a poorer condition; and then and long before the *Domini hundredorum*, Lords or great men having the command or jurisdiction of Hundreds, *uti comes aut vicecomes* as the Earl or Sheriff of the County had, *multa inde auxilia tributa sectas aliasque prestationes cum ad utilitatem tum ad voluptate Cerere nempe & frumentu receperunt*, &c. and received many aids, tributes, and Pourveyances as well conducing to their profit as pleasure *cujus hodie nomine Annuum penditur tributum pecuniarum*, for which now there is a certain rent in mony paid. Nor could the rights of Pourveyance & Præ-emption be any thing less then denizend in *Scotland*, or the Northern parts of our *British Isles*, when as the Civil and universal Law of the World was there so long ago entertained, and yet con-

Decretum Alexandri Pape in parte posteriori, Annal Rogeri de Hoveden, 333.

Spelman glossar in voce Eundredus.

(b) 14. Parli-
ment King
James the 3.

tinues the great Director and Guider of their Justice, where in Anno 1487. in an Act of (h) Parliament made by King James the third anent strangers bringing in victuals and utheris merchandice, it is provided, that quhair any victuals of merchandise cummis, gaining for the King, that his Comptroller after that the price be maide with the strangers sall have sa meikle of the first and best as is needful to the Kings proper use for the quihilk full payment but delay; and their learned Craig in the Reign of our King James doubts not to reckon the *Angaria & Parangaria plastrorum & navium prestationes*, furnishing of Carriages and Ships for publick uses, *inter ea qua Regalia dicuntur, & que in annexo patrimonio numerantur*, amongst those Regalities which are annexed to the Crown of Scotland (i) *eo quod ad conservandam Regni dignitatem ex consensu ordinum constituta sunt*, in regard that by the consent of the Estates is thereby conserved the dignity of the Kingdom.

(i) Craig. de
fendis apud
cos Dieg. 14.

(k) Shene de
verborum signi-
ficatione.

(l) Mat. Paris
323.

And their *Census Cani*, Rent or Provision, *qubeat, beir, ayles*, or uther kind of victuals, reckoned by Bolls of Whear, and Chalders of victuals, not yet forsaken or laid by, may induce any man to believe that they were well acquainted with those just and ancient observances. And in that Charter of our King Johns at (b) *Running Mede* near *Stanes* (being the same word for word which was after so long and bloody warres confirmed by King Henry the third) which was made when his weaker forces were ready to be encountered by a farre stronger of his boysterous Barons, there is no denying of Præ-emption and the reasonable part of Pourveyance, the former of which as long as the fifth Commandement in the Decalogue, and the acknowledgements and respects of inferiors to superiors, the honor due to Kings & *Patribus Patrie*, and the common civilities of mankind

mankind shall continue in force, and be practised and unrepealed, is certainly to be continued, and should not be disturbed by any the Sons of men who would preserve the honour and dignity of their Prince and Common Parent; for it was there only agreed that *nullus constabularius vel Ballivus noster capiat blada vel alia Catalla alicujus nisi statim inde reddat denarios*, No Constable or Bayliff of the King shall without present payment take any Corn or Cattle of any mans, *aut respectum inde habeat de voluntate venditoris*, unless the Seller should be contented to give day for it (m) *Et nullus Ballivus noster, vel Vicecomes, vel alius capiat equos, vel caretas alicujus pro cariagio faciundo nisi reddat liberationem antiquitus statutum scilicet pro careta ad duos equos decem denarios per diem, & pro careta ad tres equos quatuordecim denarios per diem*; And that none of the Kings Bailiffs, Under-Sheriffs or other take any mans carts or horses for the Kings carriages without paying the antient rate or Livree appointed, that is to say for a Cart and two Horses ten pence a day, and for a Cart and three Horses fourteen pence.

(m) Charta Re-
gis Johannis de
libertatibus
Anglie.
9 H. 3. ca. 19.
& 21.

Nor did the *Conservatores libertatum Anglie* enforced upon (n) King Henry the third in his troublesome Reign make any quarrels or restrictions concerning it.

(n) Mat. Paris
641.

In *Charta Forestæ* made at the same time, no (o) *Foster or Bedil* was to make *Scotall*, or gather *Carb, Oats, Corn, Lamb or Pig*, nor any gathering but by the view and oath of twelve Rangers, the Exception allowing the things in *casibus non exceptis*, and proving that such things might in such manner be then reasonably and lawfully taken. And in that Kings Regim Writs were frequently sent to the Sheriffs, as appeareth in the (p) close

(o) Ro. Claus.
H. 2.

claus. 1 H. 3. m. 15.

claus. 29 H. 3. m. 11.

13 Ed. 3. 6. Brook Lect 26. Dier 13. Coke 2. part. Institutes 72.

(q) Coke 2. part. Institutes in Artic. super Chartas 543.

Rolls, to make provisions of Mutton, Poultry, Geese, Eggs, &c. against Christmas and other principal Feasts, and sometimes to the Chamberlains of London to make provision of wine, Spices and Fures to be paid *de denariis Regis*, and at other times to some others to make provision of Corn, Bacon, &c. for fortifying a Castle, promising that the Sheriff should make payment, and be allowed upon his accompt out of the profits of the County, so as although the provisions for the Kings own Household, or for publick uses, were not taken without monies to be paid for them, yet they were, as it may well be supposed, at reasonable prices, and by a privilege or prerogative of *Præemption*, and not alwayes at such prices as the avaritious humour of the Sellers should exact, when the Sheriffs in their *Turns* or *Leets* might compel them to reasonable rates. And Sir Edward Coke will hardly be brought off from a mistake, in alledging in his Comment upon the Statute of *Articuli super Chartas*, that when the Kings of Englands provisions (q) began to fail, and could not be had as formerly out of their own *Demeasnes*, there were Markets kept at the Court gates, which being not in the Reign of King Henry the first, who changed his Provision Rent into money, doe not appear to have been afterwards in his time, or of the next succeeding Kings, Stephen, Henry the 2. Richard the 1. or King John, and King Hen. 3. who needed not to have made use of his Sheriffs to have furnished his Christmas or other household provisions, if Markets with that decency and regard which belonged to a Kings Court, where those great Kings, and a daily confluence of their then no small Nobility, with their usual Trains and Attendants, and many times for eign Princes,

(1) Britton de mesures ca. 30.

Princes or their Ambassadors were to pass, had been or were then kept at the Court gates: for (r) Britton who wrote in the Reign of King Edward the first, only saith that the Clerk of the Market, or he which was to look to the measures was to goe with his Standard from Market to Market when he found the Market to be within the Virge, otherwise to make the Bayliffs to appear before him.

Tertio Ed. 1. ca. 7. it was enacted, that of Prises taken by the Constables or Castellanes upon such folk as be not of the Towns where the Castles are, no Constable or Castellane from thenceforth should exact any price or like thing of any other then of such as be of the Town or Castle, and that it be paid, or else agreement made within forty daies, if it be not an antient price due to the King, or to the Castle, or the Lord of the Castle.

Tempore Ed. 1. ca. 2. It was ordained that no Officers of the King or of his Heirs should take Corn, Leather, Cattel, or any other goods of any manner of person without the good will and assent of the party to whom the goods belonged: And ca. 3. the King granted for him and his Heirs that all Clerks & Lay-men of the Land, should have their Laws Liberties and free Customes as largely and wholly as they have used to have the same at any time when they had them best. And if any Statutes have been made by him or his Ancestors, or any Customes brought in contrary to them or any manner of Article contained in that Charter, willed and granted that such manner of Statutes and Customes should be void and frustrate for ever.

Anno 28 Ed. 1. Artic. super Chartas ca. 2. upon complaint that the Kings Ministers of his house did to the great grievance and damage of the people take the goods as well of the Clergy as the Laity without paying

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ing any thing, or els much less then the value; It was ordained that no Pourveyors should take any thing but for the Kings House, and touching such things as they should take in the Country of meat and drink, and such other mean things necessary for the house, they should pay or make agreement with them of whom the things should be taken, nor take more then should be needfull to be used for the King, his Houshold and Children, with a Proviso therein, that nevertheless the King and his Counsel did not intend by that Estatute to diminish the Kings Right for the ancient prices due and accustomed, as of wines and other goods, but that his Right should be saved unto him in all points.

(f) Hil. 16 E.

Anno 16 Ed. 2. (f) the King sent his Writ to the Justices of the Court of Kings Bench, then not so fixed as now, or of later times, to command them to take care to punish the Infringers of those Lawes.

And howsoever the Articles and inquiries in the Eyres in the Reign of King Edward the first were to enquire and punish those Sheriffs, Constables or Bayliffs which took any victuals or provisions for the King or his Houshold (which shews that then also no Markets were kept at the Court gates, nor that all the Kings provisions were there bought or taken) *contra voluntatem eorum quorum Catalla fuerint*, without the will of the owners (which in all probability was to be regulated and perswaded by that duty and loyalty which every good Subject coming to a Country or City Market did bear to his Sovereign, and the Preserver by his authority and power of not only what they brought to Market that day, but what was left at home, or to be brought at other times to Market) and the words *sine consensu & voluntate, &c.* without the consent of the Seller are to be

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be interpreted and understood, saith Sir (r) Edward Coke (c) *coke 2. parte Instit. 543.* to have been inserted in that and other Statutes, for that Pourveyors would take the goods of such men as had no will to sell them, but to spend them for their own necessary use.

But afterwards some abuses like weeds getting in amongst the best, corn or greatest care of the watchfull Husbandman happening in the manner of Pourveyances, by taking them without warrant or threatening the Sellers or Assessors to make easie prices, or not paying ready money or the Market rate for them, or taking more then they needed, or by greater measures, & making the Pourveyances for divers Noble men belonging to the Court, as of the Duke of Gloucester in the Reign of King Henry the sixth: and in his time also some Hostlers, Brewers, and other Victuallers keeping Hosteries and Houses of retailing victuals in divers places of the Realm, having purchased the Kings Letters Patents, to take Horses and Carts for the service of the King and Queen, did by colour of them take horses where no need was, and bring them to their Hosteries and other places, and there keep them secretly untill they had spent xx. d. or xl. d. of their stuff, and sometimes more, and then make the owners pay it before their horses could be delivered, and sometimes made them pay a Fine at their will, and at other times took Fines to shew favour, and not to take their horses, and many times would not pay for the hire of the said horses and carts, divers Acts of Parliament upon complaints at several times in Parliament of the said abuses committed by Pourveyors were made to prohibit and provide against them, but none at all to take away the Pourveyance it self,

self, or Præ-emption, or the Kings just Rights and Pre-rogatives therein, but a saving of the Kings Rights especially provided for in many of them, as

Anno 10 Ed. 3. ca. 4. The Sheriff shall make Pourveyance for the Kings horses.

Anno 18 Ed. 3. ca. 4. In the Commissions to be made for Pourveyance the Fees of the Church shall be exempted in every place where they be found.

Anno 25 Ed. 3. ca. 1. after that in Anno 20 Ed. 3. divers Pourveyers had been attainted and hanged for fending against those Lawes: and that in the 23. year of that Kings Reign divers of the Kings Pourveyers were indited for breach of those Lawes. It was enacted that if any Pourveyer of victuals for the King Queen or their Children should take Corn, Litter or Victuals without ready money at the price it commonly runneth in the Market, prized by Oath by the Constable and other good people of the Town, he shall be arrested, and if attainted, suffer pains as a Thief if the quantity of the goods the same require.

Cap. 6. No Pourveyer shall take, cut or fell wood or Timber for the Kings use for work growing near any mans dwelling house.

Et cap. 7. Keepers of Forrests or Chaces shall gather nothing, nor victuals, nor sustenance without the owners good will, but that which is due of old right.

Cap. 15. If any Pourveyer take more sheep then shall be needfull, and be thereof attainted, it shall be done to him as a Thief or a Robber.

Anno 36 Ed. 3. ca. 6. No Lord of England nor none other of the Realm of what estate or condition that he be, except the King and the Queen his wife shall make any taking

taking by him or any of his Servants of any manner of victuals, but shall buy the same that they need of such as will sell the same of their good will, and for the same shall make ready payment in hand according as they may agree with the seller. And if the people of Lords, or of other, doe in other manner, and thereof be attainted, such punishment of life and of member shall be done of them as is ordered of the buyers, the occasion of the making of which Statute, and the preceding Act of Parliament of 25 Ed. 6. before mentioned, Sir (x) Edward Cook informes us was a book written in Latin by Simon Islip Archbishop of Canterbury, (and before that a Secretary of State and Privy Councillor) to King Ed. 3. called Speculum Regis, sharply inveying against the intollerable abuses of Pourveyers and Pourveyance in many particulars, and earnestly advising and pressing him to provide remedies for those insufferable oppressions and wrongs offered to his Subjects, which the King often perusing, it wrought such effect, as at divers of his Parliaments, but especially in his Parliament holden in the 36 year of his Reign, he did of his own will without the motion of the great men or Commons, as the Record of Parliament speaketh, cause to be made many excellent Laws against the oppressions and falshood of Pourveyers.

2 R. 2. ca. 1. Upon complaint made in Parliament, that Pourveyors and Buyers did take Provisions of the Clergy, and enforce them to make carriages against their Liberties; It was enacted that the holy Church should have and enjoy her Franchises and Liberties in all points in as ample manner as she had in the time of the Kings noble Progenitors Kings of England; and that the great Charter, and the Charter of the Forest, and the good

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Laws

(2) Coke 2. part. Institutes 545.

Laws of the Land be firmly holden and kept, and put in due execution, saving to the King his Regality (which is in the Record, but omitted in the Print;) by which Statute saith (y) Sir Edward Coke, there was nothing enacted but what was included in Magna Charta.

(y) Coke 2. part. Institutes Comment. in confirmat. chartarum 526
(z) Petitions in Parliament, 2 R. 2.

And in the same Parliament it was ordained that the Statutes heretofore made should be kept; and that (z) all Clerks should have their Actions against such Pourveyors by Actions of Trespass, and thereby recover treble damages. And in 7 R. 2. cap. 8. it was ordained that no Subjects Chator shall take any victuals or carriages to the use of their Lords or Ladies without the owners good will, and the party endamaged, if he will, shall have his Suit at the Common Law.

2 H. 4. cap. 15. Pourveyance of the value of forty shillings or under for the Kings house shall be paid for presently upon pain of forfeiture of the Pourveyors Office.

23 H. 6. ca. 14. If any Buyer or other Officer of the Duke of Gloucester, or of any other Lord or person, take any Victuals, Corn, Hay, Carriages, or any other thing of the Kings Liege people against their will, or without lawfull bargain, but only for the King and the Queen and their houses, they shall be arrested; and if any of the said buyers other then of the King and Queen shall be convicted of such unlawfull taking he shall pay treble damages.

28 H. 6. ca. 2. None shall take any persons Horses or Carts without the delivery of the Owner or some Officer, nor any money to spare them, saving alwayes to the King his Prerogative and his Preheminence of and in the premisses.

And in the care of our Kings to redress the peoples grievances, and satisfie their complaints against the Pourveyors

veyors rather then the Royal Pourveyances; it may be understood also that they did not altogether lay aside the preservation and care of those ancient and most necessary rights and parts of the Kingly Prerogative, by their Answers given in divers Parliaments to the Petitions of the People concerning it, as

13 Ed. 3. The Commons pray in Parliament, that all Pourveyors as well with Commission as without shall be arrested if they make not present pay; whereupon it was agreed that the Commissioners of Sir William Heallingford, and all other Commissioners for Pourveyance for the King be utterly void.

14 Ed 3. Ordered that the Chancellor by Writs doe pay the Merchants of Barton and Lynne for their Pourveyance of corne.

17 Ed. 3. The Commons pray that remedies may be had against the outrageous taking of Pourveyors.

The Statutes made shall be kept, and better, if it may be, devised.

20 Ed. 3. That payment be made for the last taking of victuals.

Order shall be taken therein.

They pray that Pourveyors not taking the Constables with them according to the Statute of Westminster, shall be taken as Theeves, and the Judges or Justices of Assize or the Peace may inquire of the same.

The Statutes made shall be observed.

21 Ed. 3. Upon a complaint of the Commons, That whereas in the Parliament in anno 17. and the next Parliament before, it was accorded that Commissions should not issue out of the Chancery for Hoblers, and taking of Victuals, &c. the said Ordinances are not kept.

Resp.

Resp.

Resp.

(68)

Resp.

If any such Imposition was made, the same was made upon great necessity, and with consent of the Prelates, Counts, Barons, & Autres grandes, and some of the Commons then present, notwithstanding the King will not that such undue Imposition be drawn into consequence, but willet that the Ordinances in this Petition mentioned be well kept.

And as touching the taking of victuals, alwayes saving the Kings Prerogative, his will is, that agreement be made with such of whom the same are and shall be taken.

The Commons alleaging, That whereas it was lately ordained and assented by the King and his Council, that men and horses of the Kings Household should not be harbingered in any part of the Country, but by Bill of the Marshall of the House delivered to the Constable, who should cause them to have good sustenance for themselves and their horses as should be meet, and cause their victuals to be prised by the men of the same Towns, and before their departures should pay the parties of whom the victuals were taken, and if they did not their horses should be arrested, and that contrary hereunto they depart without payment, pray that in every Bill mention be made of the number of horses, and that no more but one Garson be allowed, and that payment according to the Statute may be made from day to day.

Resp.

The King is pleased that this Article be kept in all points according to the form of the Statute.

They complain that the Pourveyors of the King, Queen and Prince severally doe come yearly assess ^{and} Towns severally at ten Quarters of Oates more or less at their pleasure, and the same doe cause to be carried

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carried away without paying for the same; and pray that such Tallages and Pourveyance may be taken away.

The King will forbid it, and that no man take contrary to such prohibition, saving to him, the Queen his companion, and their Children, their rightfull takings.

Eodem Parlamento, whereas the horses of the King, Queen & Prince do wander into divers parts, doing much hurt and damage to the people, and that hay, oats, &c. are taken contrary to the Ordinances already made, the Commons pray, That the King will ordain that those horses may abide in some certain place of the Country where they are, and that Pourveyance may be had for them in convenient time of the year by the Deputies, as may be agreed between them and the owners of those goods.

The King is well pleased that the Ordinances already made shall be kept, and that Pourveyances may be made for his best profit and ease of his People.

45 Ed. 3. That no Pourveyance be made for the King but for ready money, and that the King be served by common measure.

The Statutes made before shall be observed.

They complain of the decay of the Navy by reason that sundry mens ships were stayed for the King long before they served, the Masters of the Kings Ships doe take up Masters of the Ships as good as themselves.

The King will provide Remedy.

46 Ed. 3. They complain that Ships arrested have been kept a quarter of a year before they pass out of the Port, and in that time the Masters or Marriners have no wages.

Y pleist al Roy que le Navie soit maintain & garde a greindre ease et profit que fair se poet.

Eodem

Resp.

Resp.

Resp.

Resp.

Resp.

Eodem Parlamento, The Commons desire the King and his Council, that whereas it is granted that no Pourveyance be but where payment is made at the taking, that it will please him that his Ordinance be holden as it was granted.

Resp. It pleaseth the King, that he that findeth himself griev'd shall pursue it, and right shall be done him.

47 Ed. 3. That the Statute made whereby buyers of the Kings Household should pay readily may stand, and that no man be impeached for resisting them therein.

Resp. The Statute therefore provided shall be kept, and who will complain shall be heard.

Eodem Parlamento, That Masters of Ships and their Mariners may be paid their wages from the day of their being appointed to serve the King.

Resp. Taking of Ships shall not be but for necessity, and payment shall be reasonable as heretofore.

They pray, That Masters of Ships may have allowance for their Tackling worn in the Kings service.

Resp. Such allowance hath not been heretofore made.

50 Ed. 3. That the Kings Carriages for himself and his Household may be of Carts and Horses of his own, and not to charge the Commons therewith.

Resp. The King knoweth not how these things may be brought to pass, but if they be he will charge the Steward and Officers to make redress.

The Commons of Norfolk require that payments may be made to them and to all their Countries for sheep taken by the Pourveyors farre under the price against the Statute.

Resp. This Bill is otherwise answered within the Bill of Buyers.

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The Commons of Devon pray that they may be paid for victuals taken of them by the Duke of Britain whilst he lay there of long time for passage, and that from thenceforth no protection be granted to any passenger to take any victuals ooker then for present pay.

Let the offenders for time past pay, and answer, and for to come the King will provide.

Resp.

50 Ed. 3. That the Kings Pourveyor take of the Provision the Clergy, and cause them also to make carriage for the King, against the Ordinances and Statutes thereof made.

2. That the owners of the Ships taken up for the Kings service may be considered for their losses in the same, and that Marriners may have the like wages as Archers have.

It shall be as it hath been used.

Resp.

2 R. 2. The Commons of the Duchy of Cornwall shew how by taking up their Mariners, the Spaniards lately burned all their Ships, and otherwise much endamaged them, and the like complaint was made by all the Seacoasts, and therefore pray remedy may be had.

The King by advice of his Council will provide remedy therefore

Resp.

3. R. 2. The Commons by their Speaker pray that it would please the King to appoint by Commission such as should enquire by all means of the Kings charges as well of his Household as otherwise.

The King granteth it, his Estate and Royalty alwayes saved, and it was enacted untill the next Parliament, That every Master of a Ship shall have for his reward for every Tonne weight for such his vessel as shall be taken up to serve the the King for every quarter of a year that they shall remain in his service three shillings four pence, begin-

Resp.

ing

ing the first day of their entring into the haven or place appointed.

5 R. 2. The Commons made Recapitulation of their requests, and namely of the Ordinance concerning Pourveyors,

Whereto it was replied for the King, That his charges were great as well concerning sundry particulars there uttered, as like to be greater for the solemnity of his marriage with the Lady Anne Daughter to the mighty Prince Charles Emperor of Rome; the which Lady was newly come into the Realm, the tenth part of which charges the King had not in treasure or otherwise; and that therefore it was, as necessary to provide for the safety of the Kings Estate as for the Commonwealth.

6 R. 2. The Commons pray, That the Statute of Pourveyors may be observed, and that ready payment may be made.

Resp. The Statute therefore made shall be observed.

2 R. 2. The Commons pray that every Ship taken up for the Kings service may towards her apparrelling take for every quarter, two shillings of every Tonne.

That the Statutes of Pourveyors and Buyers be executed, and that the Justices of the Peace have power to hear and determine the same.

That the Estate of the Kings Household be yearly viewed once or oftner by the Chancellor, Treasurer and Keeper of the privy Seal, and that the Statutes therefore appointed may be observed.

Resp. The King granteth to the first at his pleasure, and to the second he granteth.

10 R. 2. That every owner of a ship serving the King may have for every quarters service of the same his Ship three

three shillings four pence of every Tonne Leighter, or little Ship.

The King hath committed the same to his Counsel to be considered.

Resp.

14 R. 2. They require remedy against Masters of Ships and Mariners.

The Admirall shall appoint them to take reasonable wages, or punish them.

Resp.

17 R. 2. Pray that Remedy may be had against the Officers in London, who exact of Drovers bringing Cattle into Smithfield the third Beast.

The Maior and Sheriffs of London shall answer the same before the Council.

Resp.

20 R. 2. A Bill was exhibited in Parliament amongst other things for the avoiding of the outrageous expences of the Kings House, upon which particular the King seemed much offended, saying he would be free therein, and that the Commons thereby committed offence against him and his dignity, which he willed the Lords to declare to the Commons, and their Speaker was charged to declare the name of him who exhibited the said Bill, which having done, and the Bill delivered to the Clerk of the Crown, the Commons came before the King shewing themselves of heavy cheer, and declared they meant no harme, submitted and craved pardon, and Sir Thomas Hexey a Clergie-man, who exhibited the Bill, was by Parliament adjudged to die as a Traitor, but at the request of the Archbishop of Canterbury and other Bishops pardoned for life, and ordered to be by Sir Thomas Percy Steward of the House delivered to the custody of the Archbishop.

Nota

Anno 1 Hen. 4. The Commons pray that the King may

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may have only two Tons of wine of every ship of wine coming to any port in the name of prize.

Resp.

It shall be as heretofore.

6 H. 4. That the owners of every Ship or other Vessel serving the King may have allowance of every Tonne weight of the same Vessel three shillings four pence for every quarter towards the apparelling of the said ship.

Resp.

The Statute therefore appointed shall be observed.

7 & 8 H. 4. That all the Statutes touching buyers and Pourveyors may be executed, and that payment may be made for victuals taken by the Kings Pourveyors from the time of his Coronation.

Resp.

The King is willing to doe the same, and that all Statutes of Pourveyors be observed.

11 H. 4. The King promyseth convenient payment for victuals taken by his Pourveyors.

Thomas Chaucer chief Butler to the King sheweth what prices of wine the King ought to have of every Ship, and how much the King was deceived thereof, that the Citizens of London being exempt from the same, did use notwithstanding to make strangers free thereof.

Resp.

The King sent for the Citizens heretofore, and further willeth that none shall enjoy any such liberty unless he be there a Citizen resident and dwelling.

3 H. 5. The Commons pray that no Ship be taken to serve the King by any Letters Patents, but that the same Letters Patents may be seen before the Mayor and other Officers of the Town, that hire of the freight, may be by them made and ready payment had.

Resp.

The Statutes heretofore made shall be observed.

18 H. 6. Order was taken for the payment of the Kings

Kings debts and provision of his Household, and authority committed to the Kings Council to take order concerning Pourveyors, and the fourth part of the Tenth and Fifteenth to be imployed to the payment of the Pourveyance for his Household.

20 H. 6. The Commons pray that certain Lords, such as the King shall please, may have authority to settle good order in his Household, and that ready money be paid for victuals, carriages, and other dispenles of the same House.

Resp.

Be it as is desired, provided that this extend not to impeach any Assignments, Grants, Payments, Benefit or Interest to any man lawfully granted, or had before this Parliament.

27 H. 8. cap. 24. The Kings Pourveyors may for the provision of the King, Queen and their Children take all victuals, corn, and other kinds of things whatsoever according to their Commissions, as well within the Liberties and Branches as without, any Grants, Allowance, or other thing to the contrary notwithstanding.

1 & 2 Phil. & Mar. It was ordained by Act of Parliament, That no Commission of Pourveyors should continue above six months; the County to be named where Bees, Weathers Lambs Calves, Swine, Salt fish, Corn, Butter, Cheese, Bacon, Conies, Pigs, Geese, Capons and Hens, and any other provision of victuals were taken, the proportions and numbers of them and a Docquet to be made all things taken. And cap. 6. No victuals shall be taken by the Kings Pourveyors within five miles of the Universities of Cambridge and Oxford, nor in Oxford or Cambridge upon pain of forfeiture of four times the value, provided that the Act be not put in execution at any time or

times whensoever the Queen and her heirs and successors shall please to come to both or any of the said Universities, or within seven miles of either of them, but be suspended during that time and no longer.

5 Eliz. cap. 5. Composition Fish heretofore granted to the Queens Majesty by the Subjects of this Realm travelling into Ireland, may be taken by her Majesties Officers and Pourveyors in such sort as the same hath been lawfully used to be taken before the making of this Act, saving to the Queens Majesty her Heirs and Successors, and to all other persons such Fishes as be known and used to be called Regall Fishes, whereunto her Majesty or the said other persons have or shall have right or interest for such recompence as heretofore hath been accustomed.

13 Eliz. cap. 21. Reciting the said Act of the 2 and 3 of King Phillip and Queen Mary, and that since divers of the Townships, Inhabitants and Resiants within the Limits and Precincts aforesaid, having converted the benefit of the said Act to their private use and commoditie without any profit or commodities to the poor Schollars of either of the said Universities, whereby the Queens Majesty was not only not served of provision of Corn, Grain, and other victuall to be taken for her Majesties provision, but also the said Universities were defrauded of the benefits and commodities to them intended. It was ordained that no person whatsoever, nor the Pourveyors of the Queen her Heirs and Successors, nor no Badger or Poulter should take or bargain grain, or victuals, within the compass of five miles of the said Universities, or within the Towns of Oxford and Cambridge without the consent of the Chancellors or

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Vice-Chancellors in writing under the Seal of either of the said Universities first had in writing. And if any person or persons within the said Precincts should refuse reasonably to serve the necessary provision of the said Universities, that then it should be lawfull to any of the Queens Majesties Takers or Pourveyors to provide any corn or victuall of any such person or persons within any part of the precinct aforesaid for the use of the Queen, as should be declared and notified to the said Pourveyors or Takers to be persons not worthy of the said privilege, for not reasonably serving the necessities of the said Universities by the Chancellor or Vice-Chancellor for the time being of either of the said Universities with the assent of the two Justices of Peace resident within the said Universities, Town, or County under the hands and Seals of the said Chancellor, or Vice-Chancellor, and the said two Justices of the Peace, as the said Pourveyors or Takers lawfully may in any other place within the said Precinct, and not otherwise. Provided that the Act shall not be put in execution at any time or times whensoever the Queens Majesty, her Heirs and Successors shall come to any of both the Universities, or within seven miles of either of them, but shall be in suspence during that time only and no longer.

And King Henry the seventh, who in the rage and scuffle of a fortunately fought Battel at Bosworth field, having found his Crown thrown into a Hethorn, or bush of Thorns, as a prelage of the cares which usually attend the wearers, and by marriage once accounted the best of unions, happily established himself in the Kingdom, and stopt the issue of blood betwixt those two great

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contending Families of *York* and *Lancaster*; and having afterwards (as no giddy but a probable tradition, hath left it in the successive memories of the servants of the Royal household) for the better government and order of his Expences of his House, and their provision of Diet, put a rate or *Reglement* as well in the quantity as quality and price thereof, which in those cheaper times was little less than the Market rate, or but that which might reasonably be afforded. It continued uncomplained of in the Reign of King *Hen. 8.* when Cardinal *Wolsey* Lord Chancellor of *England*, and the Kings Privy Council made certain *Reglements* & Constitutions touching the well ordering & government of the Kings Household; the motives thereof were therein expressed to be *al honneur de Dieu & a honneur & profit de Saint Eglise, & al honneur du Roy & a son profit & du profit de son peuple*, for the honor of God, and the honour and profit of holy Church and the King and his People.

Which Rules and Rates being not held to be a publick grievance in all his Reign, and the Reigns of King *Edward* the sixth and Queen *Mary*, some of the Counties in the beginning of the Reign of Queen *Elizabeth*, though the people thereof were most commonly well paid for their provisions by the Queens *Purveyors*, finding some trouble and attendance in the procuring their monies to be paid for their commodities which were sometimes taken upon credit, by reason of so many Offices, Cheques, *Intraas* and Comptrolments, which they were to pass through at the Court, did about the fourth year of her happy Reign petition her to accept the value in money to be yearly paid by the

the Countries, which she by no means hearkening unto, it came afterwards to an agreement what proportion those and severall other Counties should yearly serve in Oxen, Calves, Muttons, Poultry, Corn, &c. In which she was so careful to preserve her Subjects and People from grievances, or just causes of complaints, as in the *Annos* of her Reign *Nichols* one of her *Purveyors* was arraigned of Felony, and hanged for forcibly taking provisions without money, and those compositions and agreements for provision of the Household continuing all her glorious and happy Reign, and all the Reign of the peaceable King *James*, it was in the eighth year of his Reign in the case betwixt *Anna* and *Nunham* resolved by the Judges, and allowed for law, that it was lawfull for a *Purveyor* (paying for them to take Cattle for the Kings House by virtue of the Kings Commission, and cited the book of 18 H. 6. to that purpose. And in the third year of the Reign of King *Charles* the Martyr were none of the grievances then complained of in order to the obtaining of the Petition of Right, and confirmation of the Peoples Rights and Liberties, or of those which were then alleged to be infringed. Although that in the Reign of King *James* some of his *Purveyors* having taken greater quantities of provision for his House and Stable then ever came or were needfull to his use, and caused Timber to be cut down: thereupon in *Annos* of his Reign it was resolved by all the Judges of *England* and Barons of the Exchequer upon mature deliberation, that the Kings *Purveyors* could take no Timber growing upon

(a) Coke comment in *Artes super Charta.*

(b) Coke in *Mag. Charta* 36.

upon the Inheritances of the Subject, because it was parcell of their Inheritances no more then the Inheritance it self, of which the King and his Council being informed, he did by a Proclamation dated 23 Aprilis anno 4 of his Reign prohibit such their ill dealings, and divers Pourveyors were afterwards punished by the Court of Starre-chamber for Pourveying of Timber growing without the consent of the owners.

Nor had that fatal and ever to be bewailed Remonstrance of the House of Commons in Parliament the 15. of December 1641. in which was too industriously amassed and put together all the errors imaginable in the Government and Reign of that pious Prince, and more then could be proved any thing to charge upon the Pourveyance or Compositions for the provision of the Kings Household, but only that the people were vexed and oppressed with (c) Pourveyors and Clerks of the Market, neither in their nineteen Propositions in June, 1642. sent to the King at Oxford, wherein they would have lessened his power all they could, and extended their own, was there any thing proposed for the taking away of the Royal Pourveyance, or Compositions, or in other propositions afterwards sent thither, or in the Treaties at Uxbridge and the Isle of Wight.

(c) Exact Collection of passages betwixt the King and Parliament 7.

Nor if causes and circumstances be as they ought, to be well weighed in the Ballance of Judgement, and all things rightly considered, could be any grievance or cause of complaint.

(d) When as the remote Counties which had less benefit by the constant residence of Q. Elizabeth, King James, & King Charles the First, in their Chamber of London, the

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the heart of the Kingdome did bear very little, and the near adjacent Counties; which by heightning their Markets and prices of all sorts of Commodities by a large improvement of their Lands and Rents to above twenty times more then it was in the Reign of King Henry the seventh, and ten times more then it was in the eighteenth year of the Reign of Queen Elizabeth might better afford it, did not pay or bear much in the Pourveyance or Composition, which were made by the Justices of the Peace in each County upon consultation and agreement with the Officers of the Green-cloth in the Kings House, for serving in a certain quantity of provisions out of every County at such rates and prices as were agreed on betwixt them, as by a few instances of many may easily appear by what was yearly charged upon the Counties of Essex, and Middlesex, neer adjacent to London, and the Counties of Derby, Worcester and York, which were more remote, viz.

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Essex.

	The Kings price			Totall.		
	l.	s.	d.	l.	s.	d.
Wheat 500 quarters at	0	6	8	166	13	4
Oxen fat 20 ac	4	0	0	80	0	0
Muttons fat 300 at	0	6	8	100	0	0
Veals 300 at	0	6	8	100	0	0
Porks 100 at	0	6	8	33	6	8
Boars 61 at	0	13	4	4	0	0
Bacon Fitches 30 at	0	2	0	3	0	0
Lambs 1200 at	0	1	0	60	0	0
Geese 5 dozen at	0	4	0	20	0	0
Capons 10 dozen at	0	4	0	20	0	0
Hens 30 dozen at	0	2	0	3	0	0
Chickens 150 dozen at	0	2	0	15	0	0
Pullets 40 dozen at	0	1	6	3	0	0
Hay 134 loads at	0	8	0	53	12	0
Oats 126 quarters at	0	4	0	285	4	0
Litter 120 loads at	0	4	0	24	0	0
Wood 769 loads at	0	3	0	115	7	0
Coals 250 chalders at	0	13	9	171	17	6
Summe				1201	0	6

Middlesex.

	Kings price.			Totall.		
	l.	s.	d.	l.	s.	d.
Wheat 200 quarters at	0	6	8	66	13	4
Veals } 40 at	0	12	0	24	0	0
} 100 at	0	6	8	33	6	8
Green Geese 20 doz. at	0	3	0	3	0	0
Capons course 10 doz. at	0	4	0	2	0	0
Hens 20 dozen at	0	2	0	2	0	0
Pullets 20 dozen at	0	1	6	1	10	0
Chicken 40 dozen at	0	2	0	4	0	0
Hay 202 loads at	0	4	0	40	8	0
Oats 211 quar. 2 bush. at	0	4	0	42	5	0
Litter 180 loads at	0	4	0	36	0	0
Wood 200 loads at	0	3	0	30	0	0
Summe				285	3	0

(83)

Essex.

	The Market price.			Totall.			Difference.		
	l.	s.	d.	l.	s.	d.	l.	s.	d.
Wheat 500 quarters at	1	16	8	916	13	4	640	13	0
Oxen fat 20 ac	10	0	0	200	0	0	120	0	0
Muttons fat 300 at	1	0	0	300	0	0	200	0	0
Veals 300 at	1	4	0	360	0	0	260	0	0
Porks 100 at	1	3	4	116	13	4	83	6	8
Boars 61 at	4	0	0	24	0	0	20	0	0
Bacon Fitches 30 at	0	10	0	15	0	0	12	0	0
Lambs 1200 at	0	8	0	480	0	0	420	0	0
Geese 5 dozen at	0	18	0	90	0	0	30	10	0
Capons 10 dozen at	0	16	0	160	0	0	60	0	0
Hens 30 dozen at	0	12	0	360	0	0	15	0	0
Chickens 150 dozen at	0	6	0	900	0	0	30	0	0
Pullets 40 dozen at	0	10	0	400	0	0	17	0	0
Hay 134 loads at	0	10	0	201	15	0	140	19	0
Oats 126 quarters at	0	12	0	855	12	0	570	8	0
Litter 120 loads at	0	10	0	60	0	0	36	0	0
Wood 769 loads at	0	7	0	269	3	0	153	16	0
Coals 250 chalders at	1	10	0	373	0	0	203	0	0
Summe				4266	6	8	2931	2	2

Middlesex.

	Market price			Totall			Difference		
	l.	s.	d.	l.	s.	d.	l.	s.	d.
Wheat 200 quarters at	2	0	0	400	0	0	333	6	8
Veals } 40 at	1	2	0	44	0	0	20	0	0
} 100 at	1	2	0	110	0	0	76	13	4
Green Geese 20 doz. at	0	18	0	18	0	0	15	0	0
Capons course 10 doz. at	0	16	0	8	0	0	6	0	0
Hens 20 dozen at	0	12	0	12	0	0	10	0	0
Pullets 20 dozen at	0	10	0	10	0	0	8	10	0
Chicken 40 dozen at	0	6	0	12	0	0	8	0	0
Hay 202 loads at	1	10	0	303	0	0	262	12	0
Oats 211 quar. 2 bush. at	0	12	0	126	15	0	84	7	0
Litter 180 loads at	0	10	0	90	0	0	54	0	0
Wood 200 loads at	0	7	0	70	0	0	40	0	0
Summe				1203	12	0	917	19	0

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Oxen

(84)

	Kings price.			Totall.		
	l.	s.	d.	l.	s.	d.
<i>Derby.</i> Oxen lean 40 at	2	13	4	106	13	4
Muttons lean 200 at	0	4	8	46	13	4
Wax 200 weight at	0	0	8 per lb	7	9	1
Summe				160	15	9

	Kings price.			Totall.		
	l.	s.	d.	l.	s.	d.
<i>Worcester.</i> Oxen fat 20 at	4	0	0	80	0	0
Muttons fat 200 at	0	6	8	66	13	4
Stirks 20 at	0	10	0	10	0	0
Lambs 150 at	0	1	0	7	10	0
Summe				164	3	4

	Kings price.			Totall.		
	l.	s.	d.	l.	s.	d.
<i>Yorkshire.</i> Oxen lean 110 at	2	10	0	275	0	0

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Price of the Market.						Difference.		
l.	s.	d.	l.	s.	d.	l.	s.	d.
6	10	0	260	0	0	153	6	4
0	14	0	140	0	0	93	6	8
0	1	4	14	18	8	6	9	4
Summe			414	18	8	254	2	4

Market price			Totall			Difference		
l.	s.	d.	l.	s.	d.	l.	s.	d.
9	10	0	190	0	0	110	0	0
1	0	0	200	0	0	133	6	8
2	13	4	53	6	8	43	6	8
0	8	0	60	0	0	52	10	0
Summe			503	6	8	339	3	4

Market price			Totall			Difference		
l.	s.	d.	l.	s.	d.	l.	s.	d.
7	0	0	770	0	0	495	0	0

And

And may shew with what justice, equality and due consideration those profitable Agreements and Compositions were made by the severall Counties when as they did bear no other parts of the whole Compositions yearly served in kind for provisions for his Majesties late Royal Fathers House; and they in the general were no more then as followeth.

Compositions which were served in kind for Provisions of his late Majesties House.

	l.	s.	d.	l.	s.	d.
Wheat	3790	quarters at	0	6	8	1263
Oxenfat	578	at	var.	pretium	1	980
Oxen lean	915	110 at 50s. pr. rest at 33 s. 4 d.			8	21
Muttons fat	5150	ad var. prec.			1	575
Muttons lean	1850	ad var. prec.			3	73
Veals	1231	ad var. prec.			3	86
Porks	310	ad var. prec.			8	8
Stirks	410	ad var. prec.			1	83
Boars	26	ad 13 s. 4 d. prec.			1	7
Bacon	320	fitches ad var. prec.			1	7
Lambs	6820	ad 12 d. prec.			3	41
Butter	40	Barrels ad 45 s. br.			6	0
Geese	145	dozen ad var. prec.			2	8
Capons cours	252	dozen ad 4 s. doz.			5	0
Henns	470	dozen ad 2 s. doz.			4	7
Pullets cours	750	dozen ad 18 d. doz.			5	6
Chickens cours	1470	dozen ad var. prec.			1	26
Wax	3100	weight ad 8 d. lb.			1	15
Sweet Butter	46640	lb. ad var. prec.			8	04
Charcoals	1250	loads ad 13 s. 9 d. load			8	59
Tallwood						
Billets	3950	loads ad 3 s. load			4	42
Faggots						
Herrings	60	br. ad 13 s. 4 d. br.			4	0
Wine Caske from the Vintners	600	Ton at 3 s. 4 d. per Ton			1	00

And

And will upon the severest examination or inquiries appear to be no more then necessary for the food and provision of the Kings Household, those great Lords and Officers of State and persons of honor, extracted from the best Houses and Families of England which stand before him, and manage the many several offices and employments in his House, their Tables Dyet and Bouche of Court allowed them; the many Knights, Esquires, Gentlemen & Yeomen which attend him in their monthly or weekly turns and courses, and do take their Diet and Lodging therein, which being not a few, and yet not much above the ninth part of the 10000 which daily follow the Court of France, made up of an hideous dissolute and unruly number of Pages, Lacquies and Footboyes, could not possibly be provided for and honorably & worshipfully maintained with lesser proportions in that princely, honorable, and plentiful manner in which the King and his royal Progenitors have alwaies kept their household and family and according to the honor and worth of those who are faithfully and decently to serve and attend him, where frugality and prudence, (which as antiently as in the later end of the reign of King Edward the first, when (d) Fleta a treatise so called was written appears not to have been a litle) and a not sometimes but daily care of expending no more then needs must by those excellent Rules and Orders from the highest Office in the Court unto the lowest thorough all the ranks and degrees of it, without any lessening or diminution of the honor of it, which are not to be equalled or patterned in the Oeconomy or government of any of the Nobility, Gentry, Merchants, Cittizens, or sorts of

(d) Fleta lib. 2. ca. 15, 16, 17, 18, 19, 20, 21, 22, 23, & 24.

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of people whatsoever in the Kingdom.

Where Honor, and Majesty, fate in its greatest lustre, where the expences were great and princely, and yet such, as compared with other mens families, might seem impossible to bring the year about with so little, where *Prudence*, and *Largeesse*, *Bounty*, and *Providence*, were so combined, and entered into a League and Association, as if the Queen of *Sheba*, before the *Eriennis* of our fiery and factious Spirits had lighted us with her hellish Torch, to our shamefull Misdoings, and Miseries, had viewed the honor of our King, and the order of his house, his many officers, and their manner of sitting at their meate, the attendance of his ministers, and their English (not Frenchified or Phantasticall) apparrell, she would not only have said as she did concerning *Solomons* Court and State, *Blessed and happy are they that serve and stand before him* (who hath power opportunity and meanes at all times to preferre and advance them, and their merits) but have wondered how it should have been done with so small an yearly expence, so litle noyse or trouble, and in so goodly an order.

Which the more then seldom extraordinary Embassadors of forraign Princes, coming hither may subscribe unto, when as for some dayes before their Audience, they have with some of every sort of the Kings Servants and Officers, selected to that purpose seene themselves attended in the plenty State and greatest of Royalty of the King or Prince from which they were sent, and in the mean time nothing wanting or missing in that of the Kings attendance, or magnificence, in his Court or Family.

From whence at all times, Carelesnes Profusenenes, and
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all manner of wast were so banished, as the *Porters* at the *Gates* were charged to watch and hinder the carrying out of meate and provision by such as should not, the *Pastrie* rated in their allowances for Spice, Sugar, Corance, &c. the servants took an oath of duty and obedience; and the *Treasurer* and *Comptroller* to make due allowance and payments with favourable demeanings, and cherish love betwixt the King and his people.

In anno 7 Jac. Rates and orders were made and set touching the Kings Breakfast, and his particular fare as to qualities and proportions for Dynner and Supper, and Fish dayes; for the dyet of the great Officers and all other Officers and Servants having diet, and the like on the Queens side; Rates for *Bouche* of Court for Mornings and Evenings, Lights and Candles, and the Yeomen of the Guards diet; and Beefe ordered to be on Flesh dayes for the King, Queen and Household.

In anno 16 Jac. by advice of the Earl of *Middlesex*, Sir *Richard Weston* Knight, Sir *John Wolstenholme*, Sir *William Pyt* Knight, and other discreet men very much experienced in the Affairs of the world, appointed to lessen as much as might be the charges of his house: many good orders were made for the regulation of the Kings Household, some abatements made in the allowance for his Breakfast by his own order, a Limitation and stint of Joynts of Meat to make Jellies, and all other compositions: the number and names of all Noblemen and Ladies attending the Court to be quarterly presented. And that the *Prince* should pay for his diet at his coming to Court (which the most narrow-hearted and frugall of fathers in private Families and Societies have not done (and

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his Countrymen of *Scotland*, and many *English* could not say he was) according to the rates he paid at his own House, and that when he should repair to any of the Kings Houses in remote places, he should pay for such of the Kings provisions as he should expend there according as they should be worth at the next Market. And yet in all that frugality and care to prevent wast, and the daily meeting of some of the Officers of the Green-cloth in the *Chamber* house, there were 240 gallons allowed at the Buttery Bar *per diem*, three gallons *per diem* at the Court gate for thirteen poor men, six Services or Masses of meat, and seven pieces of Beefe *per diem* as wast and extraordinary for the Kings honour. And there was no Sunday or other day of the week but the Tables of the great Officers and Lords entertained many Lords, Knights and Gentlemen which were not of the Household, but came to see the King, or make and attend their petitions and suits: and few Gentlemen of quality, Citizens or other persons of those multitudes whose busines or desires to see the Court brought them thither, but were taken in as Guests to dinner, with some of those many other Officers of the Court that had diet allowed them, it having been an ancient custome after the King was set to dinner to search through all the Lodgings and Rooms of the House to find out Gentlemen and Strangers fit for and becoming the invitation of the Kings Servants to the Kings meats and provision for his servants: and in all those treatments and largess of house-keeping there wanted not a sober plenty of wine and beer out of the Kings Sellers, and an open house-keeping with so much sobriety as if it had not been an open house-keeping; wherein no drunkenness

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kenness or debauchery was to be seen, as is too commonly in the now almost *out of fashion* open or free house-keeping at *Christmas* or other Festivals.

18 *Jac. Regis*. Divers Ordinances were made for the diminution of the charge of the Kings house-keeping, the allowances of wast to be given daily for the Kings honour reduced to a certainty, *viz.* 200 loaves of bread, 240 gallons of beer, remains of Wax and Torch-lights to be returned, the number of Artificers, ViQualleis and Landresses ascertained, number of Carts for Carriages stinted and proportioned to all degrees and Offices, the charge of the Stable being almost doubled to what it was in *Queen Elizabeths* time, to be lessened as much as may be; none to be sworn Servants, before the number of Officers should be reduced to what was formerly no Offices or Places in the Kings House to be sold, & all other good Orders to be put in Execution, & yet could at the same time by his especial grace and favour remit to certain places some of his compositions.

Nor did those contrivances and endeavors to lessen the Kings charge of house-keeping die with *King James*, but were found to survive to his Son and Successor his late Majesty *King Charles* the first, in the third year of whose Reign half the allowance for household diets was abated on fasting nights, and the carriages in every office reduced to a certain number: and when the composition or Country provision of Oxen or Sheep did by the Courts frugality sometimes exceed or make an overplus, they were sold and exactly brought unto an accompt for the defraying of other household charges, where, as his Royal Progenitors used to doe, he could in his greatest wants, and care of

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all fitting *Espargne* in his own diet and household, cause the Lord High Stewards Table in time of Parliament to be constantly abundantly and extraordinarily kept and furnished, to treat and dine the then numerous nobility and persons of honour coming to the Court and Parliament.

But all that was of Innocency, antient, legall and just Rights in it, backt and seconded by right Reason, the Lawes and reasonable Customes of the Land, the Oaths of Allegiance and Supremacy taken by all Magistrates, Justices of Peace, Officers, and many of the better sort of the people, and of every Freeman of every Trade and Company in *London*, and ordered to be taken by all men in the Kingdome to defend and maintain the Rights and Jurisdictions of the King and his Crown, and the interests, concernments, good, honor, safety, welfare and happiness of every man in particular being involved in that of their King or Prince, were not enough to perswade those who had found the sweetness of ruining him and all which were loyal and well affected to him, from pursuing the sinfull and abominable ends and designs of themselves and their great Master of *Delusion* the *Devil*, to murder him: but whilst they hunted him like a *Partridge* upon the mountains, and through more persecutions of mind and body, and a longer time then ever the righteous and holy *David* endured in his greatest afflictions, could take all that he had from him, his Lands, Revenues and Estate, and so much as his Plate for religious uses for his Chappel and Devotion, sell the Coats of the Yeomen of his Guard, break in scorn his great Seal of *England* by the hand and hammer of a common Blacksmith
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(which shewed what they intended to the life of the owner) drive and engage all men into a monstrous Rebellion & a slavery, which proved to be the consequence and just reward of it, and deprive him as much as they could of the loyalty, duty, love and obedience of his people, and having abundantly enriched themselves and their *Godless praying* party by the Crown Lands and Revenues of the Church, most of the Nobility and Gentry, and many other good men and their Families, did not think it reasonable to serve their Master for a little, but as a further reward and recompence for their care and diligence to oppress and ruine their King and his better Subjects, would be sure to make for themselves as good a *Pourveyance* and Provision as they could, upon pretences of some little losses in their own small and necessitous Estates, and allow one another besides their gaine of plundering, and traiterous and sacrilegious purchases out of the improvements of the Common misery, and washing as well as wasting three Kingdomes over in blood, some fifty pounds some ten, some four pounds a week towards their support and maintenance, and to make their proportions the more plausible, and to seem something reasonable, would not leave out of the account the well stretched *Items* of the losses and charges of their Grandchildren & married Sons and Daughters; and when they had finished their ungodly work, murdered the King, Monarchy, *Magna Charta*, Petition of right, and the Lawes and Liberties of the People, and converted their own sins into the bloody and unsure foundation of a Commonwealth, founded upon the blood and murder of their Sovereign, and many thousands of his loyal and religi-
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ous Subjects, and the perjury of themselves and as many as they could perswade, or constrain unto it, and the greatest of iniquities; and made the people (who got as much ease by it as the *Ass* in the Fable, who thought to make his burden of *sponges* the lighter by lying down in the water with them) believe that when two parts in three of the Kingdome were undone to enrich a third, and brought under a slavery and arbitrary power of the *mechanick* and ruder sort of them, that their freedom from *Pourveyance* and *Cart-taking* was an especial deliverance, which amongst other wonderfull things, as they called them, pretended to be done for them, being only to buy *Saddles* for their reforming *Legislators* to ride upon their backs; and a favour much of kin to that of *Pharaohs* kind usage of the Children of *Israel*, when he set *Task-masters* over them to afflict them with burdens, made their lives bitter with hard bondage, caused them to make *bricks*, and double the *Tale* thereof, and gather the *straw*, was recompence sufficient for all their money and sins laid out in that wicked and detestable cause, and for all that which they were to endure in this life and the next, and in that seeming holy but assured cheating a miserable and strangely deluded Nation, continued like the *Egyptians* in their way to the *Red sea*, and oppressing of Gods people, untill their *Oliver* and grand Impostor and Instrument had out-witted and undermined them, and instead of many Tyrants had set up his single Tyranny, and having from an indebted and small Estate, made much less by a former drunken and debauched conversation, by which he was so streightned as not to be able to buy some oats or pease to sow a small parcel

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of ground, but to borrow some of a friend upon his promise of a Repayment upon his hoped for increase at Harvest, did notwithstanding neither then nor after a more plentiful crop of his wicked doings, and that great Estate which the sinnes of a factious and wicked part of the people had made him Master of, ever find the way to satisfie or repay.

And having largely *purveyed* for himself, better then he could do in his *Brewhouse*, & put an *Excise* upon *Ale & Beer*, and intoxicated as many as he could seduce with an opinion that *Rebellion* was *Religion*, and gotten an Arbitrary power, with a large Revenue in *Lands* which was the Kings and other mens, an Army of twenty thousand Foot and ten thousand Horse, and a formidable Navy to be maintained at the peoples charge to continue their misery; and three hundred thousand pounds *per annum* to defray the charges of his tyrannicall Government, took himself to be a Child of *Providence*, and something more then one of the smallest Branches of *Cromwell alias Williams King Henry the eighth Barber*, and therefore in order to a Kingship or something by another name amounting to as much, made it his work to disguise and *metamorphose* the ancient Government, decry our fundamentall Lawes and every ancient constitution, dig up by the roots all that was not novel or assistant to his designs, & fit to make a head out of the *Heels*, and after he had taken an oath to maintain and preserve the Lawes and Liberties of the people imprisoned *Serjeant Maynard*, *Serjeant Twisden*, and *Mr. Wadham Windam*, who pleaded in the behalf of a Client for them, thought it to be conscience, Law and *Latin* good enough to call our *Magna Charta*,

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Charta, magna Carta, and did so order his Convention, or thing called a Parliament of *England*, compounded and made up of *time-servers*, and a Medly of *Irish* and *Scottish* of the like complexion as they were brought in *Anno 1656*. by one of their *Tooles* called an Act of Parliament to ordain that *pourveyance* or *Composition* for the Kings house (which they were taught to alleage to be a grievance to the people and very chargeable (when there was none at all at that time in being in *England*, nor was ever intended by many of the *worshipfull M^{rs}hrooms* to be,) thereafter, should no more be taken under pain of *Felony*.

And was as great a kindness and ease to the people as if they had ordained that no more *Subsidies* (which seldom amounted to more then a tenth part of the late yearly *Taxes* should be imposed by Parliament, but *Assessments* at 70 thousand pounds, or one hundred and twenty thousand pounds *per mensem*, as often & as long as that which they called the supreme Authority should have or feign a necessity for it, or that offenders should be no more sent for by the Kings messengers, or tried by *Juries* and the known *Laws* of the Land, but at *Cromwells* High Court of Justice or *Shambles* lined with red or bloody *Bayes*: or that there should be no more use or trouble of the *Train-Bands*, but an *Army* of 30000 domineering *Redcoats* or *Fanaticks* with their *Bastards* or *Major-Generals* maintained at the peoples charge to keep or make them quiet under their *vassalage*, or *slavery*, or that there should be no more *Coat and Conduct money*, long agoe remitted by King *Charles* the *Martyr*, but free quarter as oft as any *Plot* should be feigned and contrived to *Bugbear* them into more *Taxes*

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es and *Garisons*, and make them the more willing to pay new *Assessments*, and content to imbrace their miseries.

But the *Varnish* and *Fucus* of those *State-Mountebanks* and *Intruders* being by time and many years lamentable experiments discovered, found out and detected by all men which had not been gainers by it, or bound their understandings and reason apprentices to the witchcraft or enchantments of the Devil and his Angels, chattering and canting *Scripture* on purpose to wrong and ensnare them.

If any in our times of pretence of much reason and little or no practise of it shall be so over inquisitive or curious as to demand.

CHAP. III.

The reason of *Præ-emption* and *Regall Pourveyance*, or *Composition* for the Provision of the Kings Household.

Which deserves a place *inter Regalia & insignia Majestatis*, amongst the special parts of *Præ-rogative* and denotations of *Royal Majesty*, it will besides the universality of it, and the allowance, direction and examples of the *Law of Nature* and *Nations* before demonstrated, be as obvious to all that will not willfully or purposely forsake the great road or highway of *Reason* and *Truth*, and creep into *By-paths* of *Error* and *Fancies*, as the causes and right reason of *tributes* *self-preservation*, *gratitude* and *retribution* for publick benefits, and the support of that happiness, peace and plenty, which every man that would not be a *Candidatus* amongst such as are listed for *Bedlam*, would

would not only willingly enjoy but leave as a Legacie to his posterity.

And the objections that every seller is to ask what price he pleaseth for that which is his own, that no man by Law can lessen or take that liberty from him, which *jure natura*, by the Law of Nature is due unto him, and that *Jura natura sunt immutabilia*, the Laws of Nature are not be abrogated, that every Buyer is to have a free disposal of his own money, is not to be restrained in the pleasing of his appetite or fancy, or providing for his necessities or occasions in the giving what rate he will, or paying out of his own money, will be too weak to hinder or interrupt our passage to the conclusion or proving of it to be rational.

For that the Lawes of Nature, which takes care of particular mens just rights and liberties, do take a greater for the generall well-being of mankind, and do many times enforce particulars in order to common good, to yield and give place to Generals, and God himself, the *natura naturans* great Master and Governor of Nature, and the greatest and most prudent of all Legislators, having all things past, present and to come before him and *sub intuitu*, looketh at once into them, who may well be believed to be better skilled in the making of Lawes then any of the sons of men; who at the best can only view the things that stand before them, or which are weakly imprinted in their memory, did in the righteous Lawes which he made for his beloved people of *Israel* and *Children of the Promise*, limit the taking of Interest for the money which was their own, commanded them not to be usurers to the poor of that people, and if they took a garment for a pledge to restore it.

it unto (e) the borrower before the going down of the sun, ordered them to release their Creditors at the seven years end, and permit the poor to enjoy their Lands, their Vineyards and Olive-yards in that year of rest, and not to sow or till (f) their Land in the Jubile or fiftieth year, but to return every man into his possession, and in selling ought unto their neighbour, or buying ought of his hand, they should not oppress one another: And the good Nehemiah the righteous governor of a Remnant of that people, did not take it to be out of the power of the chief Magistrate to abate or mitigate unmercifull and hard hearted bargains and contracts in the lending of money one unto another, but was angry, and made them (g) forbear their usury, and restore to the Mortgagers their Lands, their Vineyards, their Olive-yards, and their houses also, the hundredth part of the money and of the corn, the wine and the oile which they exacted of them, and bound them unto it by an oath.

From the pattern, or by imitation of which unquestionable Lawes came that rule or reason given by the *Wisigothes* in a Law of theirs, prohibiting the stopping of the passage of ships or boats upon great rivers, upon the pretence of a right of Fishing, (h) *ut nullus contra multorum commune commodum sua tantummodo utilitati confuturus*, that no man taking care only of his own private profit more then that of the Common-wealth, or many should do it, & our English Kings for publick utility and common good, which according to that Axiome of the Civil Law, that *privatorum conventiones juri publica derogare non debent*, private mens Interests or bargains are not to inconvenience or disturb the Publick, is to take place of every mans particular, long before

(e) Exodus. 22. v. 24. & 25. & 23. v. 11.

(f) Leviticus. ca. 25. v. 11, 14.

(g) Nehemiah cap 5.

(h) LL. Wisigoth. lib. 8. 39.

(i) Spelman
Glossar. in voce
kernellare.

fore any Acts of Parliament were made to bring usury into some reasonable compass, have punished excessive usury, not suffered any man (i) kernellare, to embattel or build his house in the manner or form of a Castle, though it were upon his own ground, or at his own charge, nor to make a Park in his own ground without the Kings License; and from the rule of Interest *Republica ut re sua quisque bene utatur*, that it is for the good of the Commonwealth, that every one should so use his own as not to doe any hurt to the publick, punished one that set his corn on fire; and in the Case of one Barrell in 5 Eliz. did by Decree of the Court of Star-chamber sequester part of his Estate to preserve it from his Extravagant expences, and hinder him from undoing of his wife and children, the abuse of propriety, and the evils arising by a misusage of it; being only thereby restrained as the prohibiting and punishing a Nufance, by a Writ or Indictment, or the bringing or suing out a *Curia Claudenda*, for not making of Fences, and the like remedies which our Laws of England have in many cases provided only to but and bound every mans propriety, but not to take it away or do any harme or hurt unto it, agreeable to the opinion of Grotius, who tells us out of the almost Christian (k) Tully, that it is *contra naturam ex hominis incommodo nostrum augere commodum, & natura non patitur ut aliorum spoliis nostras facultates copias opes augeamus*, against the rules of nature to increase our Estates, or gain by the spoils and damage of other men *Et doli mali vox*, saith that learned (l) Grotius, *& omne significat quod naturali juri & equitati repugnat*, and that every thing which is contrary to equity and the Laws of Nature

(k) De Offic.
155.

(l) Grotius de
jure belli & pa-
cis lib. 2. 215.
& 231.

Nature are to be interpreted fraud and deceit, *neque vero tantum intellectum rerum, sed & in voluntatis usu quadam contrahentibus inter se equalitas debetur, & ne plus exigatur quam par est*; and that not only in the right apprehension or understanding well what is bought, but in the exercise of the will, there be an equality (or rule of equity) kept and observed betwixt the contracters, so as nothing be exacted or required more then is fitting.

From whence the power of keeping Markets and Fairs, and of the meetings or gathering together of the people to buy or sell thereat, which have been so exceedingly profitable to the people, and so abundantly usefull, and not to be wanted, was so originally in government, and so inherent to Monarchy and Magistracy, as without the Kings Licence or approbation it could not without the danger of sedition or ill intended or dangerous Assemblies or Meetings of the people, be left to every man to do what he would in coming thither, nor be consistent with the Rules of Justice to permit the rich and mighty to oppress the weak and needy by enhance of prices, using false weights or measures, deceitfull dealing or sale of corrupt and unwholsome victuals: and in that particular also had no worfe a foundation and originall then the Laws and command of the Almighty and the King of Kings, (m) *Ye shall doe no unrighteousness in judgement in mete, yard, in weight, or in measure, just ballances, just weights, a just Ephah and a just Hin shall ye have, a false ballance is an abomination to the Lord, but a just weight is his delight, a just weight and ballance are the Lords* (or as the Latine hath it *Judicia Domini sunt*). (n) *all the weights*

(m) Levit. 19.
35, 36.

(n) Proverbs
11. v. 1. & 16.
v. 11.

(o) Levit. 27. 3. of the bag are his; (o) *Et omnis aestimatio sicut Sanctuarii ponderabitur*, and the Shekel of the Sanctuary was to be the Rule or Standard: *Et statutum ergo erat in Hebraeorum republica, ut omnes venditiones, emptiones, omnesque contractus qui pecunia conficiebantur probatis sicutis iuxta justum Sicuti Sanctuarii conficerentur*; and it was therefore, saith (p) *Menochius*, a Custom or Law amongst the *Hebrews*, that all buying sellings and contracts made for money should be according to that Shekel; *Et magistratibus constitutis ementium indemnitas consulum est*, and the care that buyers should not be deceived, belonged to the Magistrate.

(p) *Menochius de Repub. Hebraeorum lib. 7. ca. 10. & 11.*

(q) *Sigonius de Repub. Atheniensium lib. 4. ca. 3.* The *Athenians* had their *ἀγοραῖοι* (p) *ad quos pertinebat curare ut venditores justis mensuris uterentur*, Officers like our Clerks of the Market, which did oversee and take care that the sellers should sell by just and true measures, and the other Cities and parts of *Greece* were not without their Officers, *qui negotiationi & Nundinationi praesuerunt*, which were appointed to look to the Markets and Fairs, which (r) *Aristotle* likes so well of as he makes it to be *primum ex necessariis*, more then ordinarily necessary.

(r) *Aristotel Politic.*

To which were something near related the *ἀγοραῖοι* at *Athens*, *qui curabant ut frumentum farina & panes justo pretio venderentur eorumque decem in urbe jus dicebant quinque in Piraeo*, which ordered corn, bread, and other provisions to be sold at reasonable rates, ten of which had their Judicatories in the City it self and five

(s) *Persius Sat. 6. & Juvenal Sat. 10.*

(t) *Rofius de Aequitat. Rom. lib. 7. cap. 24.*

in the *Piraum* or Haven. Whence probably the *Romans* their imitators, and after subduers, having learned it, had their (s) *Adiles Cereales qui falsas mensuras frangebant*, which broke any

any false Measures they could find, and imposed Fines upon offenders, *quibus*, as *St. Hierom* saith (t) *vendentium rabies coercebatur*, the extortion of sellers was hindered, and some ages after under their Emperors (u) *wini carnis & salis curam praefectus Annona habebat ut de immodico pretio absona venderentur*, the Director or Surveyor of victuals and provision did take care that wine, flesh, salt and victuals, should not be sold at unreasonable prices, *astimabantur pecora pro anni fertilitate & usu temporum*, and set the rates of Cattel according to the plenty of the year or accustomed rates. *Et pecorum carnumque, & aliorum ad victum civium spectantium praefectus nobis arbiter erat*. And the Governour of the City had also a power of rating the price of Cattel, flesh and other victuals: and the Civil Law informs us that in every Town of the (x) *Roman Empire*, which was once extended over a great part of the world, there were some appointed to look to weights and measures.

(t) *D. Hier. Ep. 4.*

(u) *Pancirollus in notic. Imp. occidentis ca. 5.*

(x) *Coel. lib. 10. de Ponder.*

Which the *Goths* (as small friends as they were of the Civil Lawes) so well liked as they could not but cut out a pattern by it, and the *Franks*, *Germans*, *Swedes* and *Spaniards*, and all other Nations of *Europe* within the large lines of Communication of the *Imperium Caesarem*, or Civil Law, though some of them as the *Dutch*, *Hungarians* and others gain the greater Excise or Tribute by the rise or heightning of the prices of many things which are sold at the Markets, in the great and Western Empire of the *Romans*, held it to be so consistent with (y) right reason, and the ends and good of Government as by the love and liking of necessity of it they would make that and no other the path and readiest

(y) *Digest. lib. 27. tit. 1. 26.*

Cassiodorus Variar. lib. 6. r. 8.

et 23. Martian. Specul. Aur. parte 4. 9. dist.

Jud. & de indic. mercator.

readiest way to suppress or prevent the peoples too much exacting and oppressing of one another in the daily use of victuals and necessaries, as the *Banda's* or rates set by the Magistrates in *Rome, Florence, Italy* and *Spain* upon Butchers meat and other sorts of victuals and commodities, so as a child may be sent to Market and not be cozened will sufficiently evidence.

(x) LL. Wisigoib. lib. 5. 6.

The *Wisigothes* ordained double the price, *quantum de justo pretio fraudatum est*, as much as was over and above their just price to be restored by the buyer to the feller; *Et si in (x) contractu venditionis minus premium datum fuerit & per fraudem*, if in the bargain a lesser price was given by deceit, *aut etiam contra voluntatem vendentis amplius datum premium*, or a price greater then the feller would have taken.

(a) Edictum Theodorici Regis in Lindoburgio 259.

And Four times the (a) value of what was gained by deceits by false weights or measures was to be paid to the party grieved.

(b) LL. Almannorum capit. 78.

The old (b) *Almans* did rate and set the price of *Oxen*. The Emperor *Charlemaigne* commanded the *Longobards*, *ut mensuræ secundum iussionem suam æquales fiant*, that their measures should, as he had ordained, be (c) equal, and in time of scarcity and famine limited the price of *Oats* and *Barley*.

(c) LL. Longobard. lib. 3. tit. 21. & Goldastus constitutiones Imperial. 151.

The Emperor *Frederick* the Second in *Anno 1224*. ordained that *deprehensus in dolo cibaria prohibita vel corrupta, vel vinum lymphatum pro puro vendendo*, That if any of the (d) *Sicilians* should deceive another, or sell prohibited or corrupt meat, or bad and adulterated wine (though by no worse ingredients then water) for good, he should pay a pound of the purest gold to his *Exchequer*: if he were poor, and could not

(d) Constit. Sicularum lib. 3. tit. 36.

not pay it, he should be beaten, and if taken in the fault the second time should loose his hand, and the third time should be hanged; *Et ad legitima pondera & mensuras merces quaslibet vendere voluit venditores*, and commanding that all things should be sold by just weights and measures, ordained that whosoever should be found guilty in doing contrary thereunto, should pay a pound of the purest gold to his *Treasury* *quam si dare non poterit condemnatus cum pondere & mensura ad collum ejus appensis in sui penam* (a well deserved punishment, and every where to be imitated) *& aliorum exemplum per terram in qua fraudem commiserit publice fastigetur*, which if he should not be able to pay, he was with the weight or measure hung about his neck, for a punishment to deterre others from doing the like, to be beaten about the place where the fraud was committed, for the second offence to have his hand cut off, and for the third to be hanged.

The (e) *Svedes* ordained that all moveables should be bought *presentia testium*, before witnesses, and imposed penalties upon any deceits used therein.

(e) Leges Svecorum collectæ per Reginaldum Ingemundum, l. 7 ca. 1. & 2.

And in the former *France*, (for the modern ought to be distinguished from the antient, as having for the most part since unhapily exchanged their antient Laws & Liberties for an Arbitrary power) the survey & correction of weights and measures is as it was formerly, *un droit de la couronne* a right of the Crown, and antiently there were *Rois des Merciers en toutes les Provinces de France* *prencis par le grand Chambrier de France, qui avoyent la visitation des poids et balances*, some Officers called *Kings* of the (f) *Mercers* in every Province of *France*, appointed by the great *Chamberlain* of *France*, which

(f) Charles Loyseau du droit de Police ca. 9.

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were to visit the weights, measures and ballances; and *Tillet* saith that the grand *Chambellan* himself was therefore sometimes called *Roy de Merciers* & quand l'office Feodal du grand *Chambrier* avec ses dependances a este reuuy a la Couronne par le Roy *Francois le premier* en l'an. 1545 les Roys ont bien commis des visiteurs ou Roys des *Merciers*, &c. King of the *Mercers*; and that when the Office Feodal of the great *Chamberlain* with its dependances was united to the Crown by King *Francois* the first in the year 1545, the Kings of *France* have since appointed these *visiteurs*, &c. Et qu'en la menue merchandise qui sont les victualles et autres petites, commodities pour l'entretien et usage journalier du peuple les Juges de Police y peuvent mettre tax et faire tout autre reglement pour empescher des Monopoles et autres abus mesme pour faire fournir l'habitans avant le marchand qui les veut revendre; and astouching small Merchandize, as victuals, and other the like commodities for the daily use of the people, the Magistrates, or Judges appointed for that purpose, may set a rate or price, make orders to prevent ingrossings, monopolies, or other abuses, and command the seller to furnish the Inhabitants before such as buy to sell again; Et de cet article dependent les poids & mesures pour ce qu'en vain y mettroit en le prix si le poids et mesures n'y estoient certaines & justes; And to them the care of weights and measures appertained, for that otherwise it would be in vain to set the price, if the measures and weights should not be certain and just.

And our *Saxon* Kings did think the Markets deserved a more then ordinary care to be taken therein, when as King *Alured* or *Alfred*, as good in his government

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ment as his name, did as Sir *Henry Spelman* thinks most probably, ordain Court Leets to be holden twice a year in *singulis Villis* in every (or many) Towns of the Kingdome, and that in the multitude of those very ancient little Courts, which our Nobility and Gentry have ever found to be very usefull for their own just rights and power over their Tenants in their Regalities (as they are now called) and subordinate Jurisdictions; and if well observed and looked unto would be for the publick good and profit both of the King and all sorts of his people. The Steward gives at this day in charge to the Juries (little or not at all observed, the more is the pity, to the great inconveniencies and grievances of the people) to inquire of deceits and abuses in Trade, or such as make or sell deceitfull wares, or sell by false weights and measures, of Bakers and Brewers which keep not the assise, prices, and quantities according to the Writing or (Roll) of the (Kings) *Marshalsey*, of *Vicwaller*, and *Fishers*, selling at unreasonable rates; of *Forestallers*, *Regrators*, and *Ingrossers*, or which buy up Corn, Butter, Cheese, and other victuals with an intent to sell again to advance the price thereof, &c. King (g) *Edward* ^{(g) LL. Edwardi 2.} in Anno 912. did ordain that no man should buy any thing without a voucher, nor out of a Town, unless in presence of a Magistrate or other good men. King (h) *Athelstane* about Anno 930. ordained that *extra oppidum quicquam viginti denariis carius estimatum*, ^{(h) Athelstani 12.} no man should buy any thing out of a Town of above the value of twenty pence or within the Town, but in the presence of the Magistrate or the Kings Officer. King (i) *Edgar* did about the year 960. ordain ^{(i) LL. Edgari 8.} the price of wooll with a *nec pluris vendatur*, that more should

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(c) LL. Canuti 9. & 22. should not be given for it. (k) Canutus made a Law against false weights and measures, and no man in City and Country was to buy any thing living or dead exceeding the price of four pence without the testimony of four good witnesses; and if he did and another claimed it, he should not vouch him that sold it.

(l) LL. Edwardi Confessoris 24. The (l) *Thol* or *Toll*, as we now call it, was before and at the Conquest usually paid *pro libertate vendendi & emendi*, for licence to buy or sell, or as a Tribute upon the sale thereof.

(m) *Ibidem* 38. Every man was (m) prohibited to buy any thing *sine fidejussoribus*, without Vouchers or Pledges: And if the Seller had not Pledges, he was to be stayed or arrested untill he had brought a warranty: *Et si quis aliter emeret quod stultè emisset cito perdet*; And if any should otherwise buy he was quickly to loose what he had so foolishly bought.

(n) LL. Gulielmi Conquestoris 43. By the Laws of (n) *William* the Conqueror *nemo emat quantum quatuor denariis aestimatur, neque de re mortua, neque de viva absque testimonio quatuor hominum, aut de Burgo, aut de villa*; no man was to buy any thing which amounted to the value of 4 *d.* without the testimony of four witnesses of the Town or Village; *Et ut nulla viva pecunia vendatur aut ematur nisi intra civitates, et hoc ante tres fideles testes, nec aliquam rem vetitam sine fidejussore & warranto quod si aliter fecerit solvat & persolvat, & postea forisfacturam*; nor to sell or buy any thing for money but within Cities, and before three witnesses, nor without a Voucher or warranty; and if any did otherwise they were to be fined, and at last incur a forfeiture.

(o) *Ibidem* 60. (o) *Item nullum mercatum vel forum fieri permittatur, nisi in civitatibus regni, & jus*

jus suum commune & dignitatis corona que constituta sunt a bonis (p) predecessoribus suis deperiri non possunt, nec violari, sed omnia rite, & in aperto, & per judicium fieri debent, likewise that no Market be kept but in Cities, so that the right of the King and the dignity of his Crown, as it was constituted in the times of his good predecessors, might not be lost, defrauded, or violated; and that all things be rightly and openly done according to right and justice.

King *Henry* the 1. his Son (saith the Monk of *Malmesbury*) (q) corrected the false Ell or Measure, so called of the Merchants, *brachii sui mensura adhibita omnibusque per Angliam proposita*, & causing one to be made according to the measure or length of his own arm, ordered it to be used through all *England*, and in his Laws reckoneth the punishment of false Coiners, and prohibiting and punishing of *Forestall*, or forestalling of Markets, *inter Fura*, his Rights & Royal Prerogatives; *qua Rex Anglia solus & super omnes homines habet in terra sua*, which belonged to him only as King of *England*, and (r) without an Act of Parliament ordered the rate and value of money, which being the *mensura rerum*, measure & guide of all things in commerce and dealings one man with another, hath no small influence or power in the heightning or lessening of the price of things, and is such a part of Sovereignty, as the Parliament in their 19. high and mighty and unreasonable propositions sent unto the late King *Charles* the *Martyr* in his troubles in *June* 1642. never attempted to restrain or take from him.

In the Reign of King *Henry* the second, when (as *Ranulphus de Glanvilla* Chief Justice of *England* under him, saith in that book, which is generally believed to have

(q) *Selden Janus Anglorum & Malmesbury in legibus Henrici primi collect. per Seldenum & edit. per Cl. Rogerum Twissden Equit. Aurat.*

(r) *Houeden. in H. 1.*

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have been written by him) the Laws and Customes of England, being *ratione introductis & diu obrentis*, founded upon reason and long used, had arrived to that perfection, as *pauperes non opprimabantur aduersarii potentia, nec a limitibus Judiciorum* (s) *propellabat quinquam amicorum fauor & gratia*, the poor were not oppressed by their aduersaries power, nor did partiality or friendship hinder any from Justice, the inquiry and punishment of false measures and all manner of deceits did appertain *Corona Regis*, to the King only.

(1) Glanvill in Prooemio & lib. 14. c. p. 7.

Justices in *Eyre* were after the return of King Richard the first from his Captivity sent into all Counties of England to enquire amongst other things *de (t) Feneratoribus & vinis uenditis contra Assisam & de falsis mensuris tam uini quam aliarum rerum*, of Usurers, and of wine sold contrary to the Assize, and of false measures as well of wine as other things.

(c) Howden Annal parte posteriori. 423.

In *Anno quarto* of King John, being thirteen years before the granting of *Magna Charta de Libertatibus Anglie*, the great Charter of the Liberties of England, the King did by his Edict and Proclamation command the Assize of bread to be strictly observed, under the pain of standing upon the Pillory, and the rates were set, & the Assize approved *per Pistorum* (as Matthew Paris saith) *Gaufridi filii Petri Justiciarii Anglie & Pistorum R. de Thurnam*, by the Baker of *Jeffrey Fitz. Peter* Justice of England, and the Baker of R. of *Thurnam*.

* Mat. Paris 208.

And in the *Magna Charta*, and Liberties granted by him afterwards; at *Running Munde* or *Mead* near *Stanes* assented (which our Ancestors and Procuers of that Charter believed to be for a publick good) *that una mensura vini & cervise sit per totum Regnum, & una mensura bladi*

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bladi scilicet quarterium Londinense, & una latitudo pannorum tinctorum & russetorum, & (u) haubergetorum *panni genus*, a kind of Cloth, saith Sir Henry Spelman, then so called; there should be throughout all England one measure of Wine and Beer, and the like of Corn, and of the breadth of Cloth died, and russet, or other kinds.

(u) Charta Regni Johannis in Mat. Paris 258.

And was confirmed by (x) King Henry the third his Son in *Anno 9.* of his Reign, who by an Ordinance made by the Kings command, and on the behalf of the King (howsoever it be stiled a Statute, and is placed in our Statute book collected by Mr. Poulton, amongst those which he calleth *Statutes incerti temporis*, made in the Reigns of *Hen. 3. Ed. 1. or Ed. 2.* but cannot assign by whom or in what years or times, but in all probability in the Reign of King Henry the third) did ordain that no Foresteller which is an open oppresser of poor people, and of the Commonalty, and an enemy of the whole Shire and Countrey, which for greediness of his private gain doth prevent others in buying Grain, Fish, Herring, or any other thing to be sold coming by Land or waters, oppressing the poor and deceiving the rich, and carrieth away such things intending to sell them more dear, should be suffered to dwell in any Town, he that shall be convicted thereof shall for the first offence be amerced and lose the thing so bought, and for the second time have judgement of the Pillory, the third time be imprisoned and make Fine; and the fourth time abjure the Town. And this Judgement to be given upon all manner of Forestallers, and likewise upon them that have given them counsel, help, or favour.

(x) 2. H. 3. cap. 25.

And providing that his people should not be oppressed with immoderate & unreasonable prices in the buying of food and victuals and other necessaries did by his

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claus. 10. H. 3. m. 23. his Writ limit the price of *Lampreys*; and had, as his Royal Progenitors, such a power and just Prerogative of regulating and well ordering of Markets and Fairs, as notwithstanding any Charters or Grants of Fairs and Markets to Cities and Towns, he did *in anno quinto* of

(z) *claus. 5. H. 3. m. 6.* his Reign, upon a complaint of some Merchants of *Lynn*, that when they came to sell their goods and Merchandize at *Normich*, the Merchants (or Tradesmen) took away their goods and Merchandise to the value of *three hundred marks*; by his writ give them power to arrest and seize any goods of the *Normich* Merchants which should come to any Fairs at *Lyn*, untill that Justice should be done unto them: And in (4) *anno 49.* of

(a) *claus. 49. H. 3. m. 11. in do. 9.* his Reign commanded the Barons of the Exchequer that they should inroll, and cause to be executed his Letters Patents of a Confirmation to the Citizens of *Lincoln* of a Charter of King *Henry* the second his Grandfather, that the Sheriff and other the Kings Officers and Ministers of *Lincolnshire* should not hinder forraign Merchants to come to *Lincoln* to trade there *ita rationabiliter & iuste*, as reasonably and justly as they were wont to do in the times of his great Grandfather *Henry* the first, his Uncle King *Richard*, and his Father King *John*, or at any time in his own Reign, untill his first going over the Seas into *Britain*; for the Kings of *England*, saith the learned *Sir John Davies* (b) have

(b) *Sir John Davies* Argument upon the question of Impositions. always had a special Prerogative in the ordering and government of all Trade and Traffique in Corporations, Markets and Fairs within the Kingdom, which the Common Law of *England* doth acknowledge and submit unto, as amongst many other things may appear, by the Charter granted to the Abbot of *Westminster* mentioned

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mentioned in the Register of Writs wherein the King doth grant to the Abbot & his Successors to hold a Fair at *Westminster* for two and thirty dayes together with a Prohibition, that no man within seven miles thereof should during that time buy or sell but at that Fair. *Register 167.*

Whence for the freedome of Markets and Fairs, protection in going and returning, and other immunities had their extraction and original, and no less just and reasonable then antient foundation, those duties of Toll or Tribute for all things sold in them, & the Exemptions of the Kings own Tenants or in Auntient demesne, by writs *de quibus offe de Theloneo* to be Toll-free, *a regale*, and power (not denied to any forreign Prince or King in Christendome, or the States of *Holland* in their free, as they would be called, Common-wealth) the benefit and authority whereof most of the Nobility and Gentry of this Nation, *tanquam Reguli*, as little Kings, do by the Charters and Grants of the Kings of *England*, or a Prescription or time immemoriall, which supposeth it now, injoy in their Manors under that part only of his Prerogative, and many Cities, Boroughs, and Towns Corporate, by their Charters have likewise not only before the 49 of *Henry* third, but in almost every Kings Reign since their Liberties, Customs, and Franchises concerning their Markets and Fairs, and the assise and correction of victuals. *Register 258.*

Whence also were deduced the Standard kept in the Exchequer for all weights and measures, the Kings power of the Mynt, coyning, enhauncing, or decrying the value of moneys, and his publick Beam or Weigh-house in *London*, where all Merchandise brought from beyond

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beyond the Seas are or should be justly weighed.

And whence it came that King *Henry* the 3. in the ninth year of his Reign caused the Constable of the Tower of *London* to arrest the Ships of the *Cinque-Ports* on the *Thames*, and compel them to bring their Corn to no other place but only to the *Queens Hithe*, charged in *anno undecimo* of his Reign the said Constable to distrain all Fish offered to be sold in any place but at *Queen Hithe*, and that *Tolls* and payments were then and formerly made and paid to the Kings use for Corn, Fish, and all other provisions brought thither, or to *Down* or *Dowgate* (the rent and profit whereof were afterwards in (c) *anno 31.* of his Reign granted and confirmed to the Mayor and Commonalty of *London* at 50 *l. per annum* Fee-farme.) And in *Anno 14 H. 3.* forraign Ships laden with Fish were ordered to unlade only at *Queen Hithe*, and if any did contrary thereunto he should be amerced forty shillings.

(d) *Fleta lib 2*
ead. 8.

Whence also proceeded that well known and ancient Office of the Clerk of the Markets in the later end of the Reign of King *Edward* the first, (d) who was not to be a stranger in the prices or rates of the Markets; for his Office extended something further then the care of just weights and measures, and, as Sir *John Davies* saith, was to oversee and correct all abuses in Markets and Fairs, it being said in *Fleta*, that *ipse in notitia assisarum panis, vini, mensurarum, cervisia debet experiri, ut inde notitiam habeat pleniorum*, he ought well to inform himself of the assises of Bread, Measures, Beer and Wine (the later of which was not assised or rated by the *assisa panis & cervisia* in *anno 51* of *Henry* the third) and no man could be

(115.)

be fitter to watch and hinder (for the Justices in *Eyre* came but twice a year or seldome into every County) Forestallers, or such as made the Markets dearer, or informe or give evidence thereof to the Justices in *Eyre*, or Juries impanelled by them, then the Clerk of the Markets, who was probably attendant in all the *Iters* or *Eyres*, for otherwise the Juries who had it then in charge to inquire of false weights and measures, or such as buy by one measure and sell by another, would have wanted, or not so well have had their evidence; and the Justices in *Eyre* could not so well inquire in their *Eyres* or Circuits *de custodibus mensurarum*, of the Guardians of the measures (or Clerks of the Market, for so they may be understood to be) which took bribes or gifts to permit false Measures, if there had been but one Clerk of the Market *infra villas & virgam hospitii Regis*, within the Townships or Virge of the Kings House: or if as Sir *Edward Coke* supposeth, the Clerks of the Market had been penned within the narrow compass of the Kings House and the Virge thereof, or that the cares of the Fairs and Markets, and the Justice of the Kingdome as to that concernment had been but only calculated for the Kings Household, and confined unto it.

When as *Bracton* a learned Judge *sub ultima tempora Henrici Tertii*, in the later end of the Reign of King *Henry* the third, hath recorded in his book *de Legibus & consuetudinibus Angliæ*, of the Lawes and Customes of *England*, the Justices in *Eyre* did enquire (e) *de mensuris factis & juratis per Regnum si servata sint sicut pravisum fuit & de vinis venditis contra Assisam, &c.* of the Measures sworn to be observed whether they were

(e) *Bracton lib.*
3. *de Corona*
116. & 120.

Q 2

kept

Kept as it was ordained, and of Wines sold contrary thereunto: And was of opinion that it was *gravis praesumptio contra Regem & coronam, & dignitatem suam si assisa statuta & jurata in regno suo ad commuem Regni sui utilitatem non fuerint observata*, a great offence against the King, his Crown and Dignity, if the assizes or rates which were appointed and sworn to be kept in the Kingdome to the common profit or weal publick thereof, should not be kept.

Which do fully evidence that those antient Rights of the Crown were inquirable in the *Eyres* and *Leets* long before that which is called a Statute of *view of Frank pledge* in anno 18 Ed. 2. was made, which at the best was but declaratory of what was before the Common Law, & some other antient Customes of England.

And anno 5 H. 3. in the *assisa panis & cervise*, being as Decrees or Rates ordained (which as to Ale and Drink the Judicious and right-learned Sir Henry Spelman believeth was *(f) altioris originis*, and as antient as 18 R. 1. *mutatis ratione seculi mutanda*, to be altered and changed according to the rates and prices of Barley, and what they made it with) and confirmed by *Inspe-ximus* of the Ordinances of divers Kings of England the Kings Progenitors, which set the assise of Bread and Ale, and the making of measures; and howsoever stiled a Statute, appears not to have been an Act of Parliament, but an Exemplification only made of those Ordinances and Orders by King Henry the third at the request of the Bakers of *Coventry*, mentioning that by an Act of Parliament made in the first year of his Reign, he had granted that all good Statutes and Ordinances made in the times of his Progenitors

(f) Spelman
Glossar. in voce
assisa.

itors aforesaid, and not revoked, should be still holden, in which the rates and assise of bread are said to have been approved by the *Kings Bakers*, and contained in a Writing of the *Marshalsey* (of the Kings House where the Chief Justice and other Ministers of Justice then resided) and by an Ordinance or Statute made in the same year for the punishment of the offending Bakers by the Pillory, and the Brewers by the *Tumbrel* or some other correction. The Bayliffs were to enquire of the price of Wheat, Barley and Oats at the Markets; and after *how the Bakers bread in the Court did agree, that is to wit waistel* (which name a sort of bread of the Court or Kings House doth yet retain) and other bread, *after Wheat of the best, of the second, or of the third price; also upon how much increase or decrease in the price of wheat a Baker ought to change the assize and weight of his bread, and how much the waistel of a farthing ought to weigh, and all other manner of bread after the price of a quarter of Wheat* (which shewes that the Tryal, Test, Assay, or Assize of the true weight of bread to be sold in all the Kingdome was to be by the *Kings Baker* of his House or Court, and that there was the Rule or Standard) *and that the prices should increase or decrease after the rate of six pence.*

And *Fleta* an Author *plane incognitus*, as to his name (saith Mr. *Selden*) altogether unknown who writ about the later end of the Reign of King Ed. 1. tells us, that amongst the *(g) Capitula coronae & itineris*, the Articles in the *Eyre* concerning the Pleas of the Crown which were not then novel, or of any late institution) enquiries were made *de vinorum contra rectam assisam venditoribus, & de mensuris, item de Forstallariis vitualibus*

(g) Fleta lib. 1.
ca. 10 & lib 2.
75. & Selden.
dissert. in Fleta.
tam.

Etualibus uenabilibus mercatum obuiantibus per quod cari- or sit inde uenditio, & de non uirtuosis cibariis; of wine sold contrary to the asize of Measures and Fore- stallers of the Market to make victualls dearer, and of such as sold corrupt food or victualls.

An. 31 Ed. 1. it was found by inquisition that Bakers and Brewers, and others buying their corn at *Queen- Hithe* were to pay for measuring, portage, and carriage for every quarter of corn whatsoever from thence to *(h) Pat. 17 E. 2. (h) Westcheap, St. Anthonies Church, Horshee Bridge, to Wolfey street* in the Parish of *Alhallomes* the less, and such like distances, one ob. q; to *Fleetstreet, Newgate, Cripplegate, Birchoners Lane, East-cheap, and Billings- gate*, one penny.

(h) Pat. 17 E. 2.

(i) Stowes Sur- vey of London.

17 Ed. 2. (i) By command of the King by his Letters Patents a Decree was made by *Hamond Chicwel* Maior, That none should sel Fish or Flesh out of the Mar- kets appointed, to wit, *Bridge-streat, East-cheap, Old- Fishstreet, St. Michaels Shambles, and the Stocks*, upon pain to forfeit such Fish or Flesh as were sold for the first time, and for the second offence to lose their Free- dome.

And so inherent in *Monarchy* and the royall Præro- gative was the power and ordering of the Markets, and the rates of provision of victualls, and communicable by grant or allowance to the inferior Magistrates as the King, who alwayes reserves to himself the supreme power and authority in case of maleadministration of his delegated power, or necessity for the good and be- nefit of the publick, is not thereby denuded or disabled to resort unto that sovereign and just authority which was alwayes his own, and *Fure corona*, doth by right of

of his Crown and Regal Government belong unto him, as may appear by the forfeiture and seifing of Liberties and Franchises, and many other the like instances to be found every age.

And therefore 4^r King E. 3. without an Act of Parli- ament, certain Impositions were set upon Ships & other Vessels coming thither with Corn, Salt, and other things towards the charge of cleansing *Romeland*. And 3 Ed. 4. the Market of *Queen Hithe*, being hindred by the slackness of drawing up *London Bridge*, it was ordered, (k) that all manner of Vessels, Ships or Boats, great or small resorting to the City with victualls should be sold by retail, and that if there came but one Vessel at a time, were it Salt, Wheat, Rye, or other Corn from beyond the Seas, or other Grains, Garlick, Onions, Herrings, Sprats, Eels, Whitings Place, Cods, Mackarel, &c. it should come to *Queen-Hithe* and there make sale; but if two Vessels came, the one should come to *Queen-Hithe*, the o- therto *Billingsgate*; if three, two of them should come to *Queen-Hithe*; and if the Vessels coming with Salt from the Bay were so great as it could not come to these Keyes, then the same to be conveyed to the Port by *Ligh- ters*.

(k) Stowes Sur- vey of London, 682.

Queen Elizabeth by advice and order of her Privy Councell in a time of dearth and scarcity of corn, commanded the *Iustices of Peace* in every County to en- force men to bring their Corn to the Markets, limited them what proportions to sell to particular persons, and ordered them to cause reasonable prices, and punish the Refusers.

And the like or more hath been legally done by the Kings authority in the Reign of King *James* and King *Charles* the Martyr, in the beginning of whose Reign by the

the advice of all the Judges of *England*, and the eminently learned Mr. *Noy* the then *Attorney Generall*, rates and prices were set by the Kings *Edict*, and *Proclamation*, upon *Flesh*, *Fish*, *Poultry*, and most sort of *victuals*, *Hay*, *Oats*, &c. commanded to be observed.

All which reasonable laws, constitutions & customes were made, confirm'd, & continued by our Kings of *England* by the advice sometimes of their lesser and at other times of their greater Councils the later whereof were in those early dayes, composed of *Bishops*, *Earles* and *Barons*, and great and wise men of the *Kingdome*, not by the *Commons* or universall consent and representation of the people by their *Knights* of the *Shires* or *Burgesses*, sent as their *Procurators ad faciendum & consentiendum*, to consent unto those Acts of Parliament which should be made and ordained by the King and the *Barons* and *Peers* of *England*; for they were neither summoned for that purpose, nor represented in Parliament untill *Anno 49 H. 3.* and in *Anno 26 or 31 Ed. 1.* were called thither only *ad faciendum quod de communi consilio per Comites, Barones, & ceteros Proceres*, to do those things which by the King and the *Barons* and *Nobility* by their *Common Council* should be ordained, and the *Procuratores Cleri*, *Proctors* or *Representers* of the *Clergy* (not *Bishops* who sate in Parliament, and were summoned unto it as a third *Estate*, and *Barons inter Proceres Regni*, amongst the *Nobility* of the *Kingdome*) *ad consentiendum*, to consent only to such things as should be ordained in Parliament, as hath been learnedly and accurately proved by examination of antient Records and *Parliament Writts* by (1) *Mr. William Prynnæ* in his second

(1) Prynnæ second part of a brief Register of the forms of Parliamentary Writts, 22 39 67.

part

part of a Register and Survey of severall kinds and forms of *Parliament Writts*.

And may well be deemed to be no less then Law and right Reason, when as divers Acts of Parliament made by the advice of the *Lords Spiritual & Temporall*, and the assent of the *Commons* summoned & called unto Parliament by the Kings *Writ* to consent only unto such Laws as should be made therein, with the Royal assent and breath of life given by the King unto such Acts without which those *Petitions* and *Bills* which were intended, and desired by the people to be Acts of Parliament, are but as the matter, to the form, presented unto the King in his great Council and Parliament, and amount unto no more in the best of value and constructions which can be put upon them, then *Petitions* and *Requests*, or as bodies without souls, or pieces of *Silver* or *Gold* uncoyned, having not the power or effect of money without *Cæsars* Image and *Superscription* and the *Royal Stamp* and Authority given them, have enacted and ordained the same or the like cares and provisions, as that without date made in the Reign of King *H. 3.* or *Ed. 1.* or *Ed. 2.* and to be found amongst the *Statutes* of *17 Ed. 2.* if all or some of them were not made by the Kings *Royal Authority* and power only, that the *Toll of a Milne* shall be taken according to the custome of the *Land*, strength of the *water-course*, either to the *twentieth* or *four and twentieth corn*; and the measure whereby the *Toll* must be taken, was to be agreeable to the Kings measure, and taken by the rate and not by the heap or cantell.

The *Assise* of (m) *Ale* to be according to the price of (m) *Cap. 6. 7.*
Corn. (n) *Butchers* to be punished which sell unwholsome (n) *Cap. 8.*
R flesh

flesh : Bushels, Gallons, and Ells shall be kept by Mayors, Bayliffs, &c. signed with the Kings Seal, and he that buyeth or selleth with any other shall be amerced. No (o) grain shall be sold by the Heap or Cantell but Oats, Malt, and Meal. Wines by the Act of Parliament of (p) 4 Ed. 3. shall be assaid twice a year, and be sold at reasonable prices, and a Cry (or Proclamation) made that none should be so hardy as to sell wines but at a reasonable price, regarding the price that is at the Ports from whence the Wines came, and the expences, as in carriage of the same from the Ports to the places where they be sold. No (q) man may sell Ware at a Fair after it is ended. Victuals (r) shall be sold at reasonable prices, and Butchers Fishmongers, Regrators, Hostlers, Brewers, Bakers, Poulters, and all other sellers of all manner of victuals shall be bound to sell the same victuall for a reasonable price, having respect to the price, that such victuals be sold at in the places adjoining; so that the said Sellers have moderate gains, and not excessive, reasonably to be required according to the distance of the place from whence the said victuals be carried.

(o) cap. 9.

(p) 4 E. 3. cap. 12.

(q) 5 E. 3. ca. 5

(r) 23 E. 3. cap. 6.

(t) 25 E. 3. cap. 3.

(u) 31 E. 3. cap. 2. Ibidem ca. 5.

(x) 31 E. 3. cap. 18.

None (t) shall Forestall Wines and Victuals, Wares and Merchandizes coming to the good Towns of England by land or by water to be sold. Auncel weight shall be put out, & weighing shall be by equall ballances, every measure shall be according to the Kings Standard, and be striked without heap.

It shall be (u) Felony to forestall or ingross Gascoine wine : Red and white wine shall be gauged; Ballances and Weights shall be sent to all the Sheriffs of England, and all persons are to make their Weights and Ballances by them. And (x) in anno 31 Ed. 3. because saith the Statute

Statute the Fishers, Butchers, Poulters, and other sellers of Victuals in the City of London, by colour of some Charters, and by evil intepretation of Statutes made in advantage of the people, that every man may freely sell victuals without disturbance, and that no Maior, Bailiffe, or other Minister ought to meddle with the sale. It was accorded & assented, That every man that bringeth victuals, whatsoever they be, to the City by land or by water, may freely sell the same to whom shall please him without being interrupted or impeached by Fisher, Butcher, Poulter, or any other, and that the Maior and Aldermen of the said City may rule and redress the defaults of Fishers, Butchers, and Poulters, as they doe of those which sell Bread, Ale or Wine.

In the same year upon the complaint (y) of the Commons that the people of great Yarmouth did encounter the Fishers bringing Herrings to the said Town in the time of the Fair, and buy and forestall the Herrings before they come to the Town : And also the Hostlers of the same Town which ledge the Fishers coming thither with Herrings, would not suffer the said Fishers to sell their Herrings, nor meddle with the sale thereof, but sell them at their own will as dear as they will, and give to the Fishers what pleaseth them; whereby the Fishers did withdraw themselves from coming thither. It was enacted that Herrings should not be bought or sold upon the sea. That Fishers be free to sell their Herrings without disturbance of the Hostlers, that when the Fishers will sel their Merchandises in the Port they shall have their Hostlers with them, if there they will be, and in their presence openly sell their Merchandises; and that every man claim his part for the taking after the rate for the same Merchandises

(y) Statute of Herrings. 31 Ed. 3. ca. 2.

chandises so sold. That no Hosteler or other buy any for to hang in their houses by Cowin, nor in other manner at a higher price the last then forty shillings, but less in as much as he may. That no Hosteler nor any of their Ser-vants, nor any other shall by land or Sea forestall the said Herrings. No vessel called Piker of London, nor of no other place shall enter into the said Haven to abate the Fair in damage of the people. That all the Hostelers be sworn before the Wardens of the Fair, and enjoined upon a great forfeiture to the King to receive their Guests well and conveniently, and to aid and ease them, reasonably taking of every Last that shall be sold to other Merchants then the said Hostelers 40 d. That of Herrings sold to the same Hostelers to take in their houses, the same Hostelers shall take nothing, and that because of the profits which they shall have of victuals sold to their said Guests, and of the advantage which they have more then other of car-riage of Herrings so by them bought and hanging in their houses, and for the advantage of 40 d. the Last, take upon them for the payment of all the Herrings that shall be sold by their assent to any persons, and the hun-dred of Herring shall be accounted by sixscore, and the Last by ten thousand. That the people of London at such Fair shall bring the Last from Yarmouth to London for one Mark of gain, and not above. That the Fishers be compelled to bring the remnant of their Herrings not sold in the Road of Kirkley to the Fair to sell them; so that none sell Herring in any place about the haven of Yar-mouth by seven miles, except in three Towns of Yar-mouth, that is to say, Easton, Weston, and Southton, unless it be Herrings of their own Fishing.

(2) 16 d. ca. 3. The (2) Chancellor or Treasurer taking to them Jus-tices

stices and other the Kings Council, shall have power to or-dain remedy touching the buying and selling of Stock-fish of Saint Botolph, and Salmon of Barwick, and of Wines and Fish of Bristrute and else-where, to the intent the King and his People may better be served, and have better Mar-kets then they have had before this time; and that the Ordinances by them made in this party be firmly holden.

Doggers and Landships of Blackney Haven shall dis-charge their Fish there, (a) the price of Dogger-fish and Loichfish, that is to say, Lob, Ling and Cod, shall be assessed by the Advice of the Merchants and Rulers comming to the Fair of Blackney, and of the owners of the ships before any sale be made, which shall be holden during the Fair; Every man shall buy Herrings openly, and not privily at such price as may be agreed betwixt him and the seller. And (b) no man shall enter into bargain upon the buying of the same, till he that first cometh to bargain shall have an end of his bargain greable to the seller, (c) and that none increase upon other during the first bargain.

Londoners (d) and other shall sell victualls by retail: Sweet wines may be sold by retail at the price of Gascoyne wines: Victuallers shall have but reasonable gains accord-ing to the discretion of the Justices of Peace: there shall be but eight Bushels striked to the Quarter; the severall (e) measures of vessels of wine, Eels, Herrings and Sal-mons, (f) and vessels of Oil and Honey to be gauged.

12 E. 4. ca. 8. Divers Patents being granted under the great Seal of England to divers persons to be Surveyors and Correctors of beer, ale, wine and victuals within di-vers Cities, Boroughs and Towns, it was ordained, That they should be void, and that the Mayors, Bayliffs, and

(a) 16 d. ca. 1. & 2.

(b) 36 E. 3. Ordinance of Herring.

(c) 42 E. 3. c. 7.

(d) 6 R. 2. ca. 7.

(e) 13 R. 2. c. 8. 15 R. 2. ca. 4. 2 H. 6. ca. 11.

18 H. 6. ca. 8.

(f) 12 E. 4. c. 8.

and chief Governours of Cities, Boroughs and Towns Corporate shall be the only Searchers and Surveyors of victualls; for that every City, Borough, and Town of substance in England for the most part have Court Leets and views of Frank-pledge holden yearly within the same Cities, Boroughs and Towns, surveying of all victualls therein, and correction and punishment of the offenders, and breakers of the Assise of the same which ought not to be contrived.

(g) 22 E. 4. c. 2. Ordinances made by (g) Guilds, Fraternities, and Companies of Trade shall be examined and approved by the Chancellor, Treasurer of England, or Chief Justices of either Benches, or three of them, or by Justices of Assise in their Circuits, to prevent and hinder unlawfull Ordinances as well in prices of wares as in other things to the Common hurt and damage of the people. When any victualler is chosen Officer in any City (except (h) London, York, and Coventry) Borough or Town Corporate, which by virtue of his Office should have the Assising and Correction for selling of victualls, that then two discreet and honest persons neither of them being Victuallers, shall during that time be sworn truly to see and set the price of victualls, such as sell false and mixt Oils to be searched and punished, and such as destroy wild fowl, whereby formerly the Kings most

(h) 3 H. 8. c. 8. honourable Household. (i) and the houses of Noblemen & Prelates were furnished at convenient prices to be punished.

(i) Ibid. ca. 14. 25 H. 8. ca. 11. Upon complaint made for enhauncing of prices of victualls (k) the prices thereof shall be assessed by the Kings Councillors and Officers, and they which have victualls to sell shall sell them at the same prices.

(k) 24 H. 8. ca. 3. & 4. 25 H. 8. ca. 2. The (l) Prices of the But, Tun, Pipe, Hogshhead, &c. of all

(l) 28 H. 8. 14. 37 H. 8. 23. 5 E. 6. 17.

all kinds of wines when it shall be sold in gross, shall be set by certain of the Kings great Officers.

Whosoever shall buy or sell any (m) Fesant or Partridge (saving the Officers of the Kings, Queens, or Princes houses shall forfeit for every Fesant six shillings eight pence, and for every Partridge three shillings four pence to the King.

Conspiracies (n) made by Victuallers touching selling of victualls shall be grievously punished. (n) 37 H. 8. 23.

Taverns (o) may be appointed in every City, Borough or Town Corporate to sell wine by Retail. (o) Ibidem.

None (p) shall retail wines but in Cities, Market Towns, &c. (p) Ibidem.

Winners (q) which sell by Retail in Towns Corporate shall be assigned by the head Officers thereof, and in other Towns by the Justices of Peace. (q) Ibidem.

And (r) 2 & 3 Ed. 6. by a temporary Act expired with the time therein limited, which may shew the minds and intents of the makers, and what was then thought convenient for that small part of time, and being probably only done upon some grounds or reasons of State for the present, or in case of the people, or some popular designe of the then ruling Lord Protector, was not then, nor at any time after thought fit to continue any longer, it was ordained, That no Pourveyor or other person by authority of any Commission or other Warrant shall during three years (then) next ensuing pourvey, or take for the provision of the Kings Household, his Sisters, or any others, any Corn, Beewes, Muttons, &c. Wood, Coal, Straw, Hay, or any kind of Victualls without the full consent of the owner, and at such price for ready money as the owner or Pourveyor can agree; nor shall take for

for any of the Kings Affairs, or the Warres or otherwise any Goods, Chattels, or other things whatsoever (saving Barges, Ships, Carts, and things necessary) without the consent of the owners, and at such prises for ready money as the owner & Pourveyors can agree (except Post-horses for which shall be paid a penny a mile) and the King will allow to the owner of every Cart taken for his household four pence a mile, and for the Warres and other Carriages three pence a mile.

(s) 3 & 4 E. 6. ca. 19.

The (s) Lord Chancellor of England, Lord Treasurer, Lord President of the Kings Council, Lord Privy Seal, and the two Chief Justices, or any five, four, or three of them are authorized to set prises of wine, and none to sell either in gross or by retail above those prises.

(t) 5 & 6 E. 6. ca. 14.

No (t) Cattel shall be bought but in open Fair or Market but by a Butcher, provisions of household Butter or Cheese, shall not be bought to be sold again, except it be by retail in open Shop, Fair, or Market. (u) Fore-stallers and Reqrators shall be punished, Badgers and Drovers licensed by three Justices of the Peace of the County, and enter into Recognizances not to forestall or ingross, provided that all Cities and Towns Corporate may assigne and licence Pourveyors for their provisions.

(u) 5 Eliz. ca. 12.

Which power of regulating weights and measures, and reduction of victuals to reasonable prices and rates was no stranger in Ireland, whither many if not all of our then Laws were transmitted by King John, by exemplification under his great Seal of England, and all our Laws reasonable Customes and Acts of Parliament both before and afterwards were by Act of Parliament called Poynings Act or Law, allowed and enacted

acted to be Laws in that Kingdome in the Reign of our King Henry the seventh.

Nor in Scotland where the assises of weights and measures were ordained by King James the first in Parliament in Anno Domini 1426. And it was also ordained by (x) King James the second in Parliament, that Schireffes, Bayllies and uther officers baith to burgh and to land take and inquire at ilk Court, that they hold what persons within their boundes byis victuall and holdis it till a dearth, and punish them which shall be found to offend therein, and besides their uther punishment the victuall that they have be escheated to the King.

(x) 6. Parliament James the second. & Reg. Majest.

All which may declare and give us to understand how unreasonable it would be that the King, who by his Oath and Kingly Office is to keep all his people from oppression, which being one of the great sins of Sodom, as the Prophet (y) Ezekiel tells us in that he strengthened not the hand of the poor and needy, caused God to say he would come down and see the oppressions of his people should take no order to preserve himself from the more then formerly deceits of his own people, and their enhance of prises.

(y) Ezekiel 16. 49.

King Edward the second therefore, and his Councell after that the Commons of England had in the (z) second year of his Reiga granted him in Parliament an aid of the five and twentieth part of their goods upon condition that he would answer and redress their grievances, which they in eleven Articles had then presented unto him, in some of which they complained that their Gorn, Victuals, Poultrye, and Fish as well fresh as salt were taken by those which called themselves the Kings

(z) Clauf. 3 E. 2. m. 2. in dorf.

S Ministers,

Ministers, and paid nothing for it, nor gave them any manner of satisfaction, by which they were greatly impoverished: And he had answered, that there was an Ordinance made of those prises in the time of his Father King Edward, which was for the good of the King and his people: and willed that it should be kept and observed in all parts, did in the fifteenth year of his Reign upon occasion of his being at Cirencester in the County of Gloucester with divers of the Nobility and great men of the Kingdome, not think it to be any violation of the Laws formerly made for the regulation of Pourveyance to command and ordain by his Letters Patents directed to the Sheriffs of Gloucester, Worcester, and Wiltshire in the words following, viz.

Rex. vic. & al. ministris de Com. Glouc. Wigorn. & Wilt. salutem cum sumus in partibus Cirencestr. cum pluribus magnatibus pro negotiis, &c. & pro nostra & ipsorum (a) sustentatione plura victualia oportet providere, & plures frumentum habentes ea penes se retinent, non curantes illa vendic. expone nisi excessiva Caristia nos volentes sustentac. eorum providere prout decet, assignavimus Johan. Hampton & al. ad supervidendum blada in Com. pradiet. & ad emend. ubi blada invenerint pro pretio rationabili jam corrente. de quo ipsi respondeant illa quo pretio empti erunt & ad liberand. pistoribus & braciatoribus furnend. braciand. & vend. dictis magnatibus, &c. that a reasonable price should according to the ordinary Market rate be set upon Corn.

(a) pat. 15 E. 2. m. 5.

(b) Pat. 7 E. 2. part. 1. m. 23. Claus. 37 E. 3. part. 1. m. 26. Pat. 1. part. 3 R. 2. m. 49. Pat. 1 H. 4. part. m. 8.

Nor were the Writs or Commissions de providentiis pro Rege faciendis, to buy and make provisions for the Kings household in (b) 7 E. 2. 37 E. 3. 3 R. 2. 1 H. 4. and other Kings Reigns directed to the Sheriffs of several

ral Counties, to whose oaths and Offices it belonged by the just and antient Laws and Customes of England, to cause men to sell victuals and necessary provisions at reasonable rates and prices, or Writs sent to the Sheriffs to make provisions for some of the Kings of Scotland and their Trains in their passage as they came to London to do their homage unto some of our Kings, esteemed to be any breach of the peoples Liberties.

Neither did Queen Elizabeth that delight and love of her people, enriching as well as easing and filling them with peace and plenty; who was never of the opinion of Oliver Cromwel, that grand Master of Iniquity (who as carefull as he would seem to be of the peoples ease and liberties in his afterwards counterfeit kindness of taking away the Royal Pourveyance) could when he was Lieutenant General of an Army of a distempered and disobedient part of the Parliament, being moved by a Gentleman of Bedfordshire for some ease of their great Assessements and Burdens, answer, that he could never believe that the Country-men were poor or not able to bear them as long as they could whistle at the Plow and Cart) but so contented them in her happy Government, as the 20. day of November, the beginning of her Reign, is yet, though above one hundred years agoe, gratefully remembred with the ringing of Bells in many of the Churches of England, conceive or understand it to be any grievance to the people for the Sovereign or Lex viva, the maker, Protector, and Preserver of many of those good Laws which they enjoyed, to ordain and publish by the advice of her Privy Council, who by the happy and sage conduct of all her affairs, were well known by the effects as well as the causes, the

Mediums as well as the success, to be as wise and prudent a Council as any Prince of Christendome had to attend them.

That the Clerk of the Market in avoiding of the danger of the loss of his Office and further punishment at her pleasure, should duly and substantially put in execution all such things as to his charge appertaineth, as well for vittails to be had seasonable, good, and wholsome in the Towns and places near unto the Court, as for the just observing of Weights and Measures assigned and assessed, and likewise for setting of convenient and reasonable prizes as well upon Meat and Drink, Horse-meat, Lodging, Bedding, and other things in such cases accustomed, so as the Noblemen attending in the Court, and all Saitors & others following the same, be not compelled in default of the said Clerk to be put unto excessive charges for their expences, but such indifferency to be used therein as the plenty or sterility considered should accord with equity: And straightly charged, that no person of what estate or degree soever should in any wise pay more for Vittail, Horsemeat, Lodging, or otherways then after the prizes that should be assessed by the said Clerk of the Market, in avoiding her Highness displeasure, and further punishment at her Graces pleasure.

Which as to the enforcing of reasonable rates and prizes for victuals and household provisions, was no more then that which all Maiors and Bailiffs of Cities, Boroughs, Merchant Towns and others, and of the Ports of the Sea, and other places, are by the Statute of (c) 23 Ed.

(c) 23 E. 3. c. 6. cap. 6. authorized to doe, and is to be given in charge and inquired of by the Justices of Peace of every County at their Quarter Sessions.

For if by the rules of Reason, Policie, and Prudence

dence, it was alwayes adjudged to be necessary and profitable for the people in general that the King or Prince should restrain them from deceiving or oppressing one another, or not permit the cunning, false, or richer part of the people to deceive and put what rates or prizes they please, or can heighten and invent upon the plain dealing honest simple hearted, poor and necessitous part of them, but should rather resist the Nimrods & Tormentors of them, and by putting them into some method of righteousness, imitate the care and designs of the Almighty, to succour, relieve, and help the poor and needy. And that it can never be for the good of the Nation so to encourage the evils and deceitfulness of mens hearts one towards another, as to suffer every one to hatch or spawn as many cheating and cozening tricks, perjuries, deceptions and false or æquivocal oathes as they can possibly, or under a counterfeit shew of godliness, make contrive and invent to blind, deceive, delude or oppress one another; or to be like Cut-purses, Jews, Banditties, Wild Arabs, or crafty deceitfull Bannyans, to the well-doing as well as well-meaning, little part of the people, or like Rooks cawing, wrangling, and making a noyse in the trees, make it their perpetual business when they are not asleepe to steal and filch away one anothers Nests and provisions, and being guilty of as bad themselves, to be in a perpetuall watch of keeping as well as they can their own, whilest they are busie in stealing from others, or to make old England to be a Country of Rooks and Jackdaws.

It cannot be certainly adæquate to any rule of Justice, that the King who is to make it his daily care to provide peace plenty, and benefits, for all his Subjects, regulates

(d) Book of Entries 494. Hill. 2 H. 7. fol. 11 pl. 11.

regulates by his Magistrates and Officers rates and prices of victuals at Markets and Fairs, moderates and abates such as are excessive and unreasonable, (d) and by Law may seize, as forfeit, the Court Leets of Lords of Manors, for not providing Pillories to punish offending Bakers; and ordaineth by his Laws, that every Lord or other having the privilege of a Market shall forfeit it, if he have not a Clerk of the Market to look unto it, should provide blessings for every one but himself, and partake of none or very little of them, and that his Subjects should not be at liberty to cozen and oppress one another, and yet every man should be at liberty and make it his designe and business to cozen and lay burdens upon him, which would be as little for the good of the body politick as it would be in the body natural, to wear the head downward, and make it to be subservient to the business and humor of the ignoble, and less to be taken care of parts of the body.

Or to give liberty not only in a Siege or publick necessity, like that of *Samaria*, but at all other times, unto as many as will like the gain or content of it to be as *Bears* and *Wolves* one to another, and by hardening of their hearts, and oppressing one another, make a *Wilderness* and Desert in our Land of *Canaan*, which if well ordered flows with more then milk and honey, and by reason of an universall pride, ingrossing, enhauncing and cheating to maintain it, canse a dearth when there may be a plenty.

(e) 2. Reg. ca 6. And reducing him thereby into the condition of the (e) King of *Israel* in that Siege, when an *Asses* head was sold for fourscore pieces of silver, and the fourth part of a kab of *Doves* dung for five pieces of silver, enforce him to

to answer as he did the woman which cryed unto him, *Help my Lord O King if the Lord doe not help thee, whence shall I help thee out of the Barn floor, or out of the Wine-presse.*

Or that the King when he shall (as the (f) King of (f) 1 Reg. 18. *Israel* did) in an unseasonable and dry year, search the Land for grass to save the peoples horses, mules, and beasts alive, should let his own not partake of his cares, but perish, & whilst he mitigates unjust and unconscionable rates and prices in the Markets, be himself exposed to all manner of unconscionable and deceitfull dealings.

Which his just and alwaies until now allowed right of *Praemption*, which heretofore made the Kings provision for his household when it was bought in the Markets or Fairs to be much cheaper then what were bought upon the *vie*, or endeavours who should give most to purchase it at such unreasonable prices as the *Sellers* could strain or scruce them unto. And the Commissions not seldome made by his Royal Progenitors to the Sheriffs and other Officers and Magistrates, which had the delegated power of *Affise* and *Correction* of Markets and unreasonable prices, and the rating of them to make his household provisions; and where the *Purveyors* and the owners could not otherwise agree, were to be rated and ascertained, as some Acts of Parliament and Statutes have appointed, by Constables and some honest men of their Neighbourhood upon their oaths, (which cannot be supposed to make, or admit them to be high or immoderate) together with a due regulation of the Markets by the Clerks of the Markets; and that care with the Law enjoyneth the Lords of Manors in their *Court Leets*, the *Sheriffs* in their *Towns*,

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Tornes, the *Justices of Peace* of every Countie, and the Magistrates of every City and Towns Corporate, to take in the supressing of unreasonable prices, *Forefallers*, *Ingrossers*, and *Regrators*, which are no small part of the causes of them, would have prevented or greatly lessened: And the Markets would not have risen to that excess of price which is now heavily complained of, and every where to be met with, by the sleepiness or sluggishness of Magistrates and Justices of the Peace neglect of their oathes and duties, which are too often and easily obliterated or put out of memory, by sprinkling or dipping them in the waters of some *Lethe* or *Oblivion*, or by some unrighteous or unbecoming partialties, connivance and kindness to their Neighbours and friends, or such as they would make to be their friends, a timorousness or unwillingness to displeasure or irritate such as are or may be their enemies, or the allurements and temptation of their own Interests, in letting their Lands at the rack, or very much dearer then it was when the Kings price or compositions were agreed upon, and by tentering the Tenants Rents, enforce them in requital thereof and care of themselves, to stretch as much or more the prices of their Cattel and Commodities, because their Landlords were insatiable, and did never think their Rents high enough raised, as long as they could find any pretences to raise them higher, or any one to give them the utmost penny, when they should not be able to pay their Rents, maintain their wives and children, and have some little comfort or encouragement by their honest labours unless they should as much as they could make every thing as dear as they could, and imitate or exceed them.

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All which combining and strongly confederating together *his misere malis*, have brought many an evil upon the Kingdome, made our *Atlas* burthen much the heavier, the poorer sort of the people to be greatly impoverished and devoured like sheep, and the landed and richer part, like the *Israelites* with Quails in their mouths, murmuring in the midst of their peace and plenty, and thinking that to be thanks enough for them and all their *Mannah*.

And like those which distempering their bodies, and breeding and causing their own diseases, are unwilling to acknowledge themselves to be the Authors of what they complain of, but would willingly make the aire and heavenly influences to be in the fault; and when they make the high wayes the fowler by their own travailing and riding in them, and the worse for the next that shall come after them, will lament the deepness or foulness of them.

Or as Landlords which can grievously complain and wonder at the high rates of Flesh, Fish, Corn, Butter Cheese, and other household provisions at the Markets, when the enhaucing of their own pride, extravagancies, and profit to maintain them, and sequestering themselves from the virtues and hospitalitie of their more beloved and honored Ancestors, when they have any thing to buy themselves, will not as they should, lay the blame upon their own letting their Lands by exact and strict measures of the Acres, Rods, and Perches to the utmost rack and farthing, and in many places (by as much indiscretion as unconcionableness) apportion and limit the wood which the Tenants are to burn or use by the loads, as if it were something more pretious, or

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to be brought by degrees to be weighed by the pound or ounces, and will have more rent many times to be paid for it then can possibly be made of it, with as many *nomine pannes*, and impossible to be kept Covenants and restrictions as hard-hearted curiosity and diffidence can contrive and invent to the sometimes ruine or great losses of the Tenants in their endeavours to improve and make their Farms yeild as much as their Rents doe amount unto, which necessitates them to sell every thing which they have to sell at the highest rates.

And by so letting their Lands at the highest rent, and ten times higher then their Grandfathers (some only few good and worshipfull imitators of their Progenitors virtues excepted) or as much as can be gotten, are not only the greatest cause of the enhaunching of all prices of provisions, but by making another as great an advantage to themselves.

Do, when as they do not pay Rents as their Tenants doe for the Lands out of which they raise their commodities, add to the prejudice of the Buyers by holding of them up to the rates and humour of the Markets, and getting as much as they can possible for what they themselves do sell and send to the Markets.

And by such or the like profitable and beneficiall customes, which are sweet in the mouth or unto the taste, but may be bitter in the stomach or digestion, of making their benefits by the losses or oppression of the Buyers, which at the Markets with those reckoned and included which are at home, and to be fed with what is bought or brought from thence are *forty for one* that are *sellors*, and those that have either Lands of their own, or at a Rent are not one in every *twenty* for those
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which have not, have very much enlarged their own Estates and impoverished the Commonalty.

Wherefore all those of our Nation, which like the wanton, & at last unhappy *Sybarites*, now troubled with a great deal more under a slavish government and dominion of the *Turks*, then the *croving of the Cocks* in the night time to disturb their sweet sleeps or repose which once they were so foolish as to account an inconvenience, would but summon in their consciences and a right understanding of causes and effects to the Tribunal of reason, and observe the dictates of that and common right.

The *Præemption* which was never used to be denied to præheminence, but alwayes attended it as an inseparable Concomitant and Consequence, and so esteemed to be rational, as the rude and unmannerly *Dutch* with their heads in a piece of a Rug, and their good manners running out of their knees, can afford it to the lowest rank of their *Deeren*, *self-created* Lords or *States*, or to a *Schepen* or *Sindic*, Sheriffe or Recorder of a Town, would not be found to be a grievance and where any Priviledges, as there ought to be many, are associate and incorporate with Sovereign Majesty, the King of *England*, under whose grants and allowance only every *Seller* as well as *Buyer* at Fairs and Markets claims and enjoys the liberty of *buying* and *selling*, should not himself be unkindly used, or his *Pourveyors* debarred the liberty of a first *Buyer*, which was in *Anno* 720. or thereabouts, understood to be so necessary and inherent to Kingly authority and Supereminence, the reverence respect
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and duty belonging unto it, and a priviledge so just and reasonable and becoming Subjects to be well contented with, and the Regality of Kings not to part with, as King *Ina* one of our Saxon Kings did by a Law prohibit *Fore Fang*; or *Captio Obseniorum qua in Foris ant Nundinis ab aliquo fit priusquam Minister Regis ea caperit qua Regi fuerint necessaria*, the taking or buying of household provisions by others in Fairs or Markets before the Kings Minister or Pouruey or took those things which were necessary for the King, the words of that Law, as the learned (g) Sir *Henry Spelman* hath in the Version rendred them *de Forefang* (*fore* in *Saxon* signifying *ante* or before, and *fang* *prendere* or to take) *i. e. de preventionem decrevimus per totam Angliam quod idem iudicium teneri debet*; We ordain that this Law of Prevention (or Præemption) be firmly holden throughout all *England*. And is more fit to be allowed unto the King whose just Rights and Jurisdictions every man is sworn or ought to swear to maintain and defend. If there were no fifth commandment in being, or any other Præcept in Scripture to honour and obey the King then unto Lords of Manors, having Markets and Fairs belonging unto them, or the Lord Maior or Sheriffs of *London*, or the Magistrates of any other City or Town Corporate in *England*; for a greater observance is certainly to be tendered unto the King even in that particular of Præemption (which may well be believed by all that are not *Quakers*) whose Tenants all the people of *England* are mediately or immediately by some or other Tenure: Then that which is usually done to Lords of Manors, Justices of Peace, or Country Gentle-

(g) *Spelman*
Glossar. in voce
Forefang, &
L.L. Ina cap. al-
tero ante penult.
M. S.

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Gentlemen by their Tenants or poorer sort of Neighbours, who if they chance to catch any Woodcocks or Partridges in any of those Gentlemens Lands, will bring them to their houses to sell at such cheap and easie rates as they shall please to give for them; and if, which seldome happens, they should carry them to the Markets and not thither, are sure enough to be chid for it, and crossed and denied in any greater matter which they shall have to doe with them. And is but that or a little more curtesie which Butchers Fishmongers, and other Tradesmen selling victualls or provisions in great quantities, and all the year or often unto their constant Customers, will not for their own ends fail to doe or neglect, or to sell unto them at easier rates then unto others, and find themselves to be many times no loofers by it, insomuch as some have lately well afforded to sell to a constant Customer for great quantities at the same rate it was 40 or 60 years before.

And the *Compositions* of the Counties for Pourveyance to serve in Beefe, Mutton Poultry, Corn, Malt, and other provisions for the Kings Household, and the maintenance and support of it at a more cheaper rate then the Markets yeild, which when they were first set, was but the Market rate or a little under, long agoe made and agreed upon by the greater Officers of the Kings Household, and some Justices of Peace in every County, and easly and equally taxed and laid upon the whole, and not upon any particular man which was poor or of a small Estate not fit to bear it.

May be wish as much and more reason allowed and chearfully submitted unto as those many now called *quitrents*, or Rent services, which the most of our Nobility,

bility, Gentry and others (not for some few of them doe yet hold some of their Tenants to their antient and reasonable Customes) doe receive, and their Tenants easily and willingly pay for their severall sorts of *zapola* Gavels or Tributes charged upon their Lands before and since the Conquest in *Kent* (a County recounting with much comfort of their many Priviledges and beneficiall Customes) and most parts of *England* (b) as *Gavel Erth*, to Till some part of their Landlords Ground; *Gavel Rip*, to come upon summons to help to reap their Corn; *Gavel Rod*, to make so many perches of hedge; *Gavel Swine*, for pawning or feeding their Swine in the Lords Woods; *Gavel werk*, which was either *Manuopera* by the person of the Tenant, or *Carropera*, by his Carts or Cariages, *Harth-silver*, *Chimney-money*, or *Peter-pence*, which some *Mesne* Lords do yet receive; *Were Gavel* in respect of Wears and Kiddels to catch Fish, pitched and placed by the Sea coasts; *Gavel noht* or *Fother*, or Rent (i) *Foder*, which did signifie *pabulum* or *alimentum* ut *Saxones antiqui dixerunt*, and comprehended all sorts of victuals or provisions, as the old *Saxons* interpreted it for the Lord probably in his progress or passing by them, and was in usage and custome in the time of *Charlemaigne* the Emperor, about the year of our Lord 800. when the people of *Italy*, *Regi venienti in Italiam solvere tenebantur pro quo saepe etiam aestimata pecunia pendebatur*, were to provide *Foder* or provisions for the King when he came into *Italy*, in lieu of which, money to the value thereof was sometimes paid, and was long after taken to be so reasonable as it was by the (k) Princes and Nobility of *Italy* acknowledged in an Assembly to be *inter Regalia*,

(h) Somners Treatise of Gavelkind Customs in Kent.

(i) Spelman Glossar. in vocabulis Fodrum, Sigonius de Regno Italiae lib. 7.

(k) Radenicus in gestis Fridericus lib. 2. ca. 5. Italy

galia, as a Prerogative due to the King. And after the Conquest for (l) *Aver Land* or *Owver* (l) *Sommer* of Land carriage of the Lords Corn to Markets and Fairs, or of his domestick utensils saith the learned and Judicious Mr. *Sommer*, or household provisions, of the Lord or his Steward when they removed from one place to another, sometimes by horse *Average*, sometimes by foot *Average*; one while within the Precinct of the Manor, thence called *In average*, and at other times without, and then called *Out Average*; whereupon such Tenants were known by the name of *Avermanni* or *Bermannii*; *Smiths Land* holden by the service of doing the Smiths work: the not performing of which severall services so annexed to the said severall sorts of Lands, and their Tenures made (m) them to be forfeited, which though not exchanged and turned into Rents *Regis ad exemplum* in imitation of the indulgence and favour of King *Henry* the first to the Tenants of his demesne Lands either then or shortly after, but many of them, as appeareth by Mr. *Sommer* continuing in *Kent*, to the Reign of *Henry* the third, others to *Edward* the first, and *Edward* the third, and some in other places, to the Reign of King *Henry* the sixth, and in all or many of the Abbies and Religious Houses untill their dissolution in the later end of the Reign of King *Henry* the eighth notwithstanding that the Lords of Manors and Leets, receiving those free or quit Rents, as they were called of their Freeholders and Tenants belonging unto their severall Manors in lieu and recompence of those services, did or ought, in their Court Leets twice a year holden, cause to be presented and punished any unreasonable prises for provisions or victuals

(l) Sommer of Gavalkind 116

(m) Coke 2. par. Instit. p. 204.

victuals sold in Markets & Fairs, or otherwise; or if they have not *Leets*, are when they are Justices of Peace authorised to doe it, and by that untill their Interests perswaded them to let their Tenants use all manner of deceits in their Marketings, and get what unreasonable prises they pleased, so as they themselves might rack their Rents farre beyond former ages, might have had their provisions untill this time at as low and easie rates as the Kings provisions and Compositions were at when they were rated and set by the Justices of Peace in the severall Counties, and all others of their Neighbourhood might also have enjoyed the benefit of the like rates which the Law intended them.

And the King may as well or better deserve and expect as many *Boons* or other services as the Nobility and other great men of the Kingdome doe, notwithstanding many Priviledges and Indulgences granted by their more liberall Auncestors, and better bestowing their bounties to their Tenants; And to be furnished with Carts and Carriages at easie rates as well as the Earl of *Rutland* is at this day for nothing, upon any removall from *Belvoir Castle* in *Lincolnshire* to *Haddon* in *Darbyshire* and elsewhere from one place to another, with very many Carts of his Tenants, which are there called *Boon Carts*, when as all Lords or Gentlemen of any rank, place, or quality in the Kingdome doe take it to be no burden or grievance to their Tenants to permit them to pay their respects and obligations unto them in that way, or upon a *New-years* day, or when they shall invite them to a *Christmas* dinner, or doe them any courtesie to bring them a present of *Capons* or *Chickens*, or the like, or when

when they come to welcome them home from *London*, or have any request how little soever to make unto them, are afraid to approach them without bringing some offering or *mediation*, though it be but a *bottle* of such pitifull wine as the *Vintner* of the next Market Town can furnish them out of a *Vessel* but little bigger.

And the Lord of the Manor of *Harrow* in the County of *Middlesex* had in *Anno 21 R. 2.* a Custome belonging to that Manor, that by summons of the *Bayliffe* upon a *Generall Reap* day or *Magna precaria*, then so called, the Tenants as well free as *Copiholders* should yearly amongst them doe 199 dayes work for the Lord within the Manor, and every one having a *Chimney* should send a man thither for that purpose; and where there is no Custome to oblige it, or the like, some *curtesies* amounting to near as much are as often to be found as the love and good will to a *Landlord* or a man of quality, or fear of his ill will or displeasure: Nor is it unusuall for *Parishioners* to help a *Parson* or *Minister* of a *Parish* to reap and carry in his corn, or to fetch coals or wood for him many a mile distant.

And will be as much and more according to the dictates of right reason, as for a *Patron* of the *Advowson* of a *Church* to be for ever entitled to the presentation of it, because his *Aneestors*, or those under whome he claimes, did at the first build and endow it with the *Glebe* land and their own *Tythes*, though the *Parson* presented by him unto it is to repair the *Chancel*, and the *Parishioners* tax one another to maintain and keep the other parts of the *Church* in good reparations; or that the *Patron* and *Ordinary* should in a vacancy charge the *Glebe* with some yearly payments.

(n) *Sommer*
Treatise of
Gavelkind.

Coke 2 part.
5. report. 81.

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Or

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Or for those that have Grants of Fairs or Markets, or enjoy them by prescription, to take their *Toll* which (unless there be found a speciall custome that the Sellers should doe it) is to be paid by the *Buyers*; and money for *Pickage* and *Stallage*, or for *Toll* called *Traversers*, or passage by some wayes, and *Thorough Toll*, for driving or passing through some Towns, &c.

And the Assistances, Aids, or Contributions in his Majesties Pourveyance and Composition for his house-keeping, may be as much (and more) warranted by the rules of right reason, as they are in matters of *Policy*, and well ordering of some Societies and subordinate Governments in and concerning the Kingdome, and as they are when the Merchants of the *English* Staple at *Dordrecht* and *Hamborough*, do tax and receive a certain summe of money upon every *English* Cloth sold beyond the seas, and to imploy that and the admittances, and making free of Apprentices of the old or new *Hanse*.

And the Fines assessed upon the Infringers of any Orders of the Companies to defray the charges and support thereof; or as the Lord Mayor of *London* for the time being by Custome or Charter of the City, takes for *Scavage* or *Shemage* of all Merchandise brought to *London* a certain rate by the Tonne or Pack so much as amounts to above three hundred pounds besides the profits of the *Tolls*, *Pickage* and *Stallage* of Fairs and Markets, with an allowance of fourscore pounds out of every one of the 8. *Coal-meaters* places, and for Cattle brought to *Smithfield* to be sold, and Eels, Fish and Corn imported, and many other things towards the charges of his extraordinary housekeeping for the credit
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and honor of the City in the time of his *Maioralty*, which the simplest and poorest Citizen never grumbles at, but acknowledgeth to be for the good of the City, & the Company of which he is free (for he must alwaies in the year of his *Maioralty* be taken in as a Freeman of one of the twelve ancient and principall Companies of the City, as the *Mercers*, *Goldsmiths*, *Grocers*, *Cloth-workers*, *Fishmongers*, &c. though before he was free of some other Company) largely contributing to the charges of him and his Pageants upon the day of his Initiation or Lord Maiors day; so as the twelve Companies are every year never able to escape a great part of the charges of that day, and besides an allowance of five hundred pounds, or a considerable summe of money towards that years expences out of the Chamber and Revenues of the City, hath the Livery men of every of the many Companies or Corporations of Trades bringing him 40 s. in retribution of a Dinner, and a small silver spoon of the sixth part of the value, every Citizen of any considerable Estate taxed and contributing to the charges of *Triumphant Arches* or Entertainments of their King or Prince upon extraordinary occasions, every Company bearing and helping out the charges of the *Livery-men Wardens*, and chief of their Company, many rich Bachelers, or men so called, though some of them are married, created in the Lord Maiors Company only for the service of that day, paying six pound a man, and others of that Company paying four pound a man to be of the Budge, and to wear their Gowns faced with a furre so called; and the other Companies have Bachelers created or chosen for that day out of the Yeomanry, so stiled, which besides
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their something extraordinary charges in Feasts at their admissions, and in apparel and habiliments for that day, doe likewise contribute to the charges and worship of their particular Companies for that day, which enables them to *drain* the Capons & *White-broath* & puts them in a capacity of most couragiously storming the Custards in their *Crusty* Garrisons, and of the better overseeing of the Company and Mystery of their Trade at their no seldome comfortable meetings and rejoycing in the creatures: the Lord Mayor having also the benefit of great Fines of four hundred pounds or more a man imposed upon twenty or thirty in a year, or too many more then need, who after such time as his Lordship in his *Fishing* for Fines hath drunk unto them, shall be unwilling, or not think themselves fit to be an *Alderman* or *Sheriffe*.

And as consonant and more agreeable to right reason as the *quarteridge* of never less then five pence every quarter of year, and twelve pence *per annum* to be distributed as their Company pleaseth to the poor, paid by every Freeman of which there are very great numbers to every of their Halls or Companies, two shillings and six pence for binding, and thirteen shillings and four pence for making free of every Apprentice, six pence *per annum* for every Yeoman or Freeman of the Company under the Livery, and two shillings *per annum* of every one of the Livery towards the expences of their Barge, when with as much magnificence as they can they doe with Tumpets, Drums and Musick by water in their several Barges, adorned with the Banners and Arms of their Companies or Gilds, conduct and attend their Lord Maior to be sworn at *Westminster*, although

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though the City of *London* and every Company in *London* are abundantly or very well endowed with lands of inheritance of a great yearly value, and great stocks of money by Gifts and Legacies.

And no less reason then the imposing of a penny upon every *Broad Cloth* brought to sale to *Blackwell-hall* in *London* to be paid to the *Chamberlain* of *London* to the use of the City for *Hallage*, which the Judges of the *Kings Bench* in *Mich. Terme 32 & 33 Eliz.* (o) in the *Chamberlain of Londons Case* adjudged to be lawfull, because it was as they then declared *pro bono publico*, in regard of the benefits which the Subjects enjoyed thereby, and for the maintenance of the weal publick, and can not be said to be a charge to the Subject when he reaps benefit thereby, and resembled it to *Pontage*, *Murage*, *Toll*, and the like, which as appeareth by the book of 13 H. 4. 14. being reasonable, the Subject will have more benefit by it then the charge amounts unto, and that the Inhabitants of a Town or Parish may without any Custom, make Ordinances and Bylawes for the reparation of a Church or High-wayes, or anything which is (p) for the weal publick, and in such cases the greater part shall bind all the rest. (p) 44 E 3 19.

And as much to be approved as the wages of the Knights of the Shires and Burgeses coming to Parliaments, which are taxed and levied of the Counties, Cities and Boroughs, some few as those which hold any Lands parcel of an Eardome or Barony only excepted, and the charges of the Convocation or Clergy assessed upon the Clergy; The Synodals, Procurations, Proxies, and payments made and paid by every Minister to defray the charges of the

(o) Cokes 2.
part. 5. Relat.
Cases de By-
lawes and Or-
dinances.

Linderwood con-
stitutions Ang-
lic & constitut.
O. habent.

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the *Arch Deacons* in their Visitations every year, and the *Bishops* every three years, who are enabled to recover them by the Statute of 34 and 35 of *Henry* the eighth cap. 19. Oblations, *Easter* and other offerings, for the further supply and maintenance of the Ministry, Tributes, Customes and allowances to Governours of Colonies and Plantations, as *Virginia*, *New-England*, *Barbados*, &c. or 10 s. or some other rate given by Merchants to the Consuls at *Venice*, *Smirna*, *Aleppo*, *Ligorne*, &c. towards their support, to assist them in the matter of Trade, and procuring Justice from the Superiors of the Territories: The Pensions, Admissions, and Payments in the Universities and the severall Colleges and Halls therein, for their support with Taxes also sometimes imposed for publick Entertainments of the King, Queen, Prince, Chancellor of the University, or some other *Grandees*, although every Colledge and Hall is endowed with large yearly and perpetuall Revenues in Lands, the Admittances, yearly Pensions and Payments, together with the sale and rent of many Chambers in the *Inns* of Court, *Chancery*, or Colledges or Houses of Law, towards the maintenance, charges and support of the honour of those Societies; and contributions not seldome made and enforced towards publick Treatments and Masques, the payments and rates in Parishes for Pews, Burialls, tolling a passing Bell, or ringing him and his companions at Funerals; which if not enough to defray the charges of the many Feasts and Meetings of the *Church-wardens* and *Petty States* of the Parish, repairing of the Church, new painting and adorning it, buying new Bell-ropes, casting one or more Bells, building

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ing the Steeple something higher, or making a sumptuous Diall with a gilded *Time* and *Hour-glass*, are sure enough to be enlarged by a Parish Rate or Tax more then it comes to.

Or that which is paid by the poor *Tankard* or *Water-Bearers* at the Conduits in *London*, where every one payeth *three shillings and six pence* at his admittance, and a *penny* a quarter towards the support of that pittifull Society.

Or those contributions (*sic magna componere parvis*. to represent great things by small, and the vegetation or manner of the growth of an Oak by that of the lowly Shrubs) which are made by a more impoverished sort of people; the Prisoners for Debt in *Ludgate* by Orders and Constitutions (so necessary is Government and Order, and the support thereof even in misery) of their own sorrowfull making in their narrow confinements, that the *Assistant* which is monethly chosen by all the Prisoners to attend in the *Watch-hall* all day to call down prisoners to strangers which come to speak with them, change money for the Cryers at the *Grates*, keep an accompt in writing what money or gifts are every day sent to the Prisoners, or given to the Box, to charge the *Steward* with it upon the Accompt day, see the Accompts truly cast up, the *Celler* cleared by ten of the clock at night of all Prisoners, and the Prisoners to be at their Lodgings quietly and civily, hath his share of six pence allowed out of the *Charity* money every night, whereof two pence is to be for the *Assistant*, two pence for the *Master* of the Box, and the other two pence allowed in money or drink unto him which is the *running Assistant*,

Johnson of the order and government of *Ludgate*.

or

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or unto the *Scavenger* for bearing 2 candles before him at nine of the clock at night, and rings the bell for Prayers, is the Cryer for sale at the Markets for the *Charity* men, of light bread taken by the Lord Maior or Sheriffs, chumps of Beefe or any other things sent in by the City Clerk of the Market, and unsized Fish by the water Bayliffe, with many other small employments, for which his Salery is *four shillings eight pence per moneth*, and *two pence* out of the sixteen pence paid by every Prisoner at his first coming: And the Scavenger who is to keep the house clean hath for his standing Salery *five shillings eight pence per moneth*, *two pence* for every Prisoner at his first coming, out of the *sixteen pence* table-money by him paid, and a penny out of every Fine imposed upon offenders for the breach of any orders. Every Prisoner paying at his first coming, besides many other Fees, *fourteen pence* for entering his name and turning the key, *five shillings* for a Garnish to his Chamber-fellows to be spent in coals and candles for their own use, or for a Dinner or Supper, and *sixteen pence* to one of the Stewards of the House for *Table-money*, out of which candles are to be bought for the use of the House every night set up in places necessary, &c. notwithstanding that it hath above *60 l. per annum* belonging unto it charged upon lands in perpetuity, and many other considerable and misused Legacies which have been settled and bestowed upon that should be well privileged Prison.

And as much and more reasonable (as the generall protection and defence is above any particular, and the publick benefits do exceed any that are private) as those payments and services which being derived from gratitude

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titude or retribution for benefits received which (highly pleasing the Almighty, and being lovely in the eyes of all men) which are not only enjoyed, but held fast and enforced by all the Nobility, Gentry, and richer sort of men in *England*, when it happens to be denied, as the services and customes of all their Tenants to grind their corn at their *Lords* Mill, or baking their bread at his common Oven in some Borough or Market Town,

The Reliefs in Tenures by Knight Service or Chivalry fixed and appropriate unto those Fewds and Tenures, and paid at the death of every Tenant dying seized, being at the first never condescended unto by the Tenants by any paction or stipulation betwixt them and their Lords. But although there was antiently and originally betwixt the Lord and the Tenant, (q) *mutua fides tuende salutis & dignitatis utriusque*, saith *Bodin*, a mutual obligation betwixt the Tenant and the Lord to defend one anothers Estate and Dignity, or as *Craig* saith *pactionibus interpositis de mutua Tutela* upon certain agreements to defend one another, were lately notwithstanding received and taken by the Nobility and Gentry as a gratitude, and in that and no other respect, were by the Tenants willingly paid unto them.

The Reliefs paid by the Heirs of Freeholders in Socage after the death of their Ancestors, which being not paid by Tenants for years by a *rack Rent*, do appear to have no other commencement but in *signum subjectionis & gratitudinis*, a thankfull acknowledgement for benefits received.

Or those duties & payments which many Lords and Gentry doe enjoy in *Cumberland, Westmerland*, and many

(q) *Bodin de Repub. ca. 7.*

ny of the other Northern Counties which were not at the first by any original contract or agreement as to their Tenants particular services, for so it could not be a custome, but the Tenants at the first upon the only reason of gratitude (untill it had by length of time and usage uninterrupted, gained the force of a custome, and that the succeeding Heirs and Tenants were admitted according to those customes) did as willingly observe and acknowledge them.

The Fines incertain at the will of severall Lords which the Nobility and Gentry of other parts of England do receive and take of their Copihold Tenants under the penalty of a forfeiture if not paid in a reasonable time after they were assessed; and the priviledges which they retain of seifing their Tenants Copihold Lands as forfeit, whether the Fines were certain or incertain, if they sued *Replevins* against them, distraining for their Rents or Services, and had no other parents or originall untill custome had settled it then the Tenants gratefull acknowledgements of the Lords or his Ancestors former kindness and benefits bestowed upon them or their Progenitors.

And the *Socage* Lands and Freeholders might be Tallied, or have a Tax laid upon them by their Lords at their will and pleasure as their necessities or occasions required, as well before as after the Statute *de Tallagio non concedendo*, made betwixt the years 25 & 34 Ed. 1. and if it had been an Act of Parliament, and not a Charter could bind only the King as to his extraordinary, but not to his legall Tallages, untill custome by the kindness or favour of time, and the curtesie and good will of their Lords did permit them by a desuetude of imposing,

imposing, and a well relished custome of the Tenants not paying to enjoy their easie and cheap bargains and freedome of their Lands for which they should doe well to remember better then they doe their Benefactors, and be more mannerly and gratefull then they have been, and were before those indulgencies held to be so accustomed and usual, as it was not seldome found by Inquisitions and Juries upon oath that such or such land was holden, *Et Talliari potest, &c.* And might have Taxes or a greater Rent laid upon them by the Lord of the Manor, in so much as the Kings demesne Lands were not free from Tallage, which will be evident enough by a presentment of a Jury of *Nottinghamshire* before the Justices in *Eyre* in anno 8 E. 1. or King *Edward* the first, when the Kings Letters Patents, of a Grant of the Town of *Retford* to the Burgesses thereof and their Heirs in Fee Farm was found and, mentioned in these words, *viz.*

(r) Edwardus Dei gratia, &c. Sciatis nos concessisse, &c. Burgensibus nostris de Retford quod ipsi & eorum heredes de cetero habeant & teneant ad feodi firmam de nobis & heredibus nostris in perpetuum villam nostram de Retford cum pertinen. reddendo inde nobis & heredibus nostris per manus suas proprias decem libras per annum ad Scaccarium nostrum ad festum Sancti Michaelis pro omnibus serviciis, &c. Salvo inde nobis & heredibus nostris Tallagio nostro cum nos, & heredes nostri Dominica nostra per Angliam fecimus Talliari, &c. reserving to himself and his Heirs a Fee Farme Rent of ten pounds per annum, and the power of Tax or Tallage (or improving) what he had granted unto them when he should have occasion to make a Taxe or Tallage upon all his

(r) In Baga de quo warranto in Com. Not. & placitis de Ragemannis coram Justic. Itinerant. in Com. Nott. anno regni Regis 8. incipiend. nono. in Recept. Scaccarii.

Demesne Lands in *England*: And untill Rents wereracked (of which the Kings of *England* and the Officers of their Revenue in land were seldom or never yet much guilty) & that Rents were improved as high as the profits of Lands, all the Lands of *England* except the Copihold & Customary lands, by Fines certain & the curtesie of time and their Landlords suffering their good will and charity to be reduced into thankless customs, escaped it) were liable to be made contributaries to many of the necessities or occasions of the Lords of Manors, who formerly did not make Leases and take Fines to lessen the rents, as they doe now by a high rate or rule of interest and disadvantages, procuring their rents to be advanced as it were in the name of a Fine before hand; nor if the Lands were holden *in Capite* by Knight service untill time and their Princes favours had disused it, could make a Lease unto any Tenant of such Lands but by licence, and then also for no longer a term then 3. or 7. years. And their Lands and Rents, except *Capite* and Knight-service and Copihold land, and lands in *Frank Almoigne*, being capable of no higher Rents or improvement, cannot now be any more by them Tallied, (which in effect is but a calling for more rent, or raising it, which every Landlord may do where his Tenants are at *Will*, or when their Leases are expired) when they are now all but those Lands, before excepted, as to the King and the *mesne* Lords, and the Lands of the Freeholders and Copholders at the utmost or a very high rent.

Estate de la France par N. Besogren l'Ar. 1661.

And such Tallage is at this day not laid aside by our Neighbours of *France*, in very many places where *les Tailles se paient par ceuz du Tiers estat c'est a dire par les hab tans*

habitans Roturiers des Villes non Franches Bourgs & Villages a proportion des biens du Taillable sans qu'il ait este besoin d'assembler les Estats pour ce suiet; those kind of Taxes are paid by the third Estate or Commonalty, that is to say, by the Inhabitants (or common people of the Towns and Broughts not infranchised or freed from it by the King according to the proportion of their goods or moveables without any assembly of the Estates to that purpose, except in *Languedoc. Provence, Burgogne, Daulphine*, and *Brittaine*, where when the King and his Council have resolved what the *Tailles* shall be *les terres & immenbles seulement sont Taillables*, the lands and immoveables only are tailleable, and their near friends the Scots did long agoe so well like of gratitude as they enacted and held it to be a good Law, that *Lands holden in few Ferme payand a certain zierly dewty nomine Feu-di Firme may be recognosced be the Superior for none payment of the few dewtie, and that twa maner of waies, the first ex provisione & natura contractus by operation of law and the nature of the contract; (s) for the few Fermorer not payand his few Ferme for his ingratitude and unthankfulness Tinis and forfaltis his few Ferme be the disposition of the Law quhilk as it was not in prattique and use in Scotland. And the English Landlords were so unwilling to part with any priviledges which brought them in any power, gain or profit, as where they held any of the Kings antient Demesnes, in Fee Farme, and the King did cause his antient Demesnes to be Tallied, the Lord or Fee Farmer under him would sue forth the Kings writ, commanding the Sheriff that in case the lands were auntient Demeasne, (t) & hucusque consueverit Talliari and was untill then accustomed to be Tallied, that *rationabile Talla-**

(s) *Shene de verbo, um significatione.*

(t) *Register of writs 87.*

Tallagium ei habere faceret de libere Tenentibus suis in manerio predicto sicut prius fieri consuevit, he should cause the Freeholders of the said Manor to pay unto their Lord such reasonable Tallage as was accustomed.

And with as much or more reason were the Pourveyances or Compositions for them allowed and established as the hitherto never complained of in Parliament or accounted to be grievances *Herzelda*, *Herriot* services, or *Herriots*, which *Skene* an Author of great authority amongst the *Scots*, defineth to be (u) *gratuita donationes que ab husbando seu agricola datur domino suo ratione dominij & reverentia*, the free gifts or remunerations of the Tenants to their Lords in the reverence and respect which they bear unto them.

(u) *Skeneus ad Tit. de Herzeldis in Quon. at tach. ca. 25. Alciat. lib. 1. parerg. ca. 45. & Spelman glossar. in voce Heriotum & Neostadius de feudis Hollandicis.*

Which the *Hollanders*, those grand contesters for Liberties, doe call *Laudemia*, and notably increase their small Revenues in lands with them: And in *England*, saith the learned *Spelman*, *Non nisi post mortem husbandi solvitur* is only paid after the death of the Tenant, and differs from a *Reliefe*; for that a *Reliefe* is in case of *Inheritance*, but an *Herriot* in a lesser Estate, as for life, &c. and being formerly and in the *Saxon* times of a greater value, by the giving or paying to their Lords Shields, Swords, Spears, Helmets, Horses furnished, and money, according to the several qualities and estates of the Tenants have been since by the example and indulgence of our Princes imitated by the Nobility and Gentry, reduced to the best horse or beast, and if none to the best household stuffe, but so greedily attached, or seldome remitted by the Landlords, as the poor mans single *Ewe Lamb* in the parable of

of the Prophet *Nathan* to *David*, or a Cow which should give the lamenting Wife and Children some nourishment and sustenance, are seldome able to escape their Bailiffes, or such as are sent to fetch them.

And if it be reason for the people to make such payments and contributions, and observe such respects to their Landlords and subordinate Governors or Superiors, as much, and greater surely ought they to pay unto their *Pater Patrie*, the protector and defender, as well of those that receive those duties, as of those that pay them, and are and should be enough to awaken and rouze up their graticudes, and imprint in their memories the never enough to be requited benefits and blessings received by our Kings and Princes, as much as if with a forfeiture upon the not doing or observing those Agreements, they had been as strongly annexed and incorporated into our Lands and Estates, as that of the Service or Conditions of Lands given to hold by the Tenures of Knight service which as some Civilians hold, (x) *ipsi sanguini coherent*, are inherent in the very blood of the Tenants, which being the most noble, gentile, rich, and better sort of the people, were when the Pourveyance was in being, the most fit and likeliest to be charged with the Payments or Contributions towards it; and were therefore in several Kings Reigns sometimes singly and often charged with publick Ayds or Taxes, and very much more then other of the people, as twenty shillings for every Knights Fee granted by Parliament to King *Richard* the first six and twenty shillings eight pence for every Knights Fee to King *John*, and as much at another time to him towards his Warres in *Wales*, twenty shillings upon every

(x) *Repetit. l. Imperial in Bartholmeo Camerari 769.*

very Knights Fee towards his Voyage into *Normandy*, and forty shillings at another time, and as much twice assessed in the Reigns of King *Henry* the third towards his Warres in *Gascony*, twenty shillings upon every Knights Fee by *Henry* the fourth (the Warres in *Scotland* by King *Edward* the first and *Edward* the second, and of *France* by King *Edward* the third, and the personal and chargeable services of most of the Nobility and Gentry therein probably procuring them some relaxation of not having their Fees or Lands so charged as formerly.) And besides other incidents belonging thereunto, are by the *Fewdals* said to be so more then ordinarily tied up unto gratuities and the more especiall duties and obligations thereof, as such a Tenant forfeits his Lands in Fee, *Si percipiat magnum periculum domino imminere, & ultro sine requisitione servitium non offert*; if he perceived any danger imminent or likely to happen to his Lord, and did not of his own accord offer his service to prevent it; or if his Lord were a Captive or in prison, ought to contribute towards his redemption, or if he should happen to fall into distress, was to relieve him as farre say some of the Fewdall Laws (which by stipulation or paction, being not at the first agreed upon, or included in the General words of defending the Lord and his Dignity, was with many other their gratefull observances afterwards particularized and deduced from such customes as gratitude only had in process of time introduced) and as much as amounted unto the Moiety of one years Rent, or *si (y) dominum in acie periclitantem deseruerit*, if he left his Lord in the field, and was ingratull; And by our Laws of *England*, if he or his heirs did not unto the Lord, or any of his heirs.

(y) *Besoldus* discurs. Politic. 741. & Comentar. duareni wesenbeeb & Contii in Consuetudine Feudorum *Obertus de Feudis* lib. 2. iii. 24 & 28. *Spelman* glossar. in voce auxiliium.

Heirs of whom the Lands were holden, his services within two years, was upon a *Cessavit per Biennium* brought by the Lord, and no sufficient distress to be found to forfeit the Lands so holden.

And from no other source or original was derived *Escauge* for the Tenants by knight service not attending the King or their Lords in the wars, which, as *Littleton* saith, was because the Law intendeth and understood it that the lands were at the first for that end freely given them, whence also came the Aide to make the eldest Sonne of the King a Knight, and to marry the eldest Daughter and the like assistances or duties unto the mesne Lords as gratefull acknowledgements for the Lands holden of them, which the Freeholders in *Socage* are likewise not to deny, and were not at the first by any Agreement betwixt the King and his particular Tenants, nor likely to be betwixt the mesne Lords and their Tenants when the Lands were given them; for that some of the mesne Lords might probably be without Sonne or Daughter, or both, or any hopes to have any when they gave their Lands, and their Grants doe frequently mention, *pro homagio & servicio*, in consideration only of homage and service to be done.

Littleton cas. 3. *Escauge.*

And being called *auxilia sive adjutoria*, Aids or Assistances to their Lords (who could not be then in any great want of such helps when the portions of Daughters were very much in vertue, and little in mony, and the charges of making the eldest Son a Knight, the King in those dayes bestowing upon all or many of them some costly Furses & Robes, and the other charges consisting in the no great expences of the furnishing out the young Gentle-

claus. H. 3.

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Gentleman to receive the then more martial better used and better esteemed honour of Knighthood) were reckoned by *Bracton* in the later end of the Reign of King Henry the third, (z) *inter consuetudines qua servicia non dicuntur nec concomitantia servictorum sicut sunt rationalia auxilia*; amongst those customes which are not understood to be services nor incidents thereof if they be reasonable.

(z) *Bracton lib. 2. tract. 1. cap. 16. num. 8.*

But were *de gratia & ut Domini necessitas secundum quod major esset vel minor relevium acciperet*, and proceeded from the good will of the Tenants to help their Lords as their occasions or necessities should require, *Et apud exteros* (saith Sir Henry Spelman) *non solum (a) ad collocandas sorores in matrimonium, sed ad fratres etiam juniores milites faciendos*; And with some forreign Nations (as the Germans, old Sicilians and Neapolitans) not only towards the marriage of the Sisters of their Lords, but to make also their younger Sons Knights.

(a) *Spelman glossar. in voce Auxilium.*

For, the good will and gratefull returns of the Subjects to their Kings and Princes, and of the Tenants to their Lords were not only since the Norman Conquest, but long before practised and approved by the Britains the elder and most antient Inhabitants of this our Island and other world, as is manifest by the *Ebidiu* or *Tributum* (b) paid *per Nobilium heredes Capitali provincie domino*, the Heirs of the Nobility or great men after the death of their Ancestors to the Lords or chief of the Province, like unto (as Sir Henry Spelman saith) our relief (which *Hottoman* termeth *Honorarium*, a free gift or offering) And that learned Knight found upon diligent enquiry amongst the *Welch*, who by the sins of their forefathers and injury of the *Saxons* are now

(b) *Spelman glossar. in voce Ebidiu.*

now contented to be called by that name, as Strangers in that which was their own Country, that that *Ebidiu* was paid at a great rate *non solum de pradiis Laicis, sed etiam Ecclesiasticis*, not only by the Laity but the Church-men

And being not discontinued amongst the *Saxons*, was besides the payment of Reliefs attended with other gifts and acknowledgements of superiority as well as thanks, for *Gervasius Tilburienfis* in the Reign of King Henry the second, when the people of England had not been so blessed and obliged as they were afterwards with the numberless Gifts, Grants and Liberties which in the successive Reigns of seventeen Kings and Queens after preceding our now King and Sovereign were heaped upon them, found *oblata* presents, gifts or offerings to the King to be a well approved Custom, and therefore distinguished them into (c) *quedam in rem & quedam in spem*, some before hand for hopes of future favours, and others for liberties or other things given and granted by the King, and the Fine Rolles of King John and Henry the third his Son will shew us very many *oblata*s or Free-will Offerings of several kinds, which were so greatly valued and heeded as King Henry the third and his Barons in or about the 23 year of his Reign (which was thirteen or fourteen years after his confirming of *Magna Charta*) did in the bitter prosecution and charge of *Hubert de Burgo* Earl of Kent and chief Justice of England, demand an Accompt *de donis & xeniis* of gifts and presents (amongst which *Carucagii* or carriages were numbred) *spectantibus ad Coronam* appertaining to the Crown.

(c) *Ex nigro libro in Archivo Fiscali sive recept.*

Fines 6 Johannis.

Mat. Paris 336.

And upon that and no other ground were those reasonable

sonable Lawes or Customes founded, that the King might by the Laws of England grant a Corody, which Sir Henry Spelman ex constitut. Sicul. lib. 3. Tit. 18. defineth to be *quicquid obsonii superiori in subsidium penditur*, provisions of victuals made for superiors; Et ad fundatores Monasteriorum, and to the Founders of every Monastery, though by the Constitutions of Othobon the Popes Legat in the Reign of King Henry the third, (d) the Religious of those houses were forbidden to grant or suffer any to be granted or allowed *communi jure spectabat corrodium in quovis sua foundationis monasterio nisi in libera Eleemosina fundaretur*, it belonged of common right to grant a Corrody in any Religious houses of their foundation, if not founded in Franke Almoigne, *disposuit item Rex in beneficium famulorum suorum corrodium, &c.* likewise the King might grant to any of his household servants a Corrody in any houses of the foundation of the Kings of England, and as many were in all by them granted as one hundred and eleaven, which that learned Knight conceived to be an argument that so many of the Monasteries were of their foundation, Et illud de common droit, saith the learned Judge Fitzherbert in his *Natura Brevium*, and also of Common Right the King ought (e) to have a reasonable Pension out of every Bishoprick in England and Wales for his Chaplain, untill the Bishop should promote him to a fitting Benefice.

(d) Spelman glossar. in voce Corredio, & F. N. B. 230.

(e) Fitz Herbert Novel Natura Brevium 230. A.

(f) Gencl. 22. v. 23. 26.

Which if the compositions for Pourveyances being reduced into contracts, and a lawfull custome, were or should be no other then gratitudes, may be as commendable and necessary, as those well approved Examples of thankfulness recorded in holy writ, of (f) Abrahams giving

giving King Abimelech Sheep and Oxen for his kindness shewed unto him in the Land wherein he had sojourned: Araunah bowing himself with his face to the ground before King David when he asked him to buy his threshing floor, and being willing not only to have given it him if he would have accepted it, (g) as a King and unto the King, as the Text saith, the Threshing floor, but Oxen also for burnt sacrifice.

And The custome of Strangers (much more to be observed by Subjects who are under greater obligations) in the Queen of Sheba's presents of an hundred and twenty Talents of gold, and of spices very great store, and precious stones, which she had before hand prepared and brought with her, and gave him at her departure, or in acknowledgement of her entertainment. And of Naaman the Sirians pressing the Prophet Elisha very hard after he was cured of his leprosie by no long or troublesome medicines to take a blessing of him, which may be understood to be no less an offer then a good part of ten talents of silver, six thousand pieces of gold, and ten changes of raiment which he took with him when he began his journey unto him to seek his cure.

And more expressions of thankfulness then the Royal Pourveyance amounteth unto may certainly be due unto the King, who doth not as many great and small Princes or States usually do in Germany and Italy, build Forts upon some or many rivers or passages, which may streighten, incumber, or terrifie Merchants with their Merchandize, or other men that travail in the day time, or at other seasonable times upon their occasions and affairs, to enforce a Toll or payments of money, nor make a Sundr or Baltick of the Anns or passage from Britan

(g) 2 Sam. ca. 24. v. 21, 22, & 23.

1 Reg. 10.

2 Reg. 5.

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flow to *Wales*, or out of *Lincolnshire* over the *Humber* to *Hull*, or at *Barwick* or *Newcastle*, or in the passage betwixt *Dover* and *Calais*, which might yeild him even of Strangers a benefit or profit as considerable, or very neer as much as the *Danish* King doth of the *Sund*.

Suffers not the people to be troubled in their going to Markets & Fairs, or passing to & fro with their goods or inland Commodities or Merchandize with any such *paages*, *payages* or monies as are now paid by Passengers through the divers great and small & many several Territories of the Nobility or Lords of Manors in *France* for carriage of Goods or Merchandise, some of which payments are called *Barrage*, by reason of a Barre put cross the way; or (*b*) *Billets* in respect of a Billet which is hung upon a tree to denote the entrance into another Territory, or *Pontage* for the passage over a Bridge, or *Prevoisse* for the Customes or Rights due in their passage to the Lord of that Jurisdiction, or the *Travers* which is paid by every one which carrieth anything to sell out of the Manor, Jurisdiction or Territory, and altogether doe make so great a trouble to the Carters, *Voituriers*, Passengers, or people, and the affairs of Merchandise, loosing much time in paying their *Billets* almost in every Parish as they pass finding out and carrying for those that are to receive it; and in some places having Souldiers, or some hungry and almost starved companions placed to receive it, and *Billets* hung out many times where they should not, and being constrained thereby to seek by-ways to escape such their too farre extended exactions, and hazard themselves if caught to pay *une grosse amende* more then otherwise they should, as the Commonalty and poor People of

(h) Charles
Loyseau traite
des seigneuries

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of *France*, who have little more for their hard labours and drudgery to comfort them then a *Lenien* or slender dyet all the year, with Taxes, Rags and *Apish* fashions, had rather pay another *Tail* or Tax to the King, or twenty times as much to the Lords in their *petites souverainetés*, little Royalties, then to be so much incumbered.

Which our Traders and Travailers are not at all troubled with, but are excused at Markets and Fairs, Cities or Towns of Trade by a Toll, which is more ancient then the *Conquest*, or a few Centuries, are now taken by the King where he or his Progenitors have not granted them away unto others at the same or some easie rates, which they were at some hundreds of years or long agoe, when the price of a fat Sheep or Mutton was but twenty pence, and the Toll in some places; (for they vary according to custome) at one half penny, a Sheep, amounted unto a fortieth part of the then value of a fat Sheep, which is now not seldome rated and sold at 20 s. (and may therefore be the more contentedly paid, and if raised up together with the *Picage* and *Stallage*, and for the *Pennes* to the now rates of victuals and provisions, would according to the difference betwixt the then small value of silver, and that which is now more then twice as much, and at 5 s. and a penny the ounce, and settled again in the Crown from whence it first came to many Lords of Manors, some of whom doe make 80 l. per annum by it, go a great way towards the loss or charges which the Counties doe pretend were laid upon them by the differences betwixt the Market prises and the rates which they did in the Reign of Queen *Elizabeth* agree by their Compositions

positions to serve in the provisions for her and her Royall Family, or if raised up proportionably unto the price which it bears in the Markets and Fairs since those Tolls were first set and imposed (which must needs be understood to have a greater respect to the value then the number;) or what they have been enhaunced since the 24. year of the Reign of *Henry* the eighth after the ounce of Silver was raised to five shillings, when a pound of Mutton was by Act of Parliament not to be sold above a half penny farthing; and in *Anno* 34 of *Henry* the eighth, 25 Boards or Stalls in the *Stocks* Market in *London* for Fishmongers paid rent yearly to the City 34 *l.* 13 *s.* 4 *d.* and for eighteen Butchers Boards or Stalls one and forty pounds sixteen shillings and four pence, or the Reign of King *Henry* the first, which was long after the custome of paying Toll, when the rate or price of a Mutton for the Kings provision was (i) *secundum constitutum modum*, according to the then valuation and rate set at no greater a price then four pence (so great a difference had two hundred years betwixt that and the Reign of King *Edward* the second made in the rates and provisions for victuals) would make an encrease of the rates for *Pickage* and *Stallage*, and for Toll as much or more after no greater a rate then twenty shillings for a fat Mutton (which is now often exceeded) as five to one, and come up very near unto the pretended loss or difference in serving in the provisions for the Kings house.

And if it did not may be well afforded, and was abundantly recompenced by the indulgence of his Royall Progenitors King *John* and King *Henry* the third his Sonne by their *Magna Charta*, Agreement,

Stoms Survey of London 421.

(i) *Gervasius Tilburienfis in Archivo Fiscali apud Recept. Scaccarii, & Spelman glossar. in verbo Firma.*

or Accord made with their then powerfull Barons and Church men, and a discontented and seditious Commonalty (since reduced into Lawes, and confirmed by thirty Acts of Parliament) wherein the people having many liberties granted them by those Kings the great Lords Prelates, and superior part of the Clergy of whom they held, which they could not then claim as rights, but were to be received as favours, and as much to be valued as their pardon and indemnity which was granted unto them by the same Charter, King *John* therein promising them that all those Customes and Liberties (k) *quantum ad se pertinet erga suos & omnes homines de regno suorum Laici quam Clerici observent quantum ad se pertinet erga suos*, as much as belonged to him he would observe towards all men, and that all as well Laick as spiritual should as much as belonged to them observe them towards such as held of them.

(k) *Magna Charta Regis Joannis apud Mat Paris 255. & 256.*

And by the late King *Charles* the *Martyr* who took but one hundred pounds for the Relief of an Earldome which was antiently accompted to be but of the yearly value of *four hundred pounds per annum*, the least of which are now three or *four thousand pounds per annum*, very many double as much, and some sixt en or *twenty thousand pounds per annum*, when as the *hundred pounds* was then according to the now value of silver above *three hundred pounds*.

9 *H. ca. 2.*
Selden 2 part.
titles of honor.

And to disburse in household provisions according to the difference betwixt the rates and prices of victuals as they were in the Reign of King *Edward* the second, which was above 80 years after the granting and confirming of *Magna Charta* by King *Henry* the third,

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when

when a Capon was sold for two pence, and what they are now will not be the fourth part as to some sort of provisions and victuals, and as to others not the sixteenth of that hundred pounds for the Relief of an Earldome, and so proportionably in other reliefs, and the summe of five pounds for the relief of a Knights Fee, which is but the fourteenth part according to the difference betwixt the antient and then value of the lands belonging unto a Knights Fee, now estimated but at three hundred pounds *per annum*, many of which are four or five hundred pounds *per annum*, and others of a greater yearly value, as the lands are lesser or more improved nearer or farther distant from London the grand *Emporium* of the Trade and Commerce of the Nation, and the residence of the King and his Superior Courts of Justice.

Charta H. 1 in Mat. Paris 240.

And are but the *Antiqua Relievias*, antient Reliefs, which King Henry the first in his *Charter of Liberties* granted to the people, did not reduce unto any certain sums, but ordered to be *justa & legitima*.

And but two hundred Marks for the Relief of a *Marquess*, and two hundred pounds of a *Duke* (although there were at the time of the making of those great Charters neither *Dukes* nor *Marquesses* in *England*, or any such Titles in being) and one hundred pounds for the relief of a *Baron*.

And if the warres had not hindred him from those and other his dues, but 20 s. for every Knights fee according to the Statute in *anno 3 E. 1.* towards the marriage of his eldest Daughter, and making his eldest Son a Knight, and no more of every twenty pounds *per annum* in *Socage*.

Did

Did not according to the Equity and Preamble of the Act of Parliament *de anno quinto Eliz. cap. 4.* which in regard that the wages and allowances limited and rated in former Statutes were in divers places too small, and not answerable to that time, respecting the advancement of prices of all things belonging unto Servants and Labourers, and that the Law could not conveniently without the great grief and burden of the poor Labourers and hired men be put in execution, and to the end that there might be a convenient proportion of wages in the times of scarcity and plenty, did repeal so much of the said former Statutes as concerning the working, and wages of Servants and Labourers, and enacted that the wages of Artificers Labourers and Servants should be yearly assessed by the Justices of the Peace and Magistrates in every County, City and Town Corporate with respect to the plenty and scarcity of the time, and other circumstances necessary to be considered, endeavour to raise them to any higher sums, or make them proportionable to the present values of lands and money, rates and prices of victuals.

And by the favour of his now Royal Majesty, who delighting in the *vestigis* and pathes of his many indulgent and Royall Progenitors, though his own very great wants and necessities, and their daily importunities might have advised him not to have kept the road of his Ancestors liberality and bounty, but to reserve some kindness for himself and his more urgent occasions, did not as King Henry the third and several other Kings of *England* his Successors cause his Taxes & Assesments by Parliament to be assessed upon oath according to the full and true value of the peoples Estates, or as was done by King Edward the sixth since the Sta-

Mat. Paris 380.

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tute

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tute of 6 Ed. 3. for restraining the Parliament aids to the old Taxation upon the assistance or relief then so called, given unto him by Parliament; and make enquiries upon oath of the best values of the substance of such as were to pay that Relief, Dismes and Subsidies; and by the oaths also of those who were to pay them, and caused some to be sworn to value clothes to the end that the King might receive payment of Relief for every cloth; or as Queen Mary did, cause an enquiry to be made upon oath of the value of the goods and lands of such as were lyable to the payment of Fifteens Dismes and Subsidies in the 2, 3, 4, and 5. years of her Reign. But in his Assessments, Aids or Subsidies granted by Parliament did imitate his Royal Father King Charles the first, who took and received all his Subsidies at two shillings eight pence in the pound for goods and moveables, and four shillings for lands and immoveables (with defalcation of debts, and consideration of a greater then ordinary charge of children) assessed by an expresse exception without oath, and the Commissioners left at liberty to assess themselves and the Assessors according to the old and easie Taxations.

Anno 4 Car. 1.

Takes and receives his First-fruits, or the first years value of Bishopricks, Spiritual Promotions and of Benefices not under ten marks per annum, and Vicarages not under ten pounds per annum, (since treble those values) as they are said to be in the Kings books, and for the Tenths of their Spirituall Promotions after no greater a rate or yearly value, which no Act of Parliament ever obliged him to doe, then they were long agoe valued, with some very small encrease or raising long since in a very few of the Bishopricks (but in many, as Canterbury,

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terbury, York, Durham, Lincoln, Coventry and Lichfield, Exeter, Ely, Winchester, and Norwich, much abated) when as now by the rise of money and prices they are greatly different from what they then were, and are of some of those Benefices and Spiritual Promotions, but the eighth or tenth, and of many but the twentieth part.

And receives his *pra-Fines* and *post-Fines*, Licences and Pardons of *Alienation* upon Common Assurances at less then a tenth, and many times less then a twentieth part of the true yearly values of the lands or rates which the Law (ordering the compositions to be upon oath) intendeth him, after the example of his Royal Father, who permitted the yearly value of lands in *Capite* and by *Knight-service* to be found by Juries and Inquisitions at the tenth part of the now true yearly value, when as by oath they were to find and certifie the true yearly values, and all the Lands of the Kingdome but his own are raised and improved generally ten to one, or very much in very many parts, and particulars thereof more then what they were two hundred years last past in or about the Reign of King Henry the sixth, when as the errable and pasture lands which are now in *Middlesex* let at fifteen or sixteen shillings per annum an Acre, and Meadow commonly at forty shillings, and sometimes at three pounds the Acre; were in Anno 1 Ed. 3. at a farre lesser yearly value, when two Totes of Land, one Mill, fifty acres of Land, and two acres of Wood in *Kentish Town* near *London* was of no greater yearly value then 20 s. and 3 d. and the courser sort of pasture land in *Essex* now let for 8 or 9 s. the Acre, and Meadow at twenty or thirty shillings the Acre, was then

then in that Countie, and in many fertill Counties within sixty miles (and farre less) of London valued but at eight pence per annum, and four or five pence the Acre errable, and the like valuations were holden in licences of Mortmain in all his extents or values of lands seised or taken into his hands.

Received their primer seifins at the like small yearly rate, and took for suing out of Liveries, which may be resembled to a Copiholders admittance, not a fifth part proportionably to what is now paid by Copiholders to their Lords of Manors; and respites of homage, as they were taxed and set in anno primo Jacobi, in a very easie manner.

Did not in the valuation of Lands and Estates, as some Lords of Manors have been known to doe, whereby to rack and oppress the Widdows and Fatherless, employ some Sycophants or Flatterers of the Manor to over-value them, or have some Decoyes in the assessing of Fines to seem willing to pay or give as much when they are sure to have a good part of it privately restored unto them again, or cause their poor Tenants to be misled, and the more willingly cozen themselves by crediting hard and erroneous Surveyes, taking Leases of their Copihold Estates or using some other unwarrantable and oppressive devices, worse then the Pharisaicall Committees did in the renting of lands they had no title unto, when they did put men to box one another by overbidding themselves at their wickedly improving Boxes.

Instructions of King James to his Council of the Court of Wards and Liveries.

But did according to his Father King James his instructions given to his Council of the Court of Wards in the assessing of Fines for the Mariages of the Wards and renting

renting of their Lands (which too many of the Nobility and Gentry, and other of his Subjects did never or very seldome order the Stewards of their Manors to doe) order that upon considerations which might happen therein either by reason of the broken estate of the deceased want of provision for his wife, his great charge of children unprovided for, infirmity or tenderness of the Heirs, incertainty of the title or greatness of the incumbrances upon the Lands, they should have liberty as those or the like considerations, should offer themselves to use that good discretion and conscience which should besit in mitigating Fines or Rents to the relief of such necessities.

Suffers the Fees of his Chancery and Courts of Common-pleas and Kings-Bench for the small Seals, to be received; as they were in the Reign of King Ed. 3. ^{Peit Parliam. 21. Ed. 3. n. 43} and the Tenths reserved upon the Abby and Religious lands at no greater an yearly value then they were in the later end of the Reign of King Henry the eighth, when they were first granted, though now they are of a four times or greater yearly value. The Fees of the Seals of Original and Judiciall Writs and Proces in Wales, as they (1) were in the 34. year of the Reign of King Henry the eighth when the English Courts of Justice were there first erected; ^{(1) 34 H. 8 ca. 26.} takes six pence a piece for Capons reserved for Rent in Queen Elizabeths time; the issues of lands forfeited unto him upon Writs of distringas at such small rates as six shillings eight pence upon one distringas, and 10 s. at another, which the Law intendeth to be the profits of the Lands distrained, betwixt the Teste and the return of the Writs, which would have amounted unto twenty times, or a great deal more, and receiveth his Fines upon Formedons, and o-

the real Actions granted and issuing out of the *Chancery* at most gentle and moderate rates, his *Customes* inward and outward at easie rates proportionable to such small values as the *Merchants* advantage to themselves shall give in, or the Officers or Commissioners for the King at the *Custom-house* shall at randome and without view think to be a favourable and easie estimate.

Some single ones, of which before recited under valuations, besides the profits of the Tolls of Fairs and Markets if rightly and justly paid according to the true improved values, or two of the most of them would make up in a constant Revenue unto him a great deal more then the Compositions for his *Pourveyances* yearly and lately amounted unto by the difference betwixt his rates or prices and those of the Market.

A due consideration whereof if there were nothing else to put in the Ballance might induce the Earls, Marquesses and Dukes of *England* who have received their honors and dignities from his Royal Progenitors, to permit him as well to enjoy his *Pourveyance*, and reasonable support & maintenance of the honor of himself and his Royal Family, as they doe take and receive of him their *Creation* monies, being antiently a third part of the fines and profits of the Counties whereof the Earls are denominated, since reduced to a certain and yearly sum of money, when as also not a few of them have had great and large Revenues given them by his Royal Progenitors to uphold and sustein their Dignities and Honors.

And the Bishops whose Bishopricks and Baronies, and most of the Revenues belonging unto them were of the foundation of the Kings Royal Ancestors, and received

received their Investitures and Temporalities from him, may if they shall think the Compositions for *Pourveyances* ought not to be charged upon the Revenues of the *Holy Church*, and that of the Clergy but shall claim some priviledges and exemptions therein, be pleased to remember that although *Simon Islip* Archbishop of *Canterbury* being in many things a man of a severe life and discipline, did write his *Speculum Regis* afore said, or a book so called, sharply inveighing against the Kings *Pourveyors*, and their manner of taking the *Pourveyance* without money or due payment; in some sence and feeling probably of the taking of it from the Clergy complained of by them in the Parliament of 18 of *Edward* the third, they being no longer before exempted from it (some only as the Abbot of *Battel* and others specially priviledged excepted) then the first year of the Reign of that King, who as *Matthew Parker* in the life of *Walter Reynolds* Archbishop of *Canterbury* mentioneth, being very well pleased with the Clergy for so freely contributing to his Warres; did in Parliament not only restore unto them *vetera & antiquissima privilegia Ecclesie Anglicane*, the old and antient Rights of the Church of *England* (which by *Magna Charta* could as to Cart-taking claim but the same freedom which those did who held by Knight service; viz. that their own Carts used in their Demeasnes should not be taken for the Kings use) but *de novis auxit (i.e.) de non exigendis a Clero in regis hospitium esculentis poculentis, vecturis & similibus*, gave them new priviledges, that is to say, to be freed from furnishing of Carts and provisions of victuals for the Kings Household.

Charta Gulielmi Conquestoris in notis Seideni ad Hist. Edmeri

Yet he and all other the Bishops of *England* could at the same time (and their Successors after them do unto this day justly and lawfully) take & receive in their Visitations once every 3 years a certain Rate or Tax set upon every Benefice *propter hospitium* towards the charge of their expences, house-keeping and victuals, which, saith (m) Mr. *Stephens* in his learned and judicious Treatise of Procurations and Synodals, are *Perquisites or Profits of their Spiritual Jurisdictions, as creation money given to a Duke or Earl for the maintenance of his honour*, and by reason of the great Trains & Attendance of Bishops heretofore with *one hundred or two hundred* men and horses at a time, some of the Visitors carrying Hounds and Hawks with them, and sparing not the exempt and privileged places, it grew to be so excessive as *interdum Ecclesiastica ornamenta subditi exponere tenebantur*, the poor Clergy were enforced to make provision for them, by selling their Church plate and ornaments, and it was therefore by a Constitution of *Boniface* the eighth, about the year 1295, ordained that the Archbishops should be limited unto 40 or 50 men and horses, the Bishops to 20 or 30, the Cardinals unto 25, and the Arch-Deacons unto 5 or 7, and they were prohibited to carry Hounds and Hawks along with them, and that also bringing but little ease to the inferiour Clergie (saith (n) Mr. *Stephens*) because when victuals were not furnished they being left unlimited in Compositions or summes of money to be taken in lieu or recompence thereof, broke down the doors of Monasteries and Churches, taking where they were denied what they could lay their hands on, which caused the Councell of *Vienna* in the

(n) *Stephens*
discourse of
Procurations,
Synodals, &c.
44.

(n) *Stephens*
Ibidem 13.

the year 1311. to declaim against and prohibit such doings, which being not redressed might have put *Simon Islip* in mind who was betwixt that and 1349. when he was elected Arch-bishop of *Canterbury* in almost the *zenith* and height of his preferment, as Councillor and Secretary to King *Edward* the third, and Keeper of the Privy Seal, to have written as well against the abuse of Visitations and Procurations, if the Book which I have not seen, and is only to be found in *Sir Robert Cottons* excellently well furnished library, do not (as I could never understand it did) mention them, as against the abuses in the maner of making the Kings *Pouveyances*.

But was the cause howsoever that Pope *Benedict* the twelfth, about the year 1337. which was the eleventh year of the Reign of King *Ed. 3.* did make a Canon or Constitution to settle a proportionable rate of mony to be paid in lieu of victuals or provisions out of all Churches, Monasteries, and Religious Houses not exempted, and where custome and the smallness of the Benefices have not lessened it, was, as *Lindewood* saith in the Reign of King *Henry* the fifth of and out of every Benefice for the *Arch-Deacons* procuration no less then *seven shillings and six pence*, which was for each man attending him *twelve pence* towards the defraying of his charges (being then a great ordinary) and *eighteen pence* for the *Arch-deacon* himself, as well when they did visit as when they did not. And even *Simon Islip* himself whilst he was so busie about other mens failings was not without some of his own, nor was so great a friend to Justice in every part of it, or in his own particular as he might have been; for when he

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had been (as *Matthew Parker* Arch-Bishop of *Canterbury*, one of his reverend and worthy Successors, in the Reign of *Queen Elizabeth* recordeth it) at some extraordinary charges in repairing of his Manor house at *Wrotham* in *Kent*, and obtained a Licence from the Pope to tax all the Clergie of his Province at a *grout* in every *twenty* marks towards his expences therein, the Collectors did (probably by his privity) so order it, that they gathered a *Tenth*; which being complained of could never be refunded: And if he and his Successors had not continued the custome of their Procurations and other profits raised from the Clergy towards their more honourable and necessary support, would have been blamed as much as he was by *(o) Matthew Parker* and others long before his time with a *male audit*, for releasing to the Earl of *Arundel* for 240 marks the yearly payment of 26 red and fallow Deer in their seasons to the Archbishops of *Canterbury*.

(o) *Mat. Parker* *Antiquitates Britannicæ* 244. 248.

Who as well as other Bishops can take and receive *Subsidium Cathedralicum*, which is a duty of prerogative and superiority, *Quarta Episcopalis*, which is given to them for the reparation of Churches, which if the Cathedrals be not intended thereby is not bestowed upon the Parochiall Churches, which the Rectors and Parishioners are now only charged with.

Doe continue their taking also of *Proxies*, being an exhibition towards their charges for their visitation of Religious houses, since dissolved, and not now at all in being, and permit their *Arch-Deacons* in some Dioceses to receive their *Pentecostalia* or *Whitsun farthings* for every Family yet used and taken by the Bishops & *Arch-Deacons* of the Diocesses of *Worcester* and *Glouce-*

Gloucester, & be well pleased with some good Benefices many times allowed them in *Commendam* to make out and help the inequality of the Revenues of some of their Bishopricks, with the greater charges and expence of their spirituall dignities.

And their middle sort of Clergie can be well content to eike and piece out their Benefices with the comfort of the Lands belonging to a Deanery, *Prebenda* or Prebendship of Lands and other Revenues annexed to the Cathedrals, many if not most of which with the Deaneries and Prebendships thereunto belonging (as the Deanerie and twelve Prebends of *Westminster* by *(p) Queen Elizabeth*) were of the foundation and gift of the Kings Royal Progenitors.

(p) *Camden* 1. part. *Annales* of *Queen Elizabeth* in *Anno* 1560.

Which comfortable and necessary supports of our Bishops administred by their Clergie, are *ex antiquo*, and long agoe resembled by some or the like usages in *Ireland*, where the *Coloni* or *Aldiones*, such as hold in *Socage* of the Irish Bishops, did besides their Rents and Tributes *erga reparationes Matricis Ecclesie quidpiam conferre*, give something (yearly) towards the reparation of the Cathedral or Mother Churches, and the *(q) Herenaci* another sort of Tenants so called, did besides their annual rent *cibaria quadam Episcopo exhibere*, bring to the Bishop certain provisions for his Household (which was very frequent with the Tenants of Lands holden of our English Abbies and Religious Houses) & by an inquisition in the County of *Tirone* in *anno* 1608, it was by a Jury presented upon oath that there were *quidam Clerici sive homines literati qui vocentur Herinaci*, certain learned men of the Clergy who were called *Herinaci* & *ab antiquo seisiiti fuerunt, &c.* And anciently

(p) *Spelman* in voce *Herenacis*.

(182)

ciently were seized of certain lands which did pay to the Arch-bishop or Bishop of the Diocess *quoddam charitativum subsidium refectioes & pensiones annuales secundum quantitatem terræ & consuetudinem patriæ*. a dutifull and loving aid, and some provisions and pensions according to the quantity of their lands and custome of their Country, and the grants of such lands as appeareth by a Deed of the Dean and Chapter of *Armach in Anno Domini 1365.* to Arthur and William Mac. Brin for their lives, and the longer liver of them at the yearly rent of a mark and eight pence sterling *una cum aliis oneribus & serviciis inde debitis & consuetis*, with all other charges and services due and accustomed had in them sometimes a condition of *quam diu grati fuerint & obedientes*, so long as they should be gratefull and obedient unto them.

Wherefore the Barons, Nobility and Gentry of England who did lately enjoy those beneficiall Tenures by *Knight-service* (now unhappily as the consequence and greater charges and burdens upon the people will evidence, converted as much as an Act of Parliament in the twelfth year of the Reign of his Majesty that now is can doe it into *Socage*) which were at the first only given for service and assistance of their King and Country and their mesne Lords in relation thereunto, and have besides the before recited conditions many a beneficiall custome and usage annexed and fixed unto them, and at the dissolution of the Abbies and Religious Houses had much of the Lands given and granted unto them and their Heirs in tail, or otherwise with a reservation of a *Tenth*, now a great deal below the value, can doe no less in the contemplation of their honours, dignities and priviledges

(183)

priviledges received from them, and many great favours continued unto their Heirs and Successors from *Generation to Generation*, then doe that in the matter of *Præemption*, *Pourveyance* or *Contribution* towards the *Composition* or serving in of *viçtuals* or *Provision* for his Majesties Royal Household, and the honor of his House and Kingdome, which their Ancestors did never deny.

The Lord Maiors of London who doe take and receive yearly a payment or Tribute called *Ale-flower*, and the Citizens of London who doe claim and enjoy by the Kings Grants, Charters, or Confirmations a freedom from all *Tolls & Lastage* throughout England, besides many other large priviledges and immunities, and the Merchants of England, and such as trade and trauell through his Ports, and over his Seas into forrain parts and are not denied their *Bills of Store* to free their Trunks, and wearing Clothes and other necessaries imported or exported from paying any Custome and other duties, which with many other things disguised and made *Custome-free* under those pretences for which the *Farmers* of the *Customes* have usually had yearly allowances and defalcations would amount unto a great part of the peoples pretended damage by the compositions for *Royall Pourveyance*, should not trouble themselves with any complaints or calculations of it, when as both Citizens and Merchants can derive their more then formerly great increase of trade and riches from no other cause or fountain then the almost constant residence of the King and Courts of Justice in or near London, and the many great priviledges granted unto them and obtained for
them

them by the Kings and Queens of England.

The Tenants in ancient *Demesne* claiming to be free from the payment of *Tolls* for their own household provisions, and from contribution unto all wages assessed towards the expences of the Knights of the Shires, or Burgeses sent unto the Parliament, which (r) Sir Edward Coke believes was in regard of their helping to furnish the Kings Household provisions, though since granted to other persons, and their services turned into small rents now much below what they would amount unto, and many Towns and Corporations of the Kingdome, the Resiants in the *Cinque Ports* and *Romey Marsh*, Universities of *Oxford* and *Cambridge*, and the Colledges and Halls therein, and the Colledges of *Winton* and *Eaton* claiming to be acquitted from the payment of Subsidies by ancient Exemptions, may be willing to pay or bear as much as comes to their share in that one of the smallest parts of duty which is not to be refused by such as will fear God and honour the King.

(r) Comment. in Artic. super Chartas 542, 543.

(s) Vide Act for Subsidies in Anno 4 Car. 1.

And all the Subjects of England who enjoy their Common of Estovers in many of the Kings Woods or Forrests, Pannage or feeding of Swine with Acorns, or fetching of Ferne from thence, Priviledges of Deafforestations, *Assart lands*, *Pourlicus*, and *Browse wood*, and have Common of Vicinage, and Common appendant not only therein, but in most of his Manors by a continuance or custome of the charity, or pitty of his Royal Progenitors, and where they have no grant to produce, for those and many other favours will for refuge, and to be sure not to part with it, fly to prescription and time beyond the memory of man, and



and suppose that there was a grant thereof, because that possibly there might have been one, should not think much to let him partake of some of their thanks and retributions, which will not amount to one in every twenty for all the benefits which they have received of his Royal Ancestors, or doe yearly receive of him.

Nor should forget that God Almighty the maker of heaven and earth, giver of all good things, and bestower of blessings, who fed his people of Israel with Quails in the Wilderness where none were bred, *Manna* where none was either before or since, and made the Rocks to yeild water, did in his *Theocracy* or Government of them by his Laws and Edicts written by his own finger, or spoken by his own mouth, give all the Nations of the Earth a pattern or direction for Pourveyance and gratefull acknowledgements in his reserving the Tenths or Tithes for his Priests or Clergy, notwithstanding their Glebe, and 48 Cities with the *Pomerias* or Lands belonging unto them, and their shares and parts out of the multitudes of Sacrifices, with many other Fees and Priviledges which were for a further support and provision for them great offerings of Oxen, Silver and Plate brought unto the Tabernacles by the Princes and the Heads of the houses of their Fathers, which God himself directed *Moses* to receive and dispose amongst the *Levites*, and the offerings at the Feast of the *Passeover*, which later if not brought were to be very poenal to the refuser, in being to be cut off from his people; their Offerings and Free-gifts and First-fruits, and that which was brought by Gods direction as a Pourveyance for the building of the Tabernacle, which was then the only Church.

Leviticus 28. v. 32, 33. Numbers 18. v. 21.

Numbers ca. 7.

Numbers 9. v. 13.

B. b

Which

Which our fore-fathers the Britans as well as the Saxons had so good a mind to imitate as they did in the Feast of St. Martin, yearly offer to the Church for their *Cirickseat*, or contributions to the Church, *certam mensuram bladi Tritici*, a certain measure or quantity of wheat, and at Christmas, *gallos & gallinas* Hens and Cocks, which in a Synode or Councell holden in *Anno 1009. at Aenham in England*, were interpreted to be *Ecclesiastica munera*, contributions to the Church, and long before that established by a Law of King *Ina's* under a great penalty, and by a Law of *Canutus* long after laid under a greater penalty of eleven times the value to the Bishop, and two hundred and twenty shillings (then a very great summe) to the King.

Fleta lib. 8. ca 47. Spelman glos. far. in voce Cirickseat.

In LL. ca. 4. Canuti LL. ca. 10.

Zach. 9. 9. Mark 11. v. 3.

And it may be remembered that our Saviour the blessed Son of God whilst he was upon Earth, and was the *Messiah* or King of *Israel* long before prophesied, and to ride as a King in a kind of triumph into *Ferusalem*, and would not use unfitting or unjust wayes and means unto it, did send two of his Disciples for a Colt, or Foal of an Ass, to ride upon, with no other answer or satisfaction to be given to the Owner, but that *the Lord hath need of him, and streight way he will send him hither*; which a learned Commentator upon that place understands to be some exercise of a Kingly power to convince the stubborn *Jews* of his Kingly office.

But if the Royall Pourveyance or Compositions for them shall be so unhappy as not to be able to grow or prosper upon the *Sticks* of gratitude, or those every dayes benefits, *que magna accipientibus ac etiam dantibus*, which are great to the receivers if rightly valued, and great and costly to the givers, which the people of this

might

might be fortunate. *Island* have for those many ages and hundreds of years past had and received of the Kings and Monarchs thereof.

The contracts and agreements made with the several Counties for the Pourveyances & their willing submission thereunto if the King had no former right (as he had a sufficient one) thereunto, can no less then induce an Obligation, & that *naturalem rationem & honestatem naturalem juris & fidei vinculum quibus necessitate omnes astringuntur*, natural reason and honesty with the Bonds and Tyes of the Law and common faith which ought to be in every man, and one unto another; And being the great *Peacemakers*, cement and quiet, if observed as they ought to be, in all the affairs of mankind, brings with them, or are to enforce a necessity of performance.

Bracton de actionibus ca. 2. & Oldendorpius in locis communibus Actionum Juris Civilis 9. & 11.

But if the obligations which the faith and contracts of one man to and with another, which generally binds the most rude and ignorant of mankind, and the Heathen as well as Christian shall not be able to make any impression upon us.

Or if Gratitude, Duties and Retributions to our King and *Common Parent* can by any rules of Law or Reason be interpreted or understood to be no more then a *Custom*.

All the subordinate ranks and degrees of the People and Subjects of *England* might be perswaded to follow the counsel given by the blessed *Redeemer* of Mankind, which the Emperor *Severus* and some of the Heathen Roman Emperors by the only light of nature could, as if they had read his Gospels, propose afterwards almost in the very same words of *Doe unto others as they would have others doe unto them*, and believe that the legall

B b 2

privi-

Glof. in vo b.
usque ab hoc
tempus c. servi-
tium 18 q. 2.

priviledges and customes of the King in his *Præemption*,
Pourveyance, or Composition for his Household (who
gave or confirmed unto them all their Priviledges and
Customes) being *rationabiles*, and by the Civil Law are
understood to be *legitime præscripta*, most reasonable
and lawfully prescribed or used, when they are *bona fide*
and but for forty years, and ought to be *inviolabiles quia
nec divino juri, nec legibus nature & Gentium sive muni-
cipalibus contradicunt*, inviolable when they contradict
not the Laws of God, Nature and Nations, and the
Laws of the Land, neither are nor can be any grievance,
but are justly due unto him as he is their Supreme, when
as it was well said by Judge *Barkley* in his Argument
in the Exchequer Chamber in the Case of the *Ship-
money* unhappily there put to a dispute, *the whole Realm
is but one body (whereof the King is the head) and all the
Members doe center in that body) and if one member (es-
pecially the head do suffer) all the rest will suffer with him,
and though every man hath an Interest in the Common-
wealth, yet the Kings Interest is incomparable and beyond
all others.*

Camden 1. part.
Annals of
Queen Eliza-
beth.

A'ciat. lib 5.
de Just.

And the Compositions for the Pourveyance, being
not only a duty and a custome now above 88. years rec-
koned but from the 3. year of the reign of Queen *Eliza-
beth*, (which was the time of the first agreement, or com-
positions for the most of the Counties of *England* and
Wales) to the death of King *Charles* the *Martyr*, and from
his death to the restauration of *Charles* the second, his
Son & our gracious Sovereign in the twelth year of his
Reign, will yeild no less a Totall of years then one hun-
dred, which is justly accompted to be a time immemo-
riall or beyond the memory of man, and makes a more

Warrant.

warrantable prescription and ground of Title then that
in King *Henry* the seconds Reign *tempore Henrici Regis
Avi*, in the time of King *Henry* the first his Grandfa-
ther, or *post coronationem suam*, after his own corona-
tion, or *post ultimam transfretationem in Normanniam*,
after his last going over into *Normandy*, or that in *Hen-
ry* the thirds time, *post ultimam transfretationem in Bri-
tanniam*, or that time of Limitation by the Statute of 32
H.8. ca. 2. of 50 years for bringing of Writs of *Right* and
Formedons, &c. And in the Kings case, being a greater
Epocha, period, or account of time, must needs be the
best of *Præscriptions* and the greatest of *Customes*, be-
cause it was not gained as most of the peoples *Customs*
or *Prescriptions* were, the best of which had no other o-
riginall then the continuance of favours of those that
bestowed and permitted them to be enjoyed, or a neg-
lect of taking or calling for duties untill time had over-
run and covered them with that which is now called a
Custome or *Prescription*, but were established by a
threefold obligation composed of a *Right* or *Duty*, a
very ancient *Custome* backt by the *Laws* of God,
Nature and Nations, and a *Contract*, made and con-
tinued by the people to their King, built upon the best
and greatest of considerations, which the Prophet *Da-
vid* in the 15 *Psalm*, if it had not been beneficially, but
to some loss or damage, adviseth not to be bro-
ken.

And merited the better observance, in that Queen
Elizabeth did but the year before call into her *Mint* and
reduce unto pure silver the monies which her Father
King *Henry* the eighth had so much debased with a
mixture of brass, as it was scarcely half the value in sil-
ver.

Camden 1. part
Annals of
Queen Eliza-
beth in Anno
1560.

ver, which made the price of commodities so much or a great deal the dearer, and by her Edicts did all she could to bring down the prices in the Markets, which then began to swell more then there was any cause for, and in her composition and agreement with many or most of the Counties of *England* and *Wales* the next year after, did but accept of what then they understood might, as the learned and judicious Mr. *Camden* hath informed us, *justo pretio*, at a reasonable or Market rate be, well afforded.

And the Lords of Manors who according to the severall customes thereof think it not unreasonable to enjoy their *Chevagia* or Chiefage, which *Comel* takes to be *pecunia Annua data potentiori tutela patrociniique gratia*, a small yearly payment paid by Tenants as acknowledgements, for favours and help received, or to be received, and take their reliefs of their Tenants in Socage, in some places by custome a years value, and in some but half as much, and in others more according as their customes vary, the least of which in value of money doth twice exceed what it amounted unto formerly, & enjoy their *Free Warrens* and *Rishings*, with many other Priviledges and immunities by Grant or Prescription, and with the Yeomanry, and lower ranks of people, can be content to claim the benefit of their Customes *de non decimando*, of paying no Tythes at all for Lands formerly belonging to the *Cistercians*, *Knights Templers*, *Hospitlers*, or *Knights of St. John of Jerusalem*, or of a *modus decimandi*, of paying but a penny or some little yearly summe of money in lieu of all Tythes, and make an inheritance of the greatest part of 3845 *Impreparatibus* with the *Smoke-pennies*, or *Peter* or *Chimney*

ney-penco, which being formerly paid unto some Abbies and Religious Houses, and coming afterwards to the Crown in the Reign of King *Henry* the eight, and granted out again by him, are in many places as Appendants unto some Manors paid unto this day; And think it no grievance to enjoy them and many other priviledges, which were by Grants, or Exemptions by Papal Constitutions, designed to Religious and not any Lay uses.

And the customary services of their Tenants, to repair wayes and Bridges, contribute to the maintenance of a Priest or Preacher, or to the marriage of poor Maids, or to carry *Milstones* some miles distant to their Milnes, to doe suit of Court, or be *Buller*, *Baker*, or *Carver* at some Festivals, and can notwithstanding all the sometimes tedious Suits in Law of their Tenants, who hold by Fines incertain, and their complaints *cram'd* in a great purse made of many little ones, attended with staves and ill-smelling shoes and feet, travelling for relief to *Westminster* Hall, and the superior Courts of Justice, with store of out-cries of grievances and oppressions, filling every Alehouse they come in with the lamentable tediously told *stories* of that which they doe many times but guess to be like them, raise their Fines for admittances unto two years present value, which amounts unto sixteen or twenty times as much as the antient value and demand, and take ten or thirteen shillings an Acre to reduce the Fines incertain to a smaller certainty.

Can take the *Optimum Animal*, or best horse or beast for a *Herriot* at the death of their Tenants when it exceeds the value of as much as 40 or 50 or 100 to one,

Weavers fune-
ral monuments
176. & Sir Ro-
ger Twisden
Vindication of
the Church of
England 77.

L.L. Galietni
Conquestoris 29.

one, of what it was at the *Conquest*, when it was reduced from a greater to that lesser rate and within a month or less after take as much as they can get for an Admittance of the Widdow or Heir of the deceased (which in Copihold Estates differs very Little from a Reliet) and in some places, as in *Cumberland, Westmerland,* and some adjacent Northern Counties compel them, besides their formerly perilous enjoyed services annexed to their Lands, to be ready night or day to repell the incursions of their plundering and unruly *Scottish* Neighbours, to pay a thirtieth penny after the rate or assise of their old rents upon every Alienation, and a twentieth upon the death or change of a Landlord, which were formerly more easie, and have been since only raised to those higher rates in regard of a greater value since put upon lands, household provisions and comodities, should not murmur at the small oblations which in no burdensome, great, or general contributions are to be made unto the King for the maintenance of himself and his Royal Family.

And the *Copiholders* who can when they please think themselves happy in their customes of Fines certain, which *patientia & charitate in jus transferunt*, crept by the charity and sufferance of their Landlords into that which they doe now call *Tenant rights*, when as the lands which they do now hold is in the improved yearly value ten or sixteen or twenty times, in many places more then the former yearly value, and are by so much beyond the intention either of the Lords or Tenants, the Grantors or Grantees when those Fines certain were at the first set or accepted, and in those Tenant Rights, as they call them, and many of their Customes, have in many

many places large Pastures and Meadows of many Acres yearly thrown out at *Midsummer*, or the first day of *August*, or some other time in the Summer, or latter end thereof, for a Township to inter Common for three quarters of every year, or some months, and in some places have Common belonging to their Copyholds, for paying to the Lord of the Manor yearly (as in *Graves Case in Hil. 37 Eliz.* a hen & *Cokes 2. part 5. Reports.* five eggs, much increased in price since that collateral recompence (as it was in that case resolved to be) was first taken, continued, and preserved unto them by the care of the King and his Laws, by Inquiries formerly in the Eyres or Circuits, *de novis consuetudinibus levatis*, if any oppression, or new customs were imposed by their Lords; and no sooner complained of any, but had their remedies by a writ of *ne injuste vexes*, where their Lords did *indebita servicia exigere*, require customs and services not due, or writs to command their Lords to keep their Courts when the necessities of Justice & the Tenants required them, seising them if they did not do Justice, causing their Lands to be seised for not holding of their Courts, or for wrongful proceedings, or requiring unreasonable rents & services, taking unreasonable Amerciaments & the like, & gives remedies by his Courts of *Chancery, Common-Pleas, Kings-Bench & Exchequer*, to any unreasonable exactions or hard-heartedness of their Landlords, & those Acquittances and Freedoms which the King, and his most illustrious Progenitors have given many of the people of *England* to be free, *de omni prestatione*, of furnishing Corn, Lamb, and Wool, to the use of the Forresters of *Buckstall*, or assisting them in the Chase when the King comes to hunt;

Glanvil lib. 12. cap. 9. and Coke Magna Charta ca. 10.
Fitz Herbert. brief de droit. patent. N. N. B. & Register of Writs.

the 4th part
Institutes.

hunt; or of *Tristris*, to hold Grey-hounds; or of *Su-
mage*, or carriages by Horse or Carts; or *Chiminage*, for
travelling through the Forrests; or of *Bridgebote*, to be
quit of making of Bridges in the Forrests, or their
bounds; and granting likewise that ancient priviledge
to the Nobility, Bishops, & Barons, coming to Parlia-
ment, or returning from thence, to kill one or two of
his Deer, in any of his Forrests, Chases, or Parks,
should be as unwilling to see his Royal Liberties,
Legal Customs, and Priviledges infringed, denied, or
taken from him, as their own.

But if neither gratitude for benefits and favours re-
cieved in particular by every Family, Kindred & Ge-
neration, in the Nation, one time with another, from
the King, or his Royal Progenitors, immediately or
mediatly, nor contracts nor customs can oblige or per-
swade to that small part of Subjects duty in the Præ-
emption, or royal Pourveyance, or compositions for it,
which *Oliver*, & his Complices, the Contrivers of much
of our late *sins*, *shame*, and *mifery*, taught them by a
strange mistaking, to call a burden or grievance.

They should not deny them as retributions & oblati-
ons which they are to make unto their King (if he, or
his royal Ancestors, had not in every age & Kings reign
given them any honours, dignities, estates, lands, liber-
ties, or priviledges) for his protection only, & care of
them, and for their peace, plenty, & good Laws, & the
happinefs imparted by them, (which is not to be out-
weighed by any assistance which they can give unto
their Prince, & Defender of their faith, as well as their
estates) or as tributes which *Peter Martyr*, a godly & lear-
ned foreign Protestant Divine, call'd hither by K. Ed. 6.

Peter Martyr's
Comment. in
lib. 1. Reg.

to assist in the work of Reformation, saith, are *veluti*
symbola subjectionis & mercedis cuiusdam eorum laborum,
*qui sua propria neglexerint, & ideo necesse est ut de pub-
lico provideatur,* as signes of subjection and retributions
for their cares of the people whilest they neglect their
own affairs; and therefore, it is fit, they should be pro-
vided for out of the publick by Tributes, which, be-
sides the allowance which our *Saviour Christ* the Son
of God the greatest of Legislators gave of them, were so
necessary and usuall, as *ferè cum Regibus esse nata mil-
lamque penè gentem fuisse unquam que Regibus atque Ma-
gistratibus suis de publico non solvent tributa unanimes*
est Historicorum ac Politicorum consensus, they were as
ancient almost as Kings, and brought into the world
with them, saith *Besoldus*, and it is the unanimous opi-
nion of all that know any thing of history and policy,
that there never was Nation in the world which did not
pay tributes to Kings and Magistrates.

*Besoldus in dis-
curs. politic. de*
Arario ca. 1.
& Bullinger de
Vestigal. ca. 1.

And may deem his just and legall prerogatives and
reasonable priviledges and customes in his rights of
Pourveyance to be as deservedly belonging unto him
his Royall Crown and Dignity, as Swans not and mar-
ked, and Whales & Sturgeons, which *Bracton* tells us do
propter privilegium & de jure gentium, by priviledge and
the Law of Nations belong unto the Crown, and Por-
poises, Dolphins, and all other Fishes strange for bulk,
rarity or quality, for that by custome the *Sovereign*
Prince (say the ancient Sea Laws of *Oleron*) ought to have
*his share, demand, or pleasure therein, and with good rea-
son; for the Subject owes obedience and tribute to his Sove-
raign, who may as his Ancestors grant Raiage & Plank-*
age, and oughe to have as much right & as great a privi-
ledge

Cas. de Swanns
Case 7. Kelat.
Stamford pleas
of the Crown,
and Bracton lib.
3. de corona.

Pat. 20 Ed. 3.
m. 1.

lege, not yet rest ained or taken away by his Royal Progenitors assent to any Act of Parliament in his *Præmition* and royal *Pourveyance*, as King *Henry* the third had in the fourth year of his reign, who being to transport his Army into *France*, commanded by his Proclamation *omnes victualium mercatores*, all Market-folk in the Counties of *Berk. Southt. Somerset, Dorset, and Wiltshire quod veniant ad Portsmouth cum victualibus, & quod nullum mercatum teneatur in Comitatu predicto. quoadiu, &c.* to bring victuals and provisions to *Portsmouth*, and that no Markets should in the mean time, or as long as the Army there continued, be kept in the said Counties, which would of necessity abate the prices.

Ex libro Comput. Garderobe 34 Ed. 1. ex parte Rememb. Reg.

Or as King *Ed. 1.* did in anno 34. of his Reign, assigne *Robert Bacon* the Sheriffe of *Cambridge* and *Huntington* Shires, *ad blada emenda infra Ballivam suam per visum & ordinationem Willielmi de sancto Georgio & Gulielmi de Say milit. mitend. usque Berwicam super Twedam ad expensas hospitii, & exercitus Regis in guerra Scotia*, to buy and provide corn within his Balliwick by the view and assistance of *Sir William St. George* and *Sir William de Say* to be sent and conveyed to *Barwick upon Twede* for the provisions of the Kings Household and Army in the warres of *Scotland*, viz. 40 quarters de frument. & 425. quarters *Brasii*, prec. quarter 4 s. & 425 quarters 3. *avenæ* prec. quarter 2 s. 6 d. 40 quarter of corn and 425 quarter of Malt or Barley at 4 s. a quarter, and 425 quarter of Oats at 2 s. 6 d.

Pat. 33 Ed. 3. par. 3. m. 4.

Or as King *Ed. 3.* had by his Letters Patents in the three and thirtieth year of his Raigh to seise and take *Falcons* and *Hawks* to his use, and limit the price of them, *en le Cite de Londres, & les lieux environ bien*

bien en cau come en terre cest a sçavoir le falcon gentil pour 20 solz le Tersel gentil pour 10 solz. & le Laner pour demy mark destre payer par les mains des ses viscounts, in *London* and the parts adjacent, as well upon the water as the land, that is to say, twenty shillings for the *Falcon-gentil*, ten shillings for the *Tersel-gentil*, and a noble for a *Laner*, to be paid by the Sheriffs, which hath an affinity or neer resemblance with *Solo-mons* Merchants receiving the linnen yarn which came from *Egypt* at a price.

1 Reg. 10. 28.

Or to grant a Toll without act of Parliament as well before as since the Conquest for murage or repair of the walls of Towns, as *Ipswich, Harwich, Newcastle upon Tine, Ludlow, &c.* or Cities, as *London, Norwich, York, Bristol, &c.* which must of necessity raise the rates of commodities brought thither to be sold, and by the same power or authority remit or release them, and being granted to many Cities or Towns but for three or seven years, or as to *London* for five years, or some other short term since expired, is, as may be feared, under a colour of custome or præscription as yet continued.

Pat. 11 E. 3. m. 5. 3. part. 22 E. 3. part. 1. m. 20. Pat. 24 E. 3. part. 2. m. 16. 25 E. 3. part. 2. m. 9. 28 E. 3. part. m. 4. Pat. 12 E. 3. part. m. 15. Pat. 12 E. 3. part. 1. m. 2. Pat. 11 E. 3. part. 3. m. 5.

Or being Sovereign of the *British* seas, to take weekly for all *Herring* taken therein, six pence for every Ton, and the like for other fish every three weeks either of his own Subjects or forraign Nations, or for his Admiral under him to take the tenth of all the Prizes, or Ships of his Enemies taken at the Sea, and money for Anchorage, paid by every Ship for their quiet riding in the river of *Thames*, or any of the Kings Harbours.

Rot. Parl. 2 R. 2. & Seldens Mare clausura

And with as good reason as the *Burrow Mealis* in *Scotland*, where *quilibet Burgensis debet domino Regi pro Burgagio*

2. Parliament James 1. ca. 8. Spelman in verb. Borrow mealis.

Burgagio quinque denarios annuatim & dicuntur incorporari, annexique Fisco & patrimonio Regis, every Burges was to pay five pence per annum for his mealis (which Sir Henry Spelman interprets to be a Farme appropriated to buy provisions in regia mensa apparatus, for the Kings Table or Household) and are said to be incorporate and annexed to the Patrimony of the King and his Exchequer.

Borrow Lawis ca. 39.

Or as the Provost of Edenburgh or other borough Towns in Scotland may take and receive four pence upon every quarter of Malt of ilk Brewster quhe brewes aill all the zeir four pennies, and for ane halfe zeir twa pennies.

As the Apprisers of flesh are appointed to apprise it at the Kings price ilk dayes of the Markets, and to admit the catch of the Fisher in that matter.

Statutes of David the Second Anno 1347.

And as by the Statutes of King David the second, it was ordained that for relief of the inward parts of the Realm, quhair woll hes course and quhilks ar burdened with customes, and that the remanent parts of the Realm may be made equall with them in all services and burdings. It is Statute that certain sommes and quantities of victuall quhareof there is abundance in these utward parts (sick as Marts heir and sicklike sall be taken up zeirly at the Chamberlains command to the expenses of the Kings house according to the prices quihilk in auld times used to be taken up in these places.

5. Parliament Mary 1551.

Queen Mary, the Lord Governour, and Lords of secrete Counsell havand respect to the great and exorbitant dearth risen upon the will and tame Fowles, ordained the prices thereof, as 5s. (Scottish) the Swan, the black Cock and gray hen, six pennies (twenty of their pennies being

being but two pence) the woodcock four pennies, and the doufen of Laverocks and others small birds four pennies, &c.

And by as good reason as King James the sixth his Majestyes Grandfather confirmed the Acts of Parliament made by his noble Progenitors for the stanching of dearth of Victuals, and setting order and price on all Stufe, and ordained all Earls, Lords, Barons, as well within regality as royalty, and their Bailles to landwart, and the Provestes and Bailles of all Burrows and Cities to cause the said Acts to be put to due execution, every ane within their boundes and Jurisdiction respective makand and constitutand them Justices to that effect, with power to make and appoint Statutes and Ordinances for the special observation of the saidis Acts at every head Court zierly.

7. Parliament King James 6. An. 1581.

Assigned money and victuals of several Shires and places in Scotland, to the keeping of the Castles of Edinburgh, Dunbartane, Stravilinge, and Blacknes.

9. Parliament James 6. 1585.

Declared the tenths of all Herrings taken in the Scottish Seas to be due unto him as King of Scotland and all infestments and Alienations in feu ferme or uthermates, and all dispositions quhatsumever in all time bygane, and to cum, of the Assise Herring to be nil and of no avail, because the said Assise Herring pertanis to the King as ane part of his Customes and annexed property.

15. Parliament James the sixt.

And by as much (or a greater) warrant or assent of reason, as King Henry the 5. of England did in a Patent or Grant of the Lord Lieutenancy of Ireland to James de Boteler Earl of Ormond, authorise him ad victualia sufficientia & necessaria pro expensis hospitii sui ac Soldariorum suorum in quocunque loco infra terram predi-

Etam

Pat. 7. H. 8. m. 9.

Statum per Provisores hospitium sui & alios ministros suos unacum Carriage sufficienti pro eisdem tam infra libertates quam extra feodo Ecclesie duntaxat excepto pro denariis suis rationaliter solvend. capere & providere juxta formam diversorum Statutorum de hujusmodi provisionibus ante hec tempora factorum, to take victuals sufficient and necessary for the expences of his Household and his Souldiers by his Pourveyors and other Ministers in any place whatsoever in Ireland, with carriages sufficient for the same, as well within liberties as without, the Fees of the Church only excepted, at reasonable prises, according to divers Statutes made concerning provisions.

And was so well grounded upon Law and reason, as all the succeeding Lord Lieutenants or Deputies of Ireland have ever since not wanted those necessary priviledges to attend their high & honourable trusts & employments, & could so little be parted with, in the 19. year of the Reign of Queen Elizabeth, when Sir Henry Sidney was Deputy of Ireland, as the Earl of Desmond, the Viscount Balinglas, & other unquiet spirits refusing to pay the provision or *Casse*, as they there called it for the Lord Deputies house, & the Souldiers in Garrison, which the learned Camden saith was *ex actio rei Annonaria certo pretio*, provisions to be furnished at a certain rate or price *ad alendum proregis familiam militesque presidarios*, for the Lord Lieutenants or Deputies Families, & the Souldiers in Garrison, *quasi non exigenda nisi ex autoritate Parliamentaria*, as not due unless it were ordained by authority of Parliament: & sending over their complaints into England, the Lords of the Privy Council upon the hearing & debate

Camden. 2 part. Annals of Q. Elizabeth de Anno 1576.

bate thereof committed them, and those which remained in Ireland, and had sent them, were in like manner imprisoned untill they should submit to the payment and furnishing thereof, for that it appeared by the Records of that Kingdome to be *antiquitus institutum* an antient constitution, & *ius quoddam Majestatis*, a part of the right appertaining to the soveraign Power, Præeminence or Kingly Prærogative, *qua legibus non subicitur, nec tamen legibus adversatur ut Jurisprudentes judicant*; which being not against the Laws was not to be subjected to them, saith that worthy Historian, the Queen then only ordering the Lord Deputy to use as much moderation as he could in taking those Provisions or Pourveyances.

And as necessary as that most prudently governing Queen (who as King James her Successor saith, *prudencia & felicitate imperandi omnes ab Augusto principes superavit*, in the wisdom and happiness of her government out went and exceeded all the Princes of the world since *Augustus Cesar*, understood it to be when by a warrant under the hand of the Earl of Leicester, Master of her horse, bearing date the 3. of July 1574. she commanded the furnishing of four able Cart Horses or Geldings, with all manner of furniture for draughts to serve her during the Progress. Or as he by a just authority derived from her by his letter bearing date the 29. day of June before, authorized the Knight Marshall to apprehend and punish all such, as *George Middleton* one of the Surveyors of the Stable should inform not to have done their duties in furnishing provisions for the Stable, and by his warrant bearing date the 20. of October 1574. which was in the seventeenth year of her

Rex Jacobus in his Basilicon Doron, or instructions to his Son Prince Henry.

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reign

reign directed to the high Constable of *Elshorne* in the County of *Middlesex* commanded the Inhabitants to furnish the arrears of composition Oats for the years 13, 14, 15, and 16 then last past, as also the composition Oats for that present year. And the like to the Constables of the hundred of *Steworth* in the said County, and by a warrant under his hand in the year 1576 in the 19. year of her reign, ordered the taking up of 16 *Ambling Mares* for the service of her Majesty at reasonable prises in such places as they should think meet.

Stones Survey of London.

And by as much right and reason as the Maior and Magistrates of *London* did in the seventh year of the reign of King *Edward* the second set prises on victuals, & ordered no more to be taken for a fat Oxe then 24 s. a fat Goose two pence half penny, a fat Mutton twenty pence, a fat Capon two pence, a fat Hen a penny, two Chickens a penny, three Pignons a penny, and 42 Eggs a penny, and as the present Lord Maior doth or should daily and weekly by his Officers rate and set prices upon all *Fish, Cheese, Salt, Onions, Garlick, Oats, Pease, Victuals* and *Fewell* brought unto *London* by water, and upon all manner of *Grain* and *Victuals* brought by land, and to commit to prison such as disobey, which doth or might make his own provisions to be much the cheaper.

M. S. of the ancient order and government of the City of London.

Pat. 8 Ed. 2. part. 2. m. 7. & 21.

Pat. 10 Ed. 2. part. 2. m. 11.

Or as the Maior of *London* did in the 8. year of the reign of King *Ed. 2.* take for the strengthening of *Newgate* and the Gaol therein, and the repair of certain Chambers there by the Kings grant or Licence *certam consuetudinem de rebus vanalibus*, a certain Toll or Custome of things to be sold, or the like shortly after

after in *auxilium*, or ayd to build a new Bulwark upon the wall of the City near the house of the Friers predicants.

Or as there was a Fee Farm rent of 80 l. per annum to the King and his Successors aunciently and long agoe reserved, payable by the Town of *Droitwich* in *Worcester-shire* for their Salt pits, wherein their Burgers doe claim by proportions an estate of inheritance.

Or as in the Collieries of *Newcastle upon Tyne*, wherein the Owners of the Soil have an inheritance and propriety, the King and his Progenitors have a legall allowance or imposition of twelve pence upon every *Chaldron* of Coles.

And with better reason may set a rate or price year by year upon his household provisions then *Solomon* did, who though he in the Trade managed for himself in sending his ships to *Ophir* to fetch gold and silver, made it to be (in the large expression or manner of speech) as plentiful as stones in the streets, yet he did not give to all or any of the Tribes of *Israel* their Lands or Possessions, who had them at their first coming into the Land of *Canaan* by *Joshua* and divine appointment allotted unto them, and not given unto them by any of their Kings.

Reg. ca. 10.

Or if he gave them any (which doth not appear) did not do it so largely as our *William* the Conqueror did in the rewarding of those that assisted him, if what he so gave amounted but unto as much as would in those dayes make a competent living or maintenance, for 10000 Knights and their Heirs (which some that lived in or near his time believe to have been more then for

Spelman gloss. voce Feodum

60000*l.* and valued but at 20*l.* *per annum*, as they were reckoned in 1 *Ed.* 2. would amount unto 200000 pounds *per annum*; and if but at three hundred pounds *per annum*, which is now the least improvement would amount unto as much as *three millions per annum* sterling, besides large quantities of Socage lands, with twice or thrice as much more in the several reigns of our succeeding Kings, given to the people in lands and yearly revenues of inheritance.

Nehemiah 5.
v. 10.

Or then *Nehemiah* who having the provisions allotted to the Governor, and in compassion of the poverty of the people for that part of time remitting it, could tell them that *he might exact it of them*; but did not give them any Lands or Possessions, and being but as a *Conductor* or *Governour* of them, had not, if he would, wherewithall to doe it.

So as all degrees, ranks and orders of the people of *England* may, if the difference or value betwixt the former and present market rates and prices, should be the *onus* that troubles their ship and affairs, permit it to take its rest, and be as well contented with that in the Kings case as they are in many of their own, when as many of them can retain and keep without any murmur or grudging above 30 thousand pounds *per annum* lands of inheritance, or as some have computed it above eighty thousand pounds *per annum* (being almost all the certain and reall revenues which are remaining to the Crown) holden of his Majesty and his royall Progenitors in *Fee Farme* at the small rents, which were at the first, and long agoe reserved thereupon, when as at the times when they were first reserved, they were in the intencion of the Donors, or the allegations likewise, or intentions

intentions of the Donees proportioned according to the then yearly value of the Lands, which are now improved in many or much of them to a twentieth, thirtieth, fortieth, fiftieth or sixtieth part more then they were, and if they were not (as they are) at all, or so very much improved, are no more then one in three to the price or value which silver now bears by the Ounce, more then formerly, and five pound of that rent when it was first reserved would according to the rate of 2*d.* a Capon in King *Edward* the seconds time, many of the *Fee Farm* rents having been more anciently reserved) have bought 600 Capons at the then Market price, & now at two shillings six pence a Capon (which is less by six pence or twelve pence in a Capon then the King now paieth for them) will buy but forty, or if as they were in the beginning of the Reign of Queen *Elizabeth*, at six pence a piece in the Market, would buy 200 Capons, and at two shillings six pence but forty, and the five pounds *Fee Farm* rent in King *Edward* the seconds time, when a fat sheep was sold for twenty pence would buy thirty, but now at twenty shillings a fat *Sheep* no greater a number then five: And the Kings losses and the Tenants gains thereby will many times multiplied yearly exceed the yearly sum which they pretend is lost in the Compositions for his Majesties *Pourveyance*.

Stores Survey
of London 925.
in quarto.

And all the people of *England* who doe pay Tithes in Corn, Cattle, &c. in kind, when Corn at the rate which Wheat was sold at in 51 *Hen.* 3. (when the *Af-*size of Bread and Ale was set or confirmed) but at 12*d.* a quarter is at 32*s.* a quarter, which was the price in 3 *Caroli primi*, now 34 years since, when by a Statute made

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made in that year, it might when it should happen to be so cheap be transported into the parts beyond the seas, not the thirtieth part of that then esteemed to be an easie, and reasonable price, or at two shillings six pence the quarter, supposed in 51 H. 3. to have been a rate which in a dearer time it might have risen unto, would be but the thirteenth part of two and thirty shillings, or at twelve shillings the quarter, which was in those antient times deemed to be the highest rate that any dearth or scarcity could bring it unto, is but little more then one part in three of that *medium* or moderate rate in 3 Carols of 32 s. the quarter, and farre short of the rate of 40 or 48 shillings a quarter, when it is now reckoned to be cheap and reasonable, or of 4 l. a quarter, as it is in this present year much dearer, are not to deny the payment of the improvement of their Tythes by their own industrie, or what they exceed the first intentions or grant of them.

And that part of the people which doe pay their Tithes to Impropiators and Lay men, cannot be ignorant that the first intention and right use of them is so laid by and difused, as the hospitality, reliefe of the poor, repair and adorning of Churches, which were some of the causes for which they are paid, and which the Abbies and Monasteries when they were in being took a greater care of then those that lay it out in the excess, pride, vanities and humours of themselves or their lavish and expencefull wives, and convert all their hospitality and care of the Poor and Churches into gilded Coaches and *Butcherflye* Lacquies, which being most of the household which can be afforded to be kept, are carried up and
down

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down the streets of *London*, that grand *Magazine* and Nurserie of all vices, at the end or breech of the Coaches, whilst the Church is but meanly repaired and ill-favouredly kept at the charge of the Parishes, the Poor not pitifully but beggerly and in a wofull manner provided for by a rate or taxe of the Parishes, the Vi-car not allowed the *stipend* if it be a small Appropriation, or in many places where they are greater little more then a *rent*, and at the best not enough to keep him and his wife and children from being the prognosticks of a famine, and comes short at the years end of *Mica's* Salary, *often shekels of silver, a suit of apparel Jud. ca. 18. and his victuals*, which renders him a scorn to the wicked, and a pitty to those that love God and goodness, who are not certainly mistaken when they think a better allowance would yeild them better Preachers.

May be as little displeas'd with the failing or falling of the Kings price or rate for his household provisions, as they were in being quitted of *Cerage* or *Waxscot*, thrice a year paid towards the charge of candles in the Churches. Or as the Landlords or Lords of Manors, who doe now receive their Rent-services or Quit-rents at a far lesser value then they were originally intended, or now are, or the Tenants and those that pay them, who are by so much more the gainers.

And the Town of *Alesbury* in the County of *Buckingham* may the better bear her part of the Composition for the Royall Pourveyance, for that the Town it self and their then liberties and priviledges were freely granted by some of the Kings Royal Progenitors to hold in *Capite* by the service of keeping all the distresses of Cattel, &c. (which in those dayes were many)
which

which the King or his Sheriff, or other Ministers in the County of *Buckingham* should cause to be taken for his debts, and feed them in the common Pasture of *Alesbury*: And to take for every Colt, Oxe, Horse, and Cow not milcht a penny, for every four Sheep a penny, for every four hogs a penny; and for every day and night whilest they stay there *pro singulis distributionibus* for every distress a penny: And the Sheriffe was to bring his distresses taken for the King no where else, which the Town by a disuse being altogether freed from doe not at all murmur at that which was given them for no other intent or purpose.

Inquis. 10 E. 2. n. 142.

Escaet 23 E. 3. post mortem Roberti de Byker.

Also the owners of the Manor of *Byker* in the County of *Northumberland* which is holden of the King by the *Serjeanty* to receive and keep safe at *Byker* all distresses taken within that County for the Kings debts; not being now troubled at all with the distresses taken for the Kings debts, need not repine at the Pourveyance or Compositions for it.

For they and all other are to consider that if the Kings Royal Progenitors had not, as King *Henry* the first, condescended to accept of the rents, or such part as was usually paid in provisions for his housekeeping, the lands which they or those which claim under them have ever since held, and are so greatly improved, as five or more to one in some places, and twenty or more in another allowing them a variation according to the nature or fertility of the ground, or distance nearer or further from *London* or other Towns of trade or intercourse; or the *Sea Ports* might well have born the charge of the Kings provisions, though they do now so much exceed their Market rates.

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And that as that King and his Successors have exchanged it for money, which makes them to be the greater losers, and the Tenants the greater gainers, by so much as the money reserved for rent falls under the now value of money and the Market price; for things to be bought with it, would amount to a great deal more then the pretended losses by the Kings Pourveyance or compositions for it.

That the Law, Justice and Equity which binds the King to that prejudicial (as it hath since happened) condescension of his Royal Ancestor King *Henry* the first, in taking money for his provisions, ought *a fortiori*, to bind his Subjects to those beneficiall contracts made by their Fore-fathers and Predecessors with Queen *Elizabeth*, if they stood upon equall terms with him, and owed him neither gratitude, allegiance, or subjection.

That he who is so great a looser by the change & alteration of times, and his own & his Royal Progenitors bounties and indulgences, might howsoever be allowed to be a little gainer in that one particular of the Compositions for his Pourveyances (for in every thing else he is abundantly a very great looser) and ought as well to take an advantage by it as the Clergie, and Impropriators of *England* doe by the rise and encrease of their Tithes and improvement of their Glebes, and are sure to be gainers by the difference in the value and price of commodities, when as they sell their corn at the highest rates, and make the improvement of their Glebes to follow the rise of money and the Markets.

And may take it to be no *Paradox* or stranger to any

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mans understanding or belief, that the King who by his Lawes hath ordered, that reasonable prises and rates should be taken for victuals and household provisions for himself and all his people; and if his Sheriffs, Justices of Peace, Clerks of the Markets, and the Lords and Stewards of Count-leets had but imitated the care of their Predecessors in the execution of the trusts committed unto them by their Sovereign and his Lawes; or of the Sheriffs in the reign of King *Henry* the third, when as the King by his Writ being petitioned to give the Sheriffe of *Bedford* a power to dispence with the Vintners in the Town of *Bedford* for selling wine above the rates & affize, doth it in these words, *Rex, &c. Vis. Bed. salutem, Quia Villa de Bedford, distat a quolibet portu maris duas dietas, tibi precipimus quod permittas Vinitar. Bed. Sextarium vini Franc. vendere pro 8. denar. & sextarium vini Andeg. Wascon. & de Blanc. pro 10. d. non obstante, &c. Teste R. &c.* allowing them to take for a pint and a half, if the Sextarie was then accompted to be no greater a measure of wine 7 *d.* and for the like measure of white wine of *Anjou* and *Gascoine* 10 *d.*

And had not, as they doe daily, too much neglected the execution of the Lawes, and laid by their duties to God, their King, and Country, and by being over wakefull and diligent to improve their estates and private interests, taken a *Nap* or fit of sleeping in point of time, farre beyond that of the seven notorious *Sleepers*, might at this day have been out of the reach of the causeless murmur of those who, as they were seduced and fooled by *Oliver* and his Associates, in the greatest of iniquities, can make a *Non causa* to be a cause of their Complaints

claus. 10 H. 3.
m. 13. in dorso.

plaints and of a grievance to themselves, when as they and many of their fellow Subjects are and have been the only and immediate causes of it, and if rightly considered, is a reall grievance to the King, and to all that buy more then they sell.

And that if the King and his Lawes had been as they ought to have been better obeyed and observed in such a Land or Kingdome as *England* is, which is justly accompted to be blest with so much peace and plenty, and such an *over-plus* of all things good and pleasant as well as necessary for the sustenance of the People or Inhabitants thereof, as a *deer* year is not heard of above once at the most in ten or twenty years, but many very cheap ones.

The rates or prices agreed upon by the Counties in the fourth year of the reign of Queen *Elizabeth* would have been enough and sufficient, or more then enough, if the Acts of Parliament of 25 *H. 8. ca. 2.* to suppress the enhaunce of the then Market rates, which may well be supposed to have been much cheaper then what it was in *Anno 4* of *Elizabeth*, and the Statutes of *incerti temporis.* or King *Henry* the third, 3 & 4 *Ed. 6. ca. 19.* & 5 *Ed. 6. ca. 14.* against *Forestallers* had been duly put in execution.

And that the 12. Counties bordering upon *London* and adjacent, as *Middlesex, Essex, Kent, Surrey, Sussex, Hertford, Buckingham, Berkshire, Bedford, Oxford, Cambridge* and *Huntington* Shires, making no small gains by the vent and rise of their provisions and commodities, and an high improvement of their Lands beyond all other Counties and Parts of *England*, would if the Markets had been regulated and kept down

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to such just and reasonable prices as might have been well enough afforded, have for want of their now great rates for victuals and commodities night and day sent unto *London*, that greatest belly and mouth of the Kingdome, and their racking or improving of their Lands, been constrained to let fall and diminish their rates and prices, and follow the regulating of the Markets, and make their prices and rates to be conformable to the Laws and plenty of the Kingdome, which would have brought unto them and their Estates a greater or more then supposed damage, many times, and very far exceeding the pretended losses of serving in their proportions of the Kings provisions, as they were agreed upon.

And if this shall not be believed without experiments or demonstrations, they may be quickly brought to assent unto that which will certainly prove to be a truth, that if the King should, as King *Henry* the second, keep his Court and Parliament for a time at *Clarendon* in *Wiltshire*, or, as King *Edward* the first did, keep his Court and Parliament in *Denbigh-shire* at *Rutland* (too often mistaken and called *Rutland*) or at *Carnarvon* in *Wales*, or at *York*, where whilst he was busie and employed in his Warres against the *Scots*, he kept his Terms and Court for seven years together, or as many of the former Kings did keep their *Christmas* and other great yearly Festivals sometimes at *Nottingham*, other times at *Worcester* *Lincoln*, and other places far remote from *London*. And as the Sun yearly diffuseth his light and heat in his journey through the *Tropicks*, some at one time, and some at another unto all parts of the world, or as the blood in the body naturall daily circulates,

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circulates, visits and comforts all the parts of it, should enrich & comfort most of the parts of his Kingdom with the presence and influence of his Courts and residence.

Those rates and prises in the Composition for *Pourveyances* would rather prove to be too high a rate and allowance then too little.

As it happened to be in *Anno* 1640, when the late King and Martyr was enforced to be with his Court and Army about *Newcastle* upon *Tine* on the borders and confines of *Scotland* where the cheapness of victuals and other provisions at the Market rates in those parts fell to be very much under the Kings rates or allowance according to the Compositions for his *Pourveyance* made in the Reign of Queen *Elizabeth*, which the Inhabitants and People thereabouts understood so well, as a great store, and farre more provisions being daily brought in at those rates then the King and his then more then ordinary numerous retinue could expend, he was (which many that were then present can testifie) enforced by a *Proclamation* to forbid the bringing in of great quantities, or more then was necessary.

And if the rates which Queen *Elizabeth* accepted her provisions to be served in by the Counties had been agreed to have been paid in money, and not in kind, and had by the fall of the Markets, which the Lawes well executed would in a Kingdome of peace and plenty have easily brought to pass, been too high a rate, and more then the provisions served in kind would have amounted unto, those who made that agreement for themselves and the Counties and places which they represented could not have receded from it, no more then she or her Successors, if the provisions served

(1214)

served in kind should have grown cheaper, or might have been had for less money, or been bought by her Officers at easier rates than the Compositions, could without the help of a *Proviso*, with honour or Justice have desired that her provisions might not have been served in kind by the several Counties of *England* and *Wales*; but that the money or rare then agreed upon to have been the price of those provisions should have been yearly paid into the *Exchequer* to be disposed of for that purpose, which probably might have been the reason that at the first agreement made by several Counties for the Compositions, some for 3 years, some for four, and some for seven, there was a *proviso* that either party disliking (which until our mad times of quarrelling with the sixth Commandment, and finding fault with every thing that sed not the rebellious humour, was not at all done by the Counties) should be at liberty, and free from that agreement.

For there can be no reason (unless ingratitude and unreasonableness, neglect of Laws and Duties, breach of Faith and Contracts, and reasonable Customs unto the King and Sovereign shall be installed virtues, and put in the seat of *reason*, and understood to be no otherwise) that when all the Lands of the twelve adjacent and neighbour Counties of *London* have been so exceedingly, and to such a height improved, and the Lands of all the other Counties of *England* and the Dominion of *Wales* have by neighbourhood and communication largely likewise, and more then formerly, improved and raised their rents and estates by the rise and greater prices given for Corn, Cattel, Victuals, and all other Household Provisions

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visions more then they were heretofore, the Landlords made to be so very great gainers, and the Tenants if they be no great gainers, sure enough to be made losers by heightening the prices of Corn, Cattel, and all other victuals and household provisions, the King only should bear the burden, and not partake of some of the fruits (if there were nothing else to require or deserve it) of their great advance and increase in all their Estates and Revenues.

And that he by whole power, alliance, and interest with foreign Princes the People of *England* doe enjoy the trade as well inward from forraign parts as outward into them, the many priviledges and immunities procured for our Merchants by his famous Progenitors and Predecessors, as that of *Burgundy* and the *Neatherlands*, *France*, *Spain*, *Portugal*, *Ligorne*, the *Russian* or *Muscovy* Trade, the *Hanse* or *Hamborough*, *Turkish* and *East-Indie* Trades; for all which but *Burgundy* and the *East-land* Trades our Merchants are beholding to Queen *Elizabeth* and King *James*, the *Rex Pacificus*, with the Trades now beginning to flourish in and with our English Colonies in *Virginia*, *Bermudas*, *Barbados*, *St. Christophers*, *Mevis*, *New-England* and *Siamam*, &c. which doe serve to augment our plentifulties and delicacies in *England*, and his protection of them and all their Trades with forreign Princes by his Leagues, Confederacies and Ambassadors and allowing them the freedom of the Seas and Ports and that beneficial Trade for the *London* Woodmongers or Colliers to *Newcastle upon Tyne* for coals, where their Chaldrons by which they buy, are more then

then double to what they sell and measure by at *London*, and the owners of the Collieries to gain their custom, doe not only sell at cheap and easie rates, but give and allow them for nothing, seven and sometimes eight or nine Chaldron of their great and double chaldrons; and notwithstanding their easie and small rates can by engrossing and keeping them upon the River of *Thames* unfold, and a combination and confederacy among themselves sell their coals at 24 or 30 s. a single or *London* chaldron, and think that also not to be gain or profit enough unless they can upon any Frost or increase of winter weather, or the news (sometimes but feigned or pretended) that a Ship or two of coals were cast away by storms, raise their coals 2, 3, 5, 10, or 20 shillings more in a chaldron when they please, to the damage of the Rich, and great oppression of the Poor, who buy their coals by the peck, and must pay a greater rate for them then their labours & small earnings every day from 4. in the morning untill 12. at night will amount unto; and did in the times of Rebellion, and pretence of *Gods glory* to be advanced by it, continue their mystery of trade and oppression to such a height & impudence, as when it was proved at a Sessions at the *Old-Baily* in *London*, that they might sell cheaper, and the Lord Maior and Justices had put a rate upon coals, and ordered that they should sell accordingly, neither the fear of Laws or Magistrates was able to perswade them to an obedience, or diswade or deterre them from their Liberty of sinning, should be denied such a legal, antient and reasonable duty.

And

And may believe that the granting and permitting of Marts, Fairs and Markets at home, and the improvement of his Subjects Estates & Revenues, a five times more in some places and ten in others, within the space of 200 years last past, and 20 times more then what they were before that period by their peace and liberties, may very well deserve so small an acknowledgement and return, and so petit a privilege as the having of a *Praemption* and his Provisions served in for his household at reasonable prices, which is no more then what the Law it self enjoineth to be done unto all the People and Subjects of *England* from the highest to the lowest, and to the poorest as well as unto the abundantly or indifferently rich.

And that when in our *Magna Charta*, or great Charter of our Liberties, the *Praemption & Pourveyance* was not denied upon present payment for all under 40 shillings, and for the rest within forty dayes after, and the Cart taking upon the payment of ten pence a day for a Cart with two horses, and fourteen pence a day for three *secundum antiqua pretia*, after the old rates for which now are allowed better rates, and being afterwards confirmed by King *Henry* the third in a solemn procession of the King, Arch-Bishops, Earls, Barons, and the most eminent men of the Kingdome with candles or torches burning in their hands in *Westminster Hall*, denouncing Mat. Paris 866. excommunication, direfull curses and *Anathema's* against the Infringers thereof by the candles or torches flung upon the ground, and wishing that *so their souls might burn in hell*. And the same *Magna Charta* being by thirty Parliaments since confirmed and accom-

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ted to be part of the peoples Birthright.

It can be no less then the greatest of reason, that those his Liberties and Priviledges mentioned and agreed therein should be as well preserved unto him as those of the people unto them, and with the greater reason in that his were alwaies his own, and many of theirs but newly granted them.

And that he was not in the confirming of *Magna Charta*, without some care of preserving his own rights and priviledges, as appeareth by his Writ or Proclamation (better in former times then now obeyed) sent unto the Sheriff of *York* in these words, *Cum probis hominibus nostris libertates concesserimus per Cartas nostras in quibus continetur* (that which we have of that excellent Law and Charter, being by many learned men believed to be but a Transcript) *quod nihilominus salve sint omnibus libertates, & libera consuetudines quas prius habuerunt libertates nostras de quibus maxime specialis mentio in Cartis predictis facta non est nobis volumus inviolabiliter observari unde tibi districtè precipimus quatenus omnes libertates nostras usitatas tempore domini Johannis Regis patris nostri quas quidem nobis non subtrahimus ex speciali mentione facta in predictis Cartis nobis facias firmiter observari nullius obstante reclamacione sicut usitata fuerunt temporibus antecessorum nostrorum, & maxime tempore predicti patris nostri,* wherein he having granted that their Liberties which they had before should not be prejudiced, commanded him that all his Liberties and Priviledges which were not specially mentioned and granted away in those Charters should be specially observed, notwithstanding

claus. 9 B. 3. m. 9.

withstanding any allegation to the contrary, as they were used and accustomed in the times of his Ancestors, and especially in the Reign of his Father King *John*.

For the reason which gives *Aaron* and his Sons, the Clergie, their Tythes and Pourveyance, should persuade the people to think the Composition for Pourveyance to be no burden, when as it is as short of the Tithes as one unto a hundred.

And it should be reason, if any thing can be reason, and it be not fled after *Astraea* into the upper Regions, and left some counterfeit and false resemblance instead of it, that all, or many, or most of the males and men of *England*, and such as in the Court Leets and elsewhere have taken the Oath of *Allegiance* (which all the men of *England* and their generations are so born under, as by the Laws and Customes of *England* it is and ought to be as *Connaturall* and *Conganiall* unto them) and the Oath of *Supremacy*, to maintain and defend the Kings Rights and Jurisdicions; and all the Citizens and Freemen of *London*, and other Cities and Corporations of *England* taking an Oath to the like purpose; all the Freeholders of the Kingdome holding of him immediately swearing in their homage and fealty to doe him service and be faithfull unto him; all the Copiholders holding of him, swearing unto him their Fealty, and all the Freeholders and such as hold of their mesne Lords by Knights service or Socage in their homage and fealty unto them, excepting their allegiance and duty to the King, should have as great a care not to deny him those parts of his Jurisdicions, Præeminences and just rights, as they would not to

Calbins Case in *Cokes* 2 part 5. Reports, & Lord Chancellor *Ellsmers* post *Nati*, or argument concerning them.

Gregor. Tholo-
san. Syntag. Ju-
ris universi

perjure and forswear themselves, or bring the curses and woes attending such grievous sins, or the breach of that part of *Magna Charta* upon the heads of them and their posterities, which a Kings assent to any Acts of Parliament for the taking away or extinguishing such *individa & annexa Coronae jure diadematis potestatis atque auctoritatis*, inseparable parts of Majesty and the Rights of his Crown, Regal power and Prerogative: If any Law or Sanction could enable him to that which all Laws both Civil and Common doe deny, will not be sufficient to acquit or discharge; for although the dispensation of Oathes by those to whom, and for whose benefit they were made, be in some cases allowed by the *Canon Law*, and some *Roman Casuists* doe believe that violation of oathes have been well dispensed withall by those for whose interest and benefit they were made, it will not be hard to determine in the greatest veneration of Parliaments, which are to be obeyed actively or passively, and of whose acts *no man is so much as to think evil*, that Laws of that kind when they shall be by importunities and necessities made or enacted against the Lawes of God and right reason cannot give an absolution for oathes violated, nor if they could be excused, for the not payment of those most necessary duties to their King and common Parent *in foro humano*, in this world, will ever be excused *in foro animae*, in the next.

Flowlen Com-
ment. 398. 6.

And if the Parliament in *Anno 18 Eliz.* took it to be for the good of the Universities of *Oxford* and *Cambridge*, that the Colleges, Halls and Houses for Students therein should receive the third part of their Rents in Corn and Malt, and ordered them so to doe; and

and that their Tenants who had then & have since such comfortable Bargains and Leases under them as every man is glad to purchase or get them, and inroll themselves for their Tenants, wherein if a deer year comes once in 7 or 10 years, and their Bargains happen to be so much the worser, as the prises which are to be ruled according as the like was sold the Market day next before the Rent day exceeds the former or cheaper prices, the yearly profit notwithstanding of their Lands being alwaies more then the Rent, and six or nine cheap years to one may pacifie their complaints or grudgings; the King certainly may expect as much or more care to be had of him and his house-keeping as there was of the Universities, Colledges and Halls; and not to be denied in his particular of Pourveyance or compositions for it that which every man thinks reasonable in his own.

Nor to be made so great a sufferer under those heaps of mischiefs and inconveniencies which by the great and excessive rates and prises put upon victuals and household provisions daily more and more encreasing doe assault and lessen his too smal a Revenue.

Neither should be rendred more helpless, and in a worser condition then the Lords of Leets, Sheriffs in their Turns, Justices of Peace in their Counties, Magistrates in Cities and Towns Corporate, Judges in their Circuits, the University of *Oxford*, who hath liberty to punish the breakers of the Assise of Bread, Beer and Ale; and the University of *Cambridge*, who may require the Maior of the Town to make the Assise in the presence of the Chancellor of that University, and if

Pat. 46. Ed. 3.
part. 2. m. 17.

Pat. 10 Ed. 3.
part. 1. m. 36.
Pat. 4 R. 2.
part. 2. m. 39.
is

it be not well observed may himself punish the offenders by the authorities and power only derived from the King.

Mich. 4 E. 1
coram Rege.

Who may with better reason, justice and equity claim and keep his Rights of Præemption, Pourveyance and compositions for it then the *stret gavel* was in 4 Ed. 1. claimed by the Lord of the Manor of *Cholm-ton* in the County of *Suffex*, that every Tenant of that Manor should (yearly) give two shillings (then a good summe of money) *pro itū & reditu* for his going out of the Manor, or returning into it; or as the Town of *Maldon* in *Essex* did in the fifteenth year of the Reiga of that King claim by antient custome *Totteray* which was a payment of four pence for every bushel and a half of corn sold there, 4 pence for Stallage and a Mark penny, *viz. 1 d. per illos qui truncos extra domum in vicis ejusdem ville habuerunt*, for every one which had pipes or gutters laid or made out of their houses into the streets, *& de omnibus pascentibus mariscum de pecoribus*, of all that had cattel going or feeding in the *Marsh*, for every Horse two pence, Oxe two pence, Bullock a penny, and for every five Sheep two pence, *quæ præstatio vocatur*, which in the language of the Civil and Common Law was usually understood to be Pourveyance or furnishing of necessary provisions.

Hil 15 E 1.

Or as the Town of *Yarmouth*, which was made a Port or Haven by Letters Patents of King *Edward* the first, did antiently, and doe now take and receive of the Herring-Fishers a certain Prize or Pourveyance of Fish and Herring towards the maintenance and repair of their Haven,

Or

Or as the Lord *Roos* of *Hamlake*, from whom the Earls of *Rutland* are descended did claim and enjoy as belonging to *Belvoir Castle*, *customam ibidem vocat Palfrey silver, quæ levari debet annuatim de villis*, a Custom called *Palfrey silver*, which ought to be levied every year of the Towns of *Borelesford*, *Normanton*, *Herdeby*, *Claxton*, *Muston*, *Howes*, *Barkeley*, *Queenby*, & *aliis Hamlettis*, and of other Hamlets.

Escaet. 23.E.3.
post mortem
Guillemi de
Roos de Ham-
lake.

Or as King *Edward* the third had to send his Writ or Commission to the Magistrates of the Town of *Barwick* upon *Tweed*, to inquire *Si pisces marini & Salmones in aqua de Tweed capi. usque villam prædictam duci & in vico vocat Narrow Gate, venditioni exponi & de customis inde Regi solvend.* if the Sea Fish and Salmon taken in the River of *Tweede* were brought to the Town of *Barwick* upon *Tweed*, and put to sale in the street called *Narrow-gate*, and of the Customes to be paid for them to the King.

Pat. 22 Ed. 3.
part 1. m. 1. in
dorso.

More especially when the Judges in 11 Hen. 4. did resolve it to be Law as well as reason, that the Pourveyer or taker for the King might take victuals (or provisions) at a reasonable price to the use of the King against the will of the party selling them.

Br. ayd del. Roy.
29.

Which unless the Laws of God, Nature and Nations, and the Laws of the Land, reasonable Customes, Liberties Rights and Priviledges should be all and every thing in the peoples own cases and concernments, and nothing at all in the Kings, and that the duty of Subjects, honor of the King, and support and maintenance of him who supports and defends them and all that is theirs in their just and legal Interests, should be but as the Astronomers lines and terms of art in the firmament;

vide Petition of the Lord Maior and Common Council of London to the Commons in Parliament assembled in April, 1662.

ment, as *Zones, Tropicks, Meridian, Zodiack*, and the *Ursa major* and *minor*, &c. meerly imaginary and undemonstrable, may with as much or greater reason be understood to be no burden, as the late design (if it should take effect) of the Petition of the Lord Maior, Aldermen, and Common Council of the City of London lately presented vnto the House of Common in Parliament in order, as they alleage to the honor, happines and prosperity of the Kingdom, that the *Governor, Deputy and Assistants of their desired Company of the English Merchants trading into Italy, and the Dominions of the French King, and the King of Portugal, and of all other Merchants thereafter to be taken into that Association, may, besides other emoluments to be taken of the Merchants, have power for the maintenance of the Government to take and receive upon all goods to be exported and imported not exceeding onetwentieth part of the Customes, as they are on all goods, except Wines, and on wines not exceeding one fourtieth part of the Customes as they now are.*

Which *twentieth* part after no greater a reckoning then *four hundred thousand pounds per annum* for the Customes (which if not too much defrauded, are more likely to be *eight hundred thousand pounds per annum*) will betwenty thousand pounds per annum, and if *eight hundred thousand pounds per annum*, will come near unto as much as the pretended losses of the Counties in the Compositions for the Pourveyances.

And the people of *England* would find the Pourveyance and Compositions for them to be for their own good and profit, as well as there is a great and every where to be acknowledged reason for it.

not denied to be reason in their own cases, affairs & dealings one with another) by the want of greater benefits; if the King should shut up all his Ports, and forbid all Trade with forreign Merchants inward or outward, as some Kings and Princes have commonly and ordinarily done, and as Common-wealths, and those that call themselves *Estates* do as well as Kings and Princes in case of hostilities, and upon *reason of State*, or some other extraordinary occasions.

Or put down (as God forbid he should) or seise as forfeited by misuser, which many will be found to have deserved, all the Fairs and Markets in the Kingdome, or some great part of them; or forbid for some time, as hath been antiently done, all the Markets in two or three Counties, and command the people to bring their victuals and provisions to be sold where the Kings or the Publick necessities or occasions wanted them, or allow but one or two in a County at the chiefest or greatest of Cities or Towns; or as King *Henry* the third did strictly command the assise of bread, wine, beer and victuals to be kept in *Oxford in debito statu secundum precium bladi, & sicut in aliis Burgis & Villis*, as it ought according to the price of corn, and as was used to be in other Towns and Burrows, threatning them, that if they neglected to doe it, he would seise and take the Town into his own hands; and at the same time setting a rate or price upon wines, gave the Magistrates of that Town to understand, that whoever did otherwise, *ad corpus suum graviter se caperet, & omnia vina sua a Vicecomite suo Oxon. in manum suam capi faceret*, should be arrested and have all his wines seised, or limit them to such rigorous observances, as the *Saxon* and some of

cap. 20 H. 3. m. 24 in d. 10.

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the *Norman Kings* did command & require to have witnesses and Vouchers for all that the people should sell or buy. Or if upon that or some other causes or grounds there were no Markets or Fairs to resort unto, or vent the plenty or *over-plus* of the peoples corn, cattel, fruits, fish, flesh, butter, cheese, poultrie, or other provisions or commodities: and that by tarrying at their own houses they could not be informed what rates they would yeild, or what some over-lavishly have given for the like or for less or worse then theirs, which is usually a great cause of the enhaunce of prices in the endeavours of all people to get as much for their commodities as they finde others have gotten, or as much or more as by any pretences or frauds they can procure for them, there would be so much and so great a cheapness and plenty of our native commodities as would draw along with them, or cause a great abatement in the rates of setting or letting of land, and bring us again into some part of that hospitality, charity and alms deeds, which our pious Progenitors made to be a great part of their cares and business, and rescue us from those great finnes of avarice, envie, Pride, uncharitableness, cozening, cheating and oppression, under which the Land groines, and for which Gods judgements like a sword hanging over our heads in a small silk or hair, are ready to destroy us.

And we should quickly find by the want of Fairs and Markets that which our daily experience now tells us to be true, that they are the *Markets and Fairs* which doe make and yeild a greater price then can be had at home at the peoples own houses, that the *Markets and Fairs*, which are a blessing and happiness to the people, granted

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granted by our Kings and Princes, not now to be wanted, with a Safety, and Protection *in viis (Regis) aquis Silva & Semitis*, in or through his high-ways, or by land or water (very often denied by private men through their own lands and Jurisdictions) which our forefathers not deserving to be called *fools* by their *lesse* generations for obtaining for them so many good Laws & Liberties, understood to be so much the Kings rights and favours, as in the old Grants and Charteis made by the King of any lands or liberties unto them, they thought themselves never safe enough unless those words and priviledges were specially inserted. And it is obvious to all mens experience, that by the intercourse and commerce of the people one with another in the accommodation of one anothers wants, affection, interest present necessities or occasions, the prices of all manner of commodities, victuals, and provisions have been very much raised and heightned more then formerly, or when the buyers were not so numerous, and that the vie and *biddings* which are usually found and to be met with at Fairs and Markets, doe much raise and enhaunce them farre above the reall worth, or for what otherwise they might be had with a reasonable gain and profit for the things themselves, or recompence for labour of bringing them thither, as is often found in the way of *Holland* and some other forreign parts; now used by our English and other Merchants of *London*, in selling goods or merchandise by an inch or small piece of candle set up to burn for a small time, with a condition that he that bids most before it be out shall have it, in which contest or striving who shall have the commodity, the hasty or over-biddings as the candle

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goes almost out makes the price to be sometimes a *fifth* and sometimes a *tenth* more then it is truly worth; and if it chance to be no loss or but a small one to him that winns the bargain, it is because it may more conduce to some one particular occasion or affair which that party hath for it more then another.

That the Markets or Fairs in Cities or great Towns of trade where there are more people, a larger expence and more delicate way of living brings the sellers or Market people a *mieux marché*, or better gain or return then they would or could get by carrying it to some lesser Town or place not so much frequented. And that the ground and soyl near those Market Towns are much bettered and impoved by the ordure, dirt and dung of Horses or Cattel in the Streets or Stables carried out and laid upon it.

That the loss supposed by the duty or compositions for the Pourveyance would not come up to the fortieth or fiftieth part of what they would be otherwise losers in the fall of their rents and prices.

And be at last assured to their losses that there can be no reason that all or many of the people who can now take or receive advantage by their own heightning and enhance of the prices of provisions at home or at the Markets, and so greatly improve their estates by it against the mind and intent of the King and his Laws, should stretch and raise all they can their rates and prises upon him, or should in his particular of his Præemption, Pourveyance, or Compositions for it, take advantage or benefit by their own wrongs or breach of the Law, which by the rule or maxime of the Civil Law, that *Nemo ex suo delicto meliorem suam conditionem facere potest*.

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test, no man is to make himself a gainer by his own evil doings is not permitted, and our Common Law is not willing to allow a man to take benefit *de son tort* of his own wrongfull actions. *Decius de regul. Juris regul. 176.*

Or if that shall not be enough to make the experiment let the most froward and unwilling to that Duty and reasonableness of the Præemption or Compositions for Pourveyance, suppose that which was grown to be almost more then a supposition, that *Oliver* the *Cheat* as well as *Darling* of the Faction and Rebellious part of the people, and the *Patron* of all or many of their wicked doings, had as *William* the *Conqueror* all the Lands of *England* in his demesain power or disposing, and given to all the people more then eight parts in nine (the Tithes or Tenths being reserved to God and the Clergie) with all their Liberties, Courts Leet and Baron, Franchises, Priviledges of Free-warren, Fishing, Trade and Commerce, Markets, Fairs and Tolls, with many other Immunities and Freedoms which the bounty and indulgence of our more lawfull Kings and Princes have from age to age, and one generation to another, given and granted to them and their heirs in perpetuity, speciall or generall tail, and think but how willing and glad they would have been before they were given, or afterwards (the late little *benevolence* being given to the King after the greatest Act of *Oblivion* or *Indempnity*, which ever *Englishmen* or any other people had bestowed upon them, teaching us the difference betwixt after and before and between a willingness to receive benefits and promises of gratitude and thankfulness after they are had and received) to have given him in perpetuity as much or a great deal more than ever the Præemption, Pourvey-

Pouveyance or Composition for it would have amounted unto, and imprecated curses and woes as many or more then the plagues of *Egypt* to have fallen upon them and their after generations neglecting it; for it is ever to be understood that the Subsidies, Assesments and other Ayds given to the Kings and Princes of *England* by their Subjects and People in Parliament, or at any time taken or otherwise received by them, have been more with respect unto their own particular Estates, included in the safety of his greater, and his granting them free and general pardons, not only for offences criminal committed one against another, but for offences committed against the King, and incroachments and intrusions upon the royal Revenues, and for his Royal protection and defending of them, and preserving them in their peace and plenty, then as for any retributions or acknowledgements of their favours shewed to any or many in particular.

1 Reg. ca. 10.
v. 15. & 25.
Grotius Ann.
tat. ad vet. Te-
stament.

There being as much reason for the King to expect and receive the presents or acknowledgements of his people, as it was for King *Solomon* to take his presents *sine quibus*, (saith the great and excellently learned *Grotius*) *Reges Orientis adire non solebant*, without which the people were accustomed not to come unto their Kings, and continued long after to be a custome, as may be understood by the Kings or Wise men coming out of the East to worship and adore our blessed Saviour at his birth, and is at this day not disused in the *Africk* and *Asiatick* Countries.

And did nor, nor ought to dull or lessen the alacrity and payment of other necessary duties and tributes, when as *Solomon*, besides the provisions of his Household,

hold, brought and served in every year by a rate; and what he had of the *Governors of the Countrey* (which if they were not provisions, or conducing thereunto, might be some other Tributes) and did receive Gold and Tributes (or Customs) of the *Merchant men of the Traffick of the Spice Merchants*.

1 Reg. ca. 10.
v. 15. & 25.

For if it hath been reason every where, and amongst all Nations where either subjection and duty to superiors, or humane prudence had any entertainment or abode, to take as much care as may be of general and publick safeties, when the safeties of particulars are included and comprehended in them, and to be willing in the common or publick calamities of a Warre already fastned upon them, or hope to prevent them, readily to contribute to their Princes, or permit them to take provisions sometimes without any price at all, and at other times but at reasonable pites, in order to their preservation, or repelling of evils or inconveniences which would a great deal more molest or trouble them, or to give him or his Army free quarter, as the men of *Israel & Juda* did unto *David* their King, or bring or send victuals and provisions to his Camp or marching Army, and can think it no ill husbandry though they have but the day before paid contribution to the Enemy, had much of their Cattel and Provisions taken away by the Enemy, a Husband, Brother, or Sonne killed, women and children slain and butchered, and the bloody and dreadfull Scenes or Pageants of Warre every where to be seen, heard of, or lamented, or to do as the *Danes* did lately to the unjustly invading *Suedes*, give money to keep their houses from spoiling or burning.

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It can be no less then reason to contribute something yearly to a King, who not only keeps us from those and many other woes and miseries by land and by Sea, but daily heapes and multiplies his blessings upon us in protecting and defending us; and not only gave many of us our *Vineyards*, but procureth us all to sit quietly under the shadow, pleasure, content and fruitfulness of our *own vines*; and by his care at home and abroad preserves us and our Estates in an envied peace and plenty.

And be the more willing to allow him his *Præemption* and *Compositions* for *Pourveyance*, which amounts not unto the two hundredth or five hundredth part, and sometimes not the one thousand part or more of the expence and losses which warre and the many times not to be avoided unruliness and spoil thereof may bring upon them.

Unless like *Ulysses* Companions transformed into Swine by the accursed charms of a *Circe*, or inticements of selfish or foolish interests for the maintenance of our vices and luxuries, we should think it to be either Religion, Duty, Conscience, Reason, or Prudence, to take all we can from a King, who is the Guardian of all his people, and a nursing Father to the Church, which his Royal Progenitors, Kings of *England*, were so long agoe accustomed to rank amongst their principall cares, as in the 23. year of the Reign of King *Edward* the first it was alledged in a pleading, and allowed for law & right reason, that *Ecclesia est infra astatem, & in custodia Regis qui tenetur jura & hereditates ejusdem manu tenere & defendere*, the Church is as an Infant under age, and
in

Mich. 13 Ed. 1.
ceram. Reg.

(233)

in the custody of the King, who is bound to defend and maintain its rights, estates and hereditaments, who governs by no Arbitrary will or power, but by our known Lawes, which are so excellent beyond all the Lawes of other Nations, so rational, so binding and transcendent, so carefully watching over the peoples liberties and proprieties, such a Buckler, Guard and strong Tower of defence unto them, and poenal to all that shall but execute any unjust or illegall commands, tending to the violation of them, (not to be denied by the most seditious, and undutifull Subjects, when they shall but be pleased to be friends and at peace with their reason and understanding) as if by any divine punishment proceeding from an *iratum Numen*, an angry and just God, after ages should find *England* to be governed by a King or Prince as cruel as *Nero* or *Commodus*, and as arbitrary and unruly as some of the Roman or Eastern Emperors have been, there cannot untill the sword shall have cut the strings of our *Magna Charta*, and silenced or banished the Lawes, be any oppression or evil happen to the people, without the Balm of *Gilead*, and remedies as quickly brought and found out by our Lawes as there can be any necessities or occasions of them.

Wherefore we should not like people altogether transported and carried out of humanity into a *Lycanthropia* or wolfish nature, think it to be rationally, honest, or becoming us instead of every mans saying, *Domine quid retribuam*, Lord what shall I render thee for all thy benefits, to make it the greatest of our care, employment, and business not only to take from the King, but keep all we can from him.

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And

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And if they would or could tell how to doe it without the just reproach of disloyalty, dishonesty and villany, should not do it in his *Præemption, Pourveyance, or Compositions* for it, when it concerns him so much and so nearly in his honour, and the daily bread and sustenance of himself and his Royal Family, when he expendeth for want of his Pourveyances or compositions for them, yearly more then he did when he enjoyed them, as may appear by a just accompt and calculation lately made by his Majesties special command, no less then *seventy three thousand six hundred seven pounds fourteen shillings and seven pence* in his Household and Stable provisions, besides the extraordinaries of Carriages for his Navy, Provisions and Ammunition, and what would have been added unto it, if he had, as other Kings or Princes, gone his Sommer Progress, when the want of it is so unbecoming a King, and the aspect of it when he had it, was in

CHAP. IV.

The right use of the Præemption and Pourveyance, and Compositions for them.

So lovely and very well employed, and cannot by any rules of truth, reason and understanding be gainsaid by the most disaffected and worst of Subjects, when they shall but please to take into their consideration,

That the magnificence and bounty of a King in his house, and the method and manner used therein is no small part of the increase, continuance, and support of his power, reverence, honor, and awe; which are so necessary

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ry and essentiall to the good and well-being of a King and his People, as they cannot be wanted, but are and should be the adjuncts and concomitants of the Royall or Princely, dignity and like *Hypocrates Twins*, subsist in one another, which the wisdom of the Antients as well as modern, and all Nations and People under the Sun, and even the naked, wild and savage part of them have by a *Jure Gentium* and eternall Law of Nature, derived from divine instinct, allowance, and patern in the infancy of the world, and through all the times and ages of it so well approved, as they could never think fit to lay aside or disuse the practise of it; for it cannot be by any rule of reason supposed that the *fifth Commandement*, being at the Creation of mankind after Gods own Image, written in the heart of him and all his after Generations, and justly accompted to be comprehended in those Precepts of the Law of Nature, and the righteous *Noah*, with which the world was blessed, as well before the flood as afterwards, and before the Children of Israel had received the Decalogue or ten Commandements, in the dread and astonishment of Gods appearance to *Moses* in Mount *Sinai*; there was not a distinction at the first, and all along holden and kept betwixt Parents and Children, and Kings and common Parents and their Subjects, in the fear and reverence of Children to Parents, and of Subjects to their Kings and Sovereigns: when as *Noah*, though preaching to the old world in vain and to no purpose, as they made it, was so mighty a man, and so well beloved and observed, as he could by Gods direction cause to be brought into the Ark two of every sort of the *species* of all irrational living creatures

Genes. 6. 19.

Genes. 47.
v. 42, 43.

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tures in order to their preservation for the Generations which were to survive the threatned deluge, which without some more then ordinary extent of power could not be compassed by him, if he had been but an ordinary man, or but one of the common people, who hearkened not unto his preaching, and had no better an opinion of his Ark or Floating-house, then as a *Dffirium*, or his too much adoring the Images of his own phantasie.

Genef. 41.
v. 42, 43.

Pharaoh King of Egypt having those requisites and decorums, which the Kings and Princes of those early dayes had appertaining to their Royall super-eminence and dignities, could upon *Fosephs* extraordinary deserts array him in fine linnen and silks, put a gold chain about his neck, make him to ride in his second Charriot, and cause a Cry or Proclamation to be made before him, that every man should bow the knee.

2 Sam. 7. 18.
3 Chron. 16. 1.

David, that was but the Sonne of *Jesse* the Bethlemite, and once a Keeper of his Fathers few sheep, as his envying brother told him, in the Wilderness (or Common) and was taken, as God himself said, from the Sheep-coat, would not, when he came to be King, omit the dues and regalities, which belonged unto Kings, though he could in a gratefull acknowledgment say unto God, *Who am I, O Lord God, and what is my house that thou hast brought me hither*; but could think it comely and fitting for him as a King to dwell in a house of Cedar.

And King *Solomon* his Son, who expending 7 years in the building of the Temple and House of God, was thirteen years in building of his own house, and another magnificent and stately house of the Forrest of *Lebanon*,

Lebanon, and another for the Queen his Wife, which was the Daughter of *Pharaoh*, had 300 shields of beaten gold, three pound to every shield, put into his house of the Forrest: his sumptuous Throne of Ivory overlaid with the best gold, the like whereof was not in any Kingdom; drinking vessels, and all the vessels of Gold in that house; and kept that state and order in his Tables, in the sitting of his servants at meat, the attendance of his Ministers and their Apparel, and his Cup-bearers: as the Queen of *Sheba* coming unto him with a very great Train, was so much astonish'd thereat, and the house that he had built, as there was no more spirit in her, and confessed, that what she had seen with her own eyes was more by half then what was told her in her own Land.

1 Reg. 7.
1 Reg. 10.

All which being allowed by God as necessary honors for Kings, conservations of respects, and allurements to the obedience and esteem which were to be paid and performed by the people, were not put in the Catalogue of that Prince and great Master of wisdomes failings, or not walking in the wayes of God, or doing that which was right in his eyes, and keeping his Statutes and Judgements, as his Father *David* did.

Neither were those Royal and great Feasts made long after by *Ahasuerus*, which reigned from *India* unto *Ethiopia*, over an hundred and seven and twenty Provinces, to his Princes and Servants, the Nobles and Princes of his Provinces for one hundred and eighty daies: Or the state of that mighty King when he shewed the honour of his Excellent Majesty, when as white, green, and blue Hangings, were fastned with cords of fine linnen and purple to silver rings and pillars of marble, with Beds of gold and silver, upon a pavement of red, blue, white and black

Ester ca. 1.

black marble, and gave them drink in vessels of gold, according to the state of the King, put under any note or character of blame.

But those and other due respects have so alwaies attended the world, and the good order and government of it under Monarchy, and Kings and Princes through all the changes and chances thereof, as it may be taken to be as universall a Law of Nature and Custome of Nations, as the duty and honor of Children to their Parents, and the love of Parents to their Children, when we find all the Kings and Potentates of Europe, Asia, Africa, and America to have maintained their Honors and Regalities by the state which they used in their Palaces and extraordinary Buildings, witness the House or Palace of Julius Caesar, who, as Plutarch saith, had *ornatus & majestatis causa*, some *Acroteria* or *fastigia*, Turrets or Pinnacles for ornament and majesty placed thereupon, the *Escorial* of Spain, the *Louvre* of France, the Palaces and *Piazza's* of the Roman Emperors, of those of Greece and the *Grand Signieur*; the Colledges publick and costly buildings of the Kings of Fez and Morocco, the stately Palaces of the *Sophy* or Emperor of Persia, the *Mogol*, Emperour or *Dairo* of China, the *Cesar* of Japan, and the *quondam* Emperour of Mexico in the *West-Indies*, which stood not alone or solitary for the wonder of passengers, or habitation only of *Fack-daws*, as too many of the houses of our Nobility and Gentry doe now for want of hospitality or the owners residence, but were ever attended with a numerous and fitting retinue of Servants, extracted out of the best and greatest Families of their Kingdoms, and the wisest and most virtuous, who, as the Scripture saith, being cloath-

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ed in silks and fine rayment, had the honor to stand before Princes, who had their Crowns of gold, rich habiliments and costly utinifils, their *Fura & insignia Majestatis*, rights and Ceremonies appropriate to Majesty, and an *Apartment* state or fence betwixt them and the common usage or contempt of the people: The which was so customary and usual in Davids time, as forespeaking the royalty of Solomon, which was to succeed him, he doth in his Psalms or holy Songs informe us, that the Kings glory is great in Gods salvation, who hath laid Honour and Majesty upon him; all his garments smel of Myrrhe Aloes and Cassia, out of the Ivory Palace whereby they have made him glad: upon his right hand did stand the Queen in gold of Ophir, the Kings Daughter is all glorious her clothing is of wrought gold, and her raiment of needle work.

Palm 22. & Palm 25.

Nor would the outward pomp and shew of Kings and their Palaces, Apparel, Ensignes of Honor and Majesty, and all those Rites and ornaments which doe belong unto their Grandeur and Majesty be intire, or as it should be, if there were not a plenty and state also in their feeding daily recruits of nature and life, and hospitality.

All which put together in a comely and most necessary combination and harmony, do with the virtue, power, prudence and goodness of Kings and common Parents, constitute and make that honor which doth justly belong unto them, and so necessary as God himself commanded it by word of mouth, twice wrote it with his own finger, and by an early example severely punished Korah, Dathan and Abiram for murmuring against Moses.

And

And therefore the Apostle *Peter* instructed by the Holy Ghost, commands us (as if one could not be without the other) *to fear God and honour the King*. And *Aristotle* who had been much at home as well as abroad, and no young beginner or Pupil in *Politicks*; but a Master of that most excellent and useful kind of learning, how to govern and obey, could even in his ignorance of God and of the Scriptures, which he thought not worthy his reading, conclude that, *Qua in civitate non maximus virtuti honos tribuitur in ea optimus civitate status stabilis & firmus esse nullo modo potest*; no Commonwealth can be lasting or happy where the greatest honour is not given to virtue: And *St. Hierom*, a better Tutor in Christianity tells us, that *ubi honor non est, ibi contemptus; ubi contemptus, ibi frequens injuria & indignatio & ibi quies nulla*; where there is not honor there is contempt, and where there is contempt, there are injuries and anger, and where anger & wrath no manner of quiet, which to the Common people when Princes are wronged and enforced to take arms or use the sword, is as good as a wind or Brawl amongst glasses.

Aristotle lib. 2. de Repub.

Hieron. Epist.

And that which my worthy friend, the very virtuous and learned *Franciscus Junius*, the Sonne of that pious and learned *Franciscus Junius*, who with *Tremelius* the Jew translated the Bible or Book of God out of the originall languages, hath in his laborious travails and searches into the old *Reynick*, *Gothick*, *Danish* and *Frisick* languages, and the Etymologies and Antiquities of the old *Greek* and *Celtick* Languages, and the *Saxon* with her people derived from them, been pleased to communicate unto me, is not unworthy observation, that the word *Lord* was antiently amongst the

the English Saxons *hlaford*, and afterwards came to be called *lauord*, from whence *per contractum* or abbreviation it came to be called *lord*, *Et quotquot se in magnatis alienius clientelam se commendaverant appellarerunt dominum* (suum *lauord*, quoddam suppedisset panem (i. e. omne alimentum) qui *hlaf* dicebatur. And as many as came to be under the protection of any Lord, or to hold Lands of them, did call their Lord *lauord*, which signified a giver of bread, because he afforded them bread, which was called *hlaf*, to which Etymologie agreeth the *Cambro-Britannick*, or Welch derivation by Mr. *John Davies*, where he deriveth *Satrapam nobilem dominum*, a Noble-man Lord or Governour of a Province, *ab Hebraea radice significante pavit & rexit homines*, from an Hebrew root or original signifying one that fed as well as governed men, which *Goropius Becanus* alloweth to be the meaning of the Dutch word *Her*, which signifieth *prebentem vel offerentem alimenta*, a giver of victuals and food, from which word *hlaf*, saith Mr. *Junius*, who although he be a *Dutchman* born, yet is very well acquainted with the English language by many years conversation amongst us, remaineth amongst us to this day the word *loaf* (or bread) and the word *Lady* so much esteemed amongst us, and misused and altered in the antient and honorable origination of it was *hlaford* a bread-giver, not a converter of their Husbands and his Auncestors Manors, Lands, Woods and Hospitality into Coaches, Lacquies, and the furnishing out of their over-costly Jewels and Apparel, Paintings, and making new faces, Black-patches or the *Devils Brand-marks*, forty, fifty, or a hundred pounds lost in a night or afternoon at Cards, and running

ning up and down like so many costly and expensive Cleopatra's, and half a dozen or a dozen of Mark Anthonies after them; make it their business to be lascivious and luxurious, to tempt and be tempted, and doe the Devil service.

When their Mothers and Grandams were better employed in the more honest and honourable employments of hospitality, house-keeping, charity and alms-deeds, and receiving the love, honour and applause of their Tenants and poor Neighbours.

And their Husbands Ancestors if of any time or standing, and not upstarts, made it their honour as well as business to imitate their Progenitors, the old (not now drinking) Germans, who as Tacitus mentions in their Customs, were to their Princes *in pace decus, in bello presidium* (which may shew us the grand esteem, anti-ent and noble use of Tenures by Knight-service) an honor in Peace & a Guard in war; and made it their glory, *si numero & virtute comitatus emineant*, if they had a great number of Tenants and Retainers following them, insomuch as *ipsa plerumque fama Belli profligant*, the fame and fear of them did many times prevent warres and promote peace; *Et quum ventum in aciem turpe principi virtute vinci turpe comitatus virtutem principis non adquare, & infame per omnem vitam at probrosum superstitem principi suo, ex acie recessisse illum defendere iuri sua quoque fortia facta gloria eius assignare precipuum sacramentum est Principes pro victoria pugnant Comites pro Principe;* and when they were in battel the Prince or King took it to be a shame and dishonor to be out-done in valour, & those who attended him thought it to be as much unworthy not to imitate him, & a great disgrace

Tacitus de Mo-
ribus Germano-
rum ca. 13. &
34.

disgrace all their life after to leave him in the field and come home without any wounds, their greatest care being to defend him, and to ascribe and offer all their valiant Acts to his renown and glory, their Prince fighting for victory, & their Attendants for their Prince, *Magnaue & Comitum emulatio quibus primum apud principum locus exigunt principis liberalitate illum bellatorem equum illam cruentam victricemque frameam nam epula & quanquam contempti largi tamen apparatus pro stipendio cedunt*, and vied who should be nearest their Princes in all their dangers, and believed themselves to be well rewarded, if by the bounty of the Prince they had such a charging Horse, or such a bloody and conquering Spear bestowed upon them: for as to wages they were very well contented with Feasts, and a large provision of victuals, though homely drest.

And by such or the like *longa series*, or continuance of duties and obedience to Princes, kindness and hospitality of the more great and powerful to the meaner, came that strength and honor of our Nation; not by screwing or racking their Tenants, and the Lands which they let them, but by easie and cheap bargains, when the Tenant would be well content to make his Rents to his Landlord to be as much in love and retribution as in money; and both were no lbofers when provisions for house-keeping were so much and excessively reserved or presented; for *Prisci autem moris* (saith Sir Henry Spelman Gloss. in voce Firma. *Spelman) profusus hospitalitas annales reditus in edulis collegisse;* in the times of great hospitality, the manner or custome of Landlords was to reserve provisions for house-keeping for all (or some) of their Rents.

And those reservations of provisions grew to be so excessive,

excessive, as before the Conquest, *lege cautum fuit de quantitate eduliorum reddenda*, it was by a Law ordained by *Ina* King of the *West Saxons*, betwixt the years 712. and 727. how much rent in provisions should be taken or reserved for every 10 Hides or Plough lands, which *Sir Henry Spelman* understands to be a prohibition, that no man should take or reserve more,

LL. Ina 70.

viz.

<i>Mellis dolia</i> , Hogheads or vessels of Honey (of which it seems there was then great plenty and much used)	10
<i>Panes</i> , loaves of bread	300
<i>Amphora Cervisia Wallica duodena</i> , twelve Rundlets of Welch Beer or Ale	
<i>Amphora Cervisia tenuioris</i> , Rundlets of small Ale or Beer	30
Oxen	2
Weather Sheep	10
Geese	10
Hens	20
Cheeses	10
Gallons of Butter,	9
Salmons	5
Twenty pound weight of Hey or Provender	10
And Eels	100

Which was but a small Rent, as Rents are now heightened for ten Yards or plough Lands; and the Heirs of those which held such proportions of Lands, upon those or the like easie Rents, or afterwards paid, and doe now pay only as Freeholders, certain small Quit-rents in money proportionable to the then small rates of such provisions, may thank God that the alteration

ration of times and rates of provisions, have made them in such a condition, as to be very well enabled to perform their duties to their Prince in an easie contribution for the composition for the Royall Pourveyances.

And that most necessary duty of the Kings Royal Pourveyance, if he had not power to regulate and bring down the excessive prises of provisions, and at Markets, as well for the ease and benefit of his Subjects as himself, might be the more willingly and cheerfully submitted unto and performed; when as it is for the good of the head and principall part of the body Politick, and when as that which the members do contribute, is communicated to all the members and parts of it, in the preventing, hindring, or keeping off greater inconveniencies, burdens and troubles, which would otherwise fall upon them, or serves to support and maintain many of themselves and their Sons and Daughters in the service of the King and his Court, which hath raised many Families (which now either forget or over-look their beginnings, originals, and founders) or to relieve many poor, and others who doe partake of those National Blessings of Peace and plenty, which are maintained by the honor, well-being, and prosperity of the King which procures them.

And should not be disliked, but rather rejoyced in, when we shall recount unto our Children and posterity the magnificence and hospitality of our Kings, when the great Hall at *Westminster*, capable and large enough to entertain three of the largest Courts of Justice in the Nation, besides many Shops of Trade built by the sides thereof, and receives the feet of some hundreds of the Natives which four times or Terms in the year do come

come thither to demand it, was heretofore but the Common Hall or dining Room of King William Rufus.

That Henry the 2. caused corn to be laid up in store in Granaries to be given to the poor in the time of dearth in the parts of Anjou and Main, and fed every day out of his Granaries a thousand persons, from the beginning of April untill new corn was gotten.

claus. 23 H. 3.

Henry the third in the 23 year of his Reign did by his Writ command William de Haverhull, and Edward Fitz Odo, that upon Friday next after the Feast of St. Matthias, being the Anniversary of Elianor Queen of Scotland his Sister, they should cause to be fed as many poor as might enter into or be entertained in the greater Hall of Westminster.

Ibidem m. 14.

And in the same year did by his Writ likewise command the said William de Haverhull to feed fifteen thousand Poor at St. Peters in London on the Feast day of the Conversion of St. Peter.

Ibidem m. 18.

And four thousand Poor upon Monday next after the Feast of St. Lucie the Virgin in the great Hall at Westminster.

claus. 28. H. 3.

Commanded in the 28 year of his Reign Hugh Gifford and William le Brun, that upon Friday next after the Epiphany, they should cause to be fed in the Hall at Windsor, ad bonum focum omnes pueros, pauperes, & Engenos quot invenire poterint, ita quod aula impleatur, si tot inveniuntur, at a good fire all the poor boyes and needy, so that the Hall may be filled, if so many might be found.

claus. 32 H. 3. m. 15.

Also in the 32 year of his Reign commanded William de Haverhull, and Edward of Westminster, quod singulis

lis diebus a die Natalis Domini usque ad diem Circumcisionis computatis illis duabus diebus impleri faciant magnam Aulam Regis de pauperibus, & eos pasci; That every day from Christmas to Newyears-tide, reckoning and including those two dayes they should fill the great Hall of Westminster with poor and feed them. And in the same year commanded the said William de Haverhull his Treasurer, and Edward Fitz Odo to feed upon the day of Edward the Confessor pauperes in magna Aula Westmonasterium sicut fieri consueverunt, & ipsis monachis pittance eadem die sicut consueverunt habere factant, the poor as they were accustomed to do in the great Hall of Westminster, and to give the Monks their accustomed pittances (or exceedings.)

claus. 32 H. 3. m. 17.

Which would have cost more then a little, if prices and plenty of provisions for food and victuals had not better accorded then now they doe, or if the King had not had his Pre-emption and Royal Pourveyance, or that his Prerogative had been no more in regulating of the Markets, and such prises as the avarice of the seller should enforce upon the buyers, then to pay for his own household provisions double or treble the worth and the utmost farthing.

And 1741 would not have been sufficient for King Edward the first his Son by his Writ directed to John Lovetot and Feofry de Newbald, Guardians of the Temporalities of the Bishoprick of Durham, to allow unto Alexander King of Scotland coming to London to the Coronation of his Brother in Law guarded with a goodly Troop of Knights and Gentlemen, pro expensis suis per quinque septimanas, videlicet singulis diebus centum solidos in veniendo ad Westmonasterium

Ex Archiv. Tarr. Londoni

monasterium ad mandatum ipsius Domini Regis, & inde ad partes suas redeundo, &c. for his expences for five weeks, that is to say, five pounds for every day in his coming at the Kings command to *Westminster* (to do him homage) and returning from thence.

At whose great Feast and Coronation the said *Alexander King of Scotland* came (as an old Manuscript cited by Mr. *Weaver* mentioneth) to doe him servyse and worship.

Weaver's funeral monuments 456.

And whanne King Edward was coronyd & anoyntyd as ryghte heyre of Engeland wth the moche honor & worlshipp. After Masse, the King went to hys Daleys for to holde a ryall fesse, amonges them that hym had don servyse and worlshipp. And whanne he was set at hys mete, King *Alexandre of Scotland* come to doe hym servyse and worlshipp wth a queyntise, and an hondred knyghtes wth hym, horsed and arayd. And whanne they wored lyght of theyr horse, they let theyr horse gon whether they wolde, and they that wolde take them had them to their own behofe without any chalange. And after that come Syr *Edmond*, King *Edwards* Broder, a curtayle knight and a gentyl of renoun, and the Erle of *Cornwayle*, and the Erle of *Gloucestre*. And after theym come the Erle of *Denbroke*, and the Erle of *Warren*, and eche of them led on theyr hondes be themselves an hondred knyghtes dysgysle in their Armes. And whanne they woren a lyght of theyr horse they let them gon whedyr they wolde, and they that towd them take, had them styll at theyr own lyking. And whanne all this was don, King Edward dyd
his

his dyligens and hys myght to attende the Realme, and redresse the wronges in the best manner, to the honor of God, and profyte to the Crown, and to holy Cherch, and to amende the anoyance of the Common people. The worthiest knight he was of alle the world of honor and worlshipp, for the grace of God was in hym, and he ever had the victory of hys enemies.

Which is here repeated to shew how well the people of those times liked any honor done to their Kings, and rejoyced in it.

And not only in the better course and customes of those times, but in all the after ages, untill that in which we now are, when the pride, luxurie and vanity of the Nation have conquered and almost extirpated all the hospitalities of *England*, and made vice and sinfull prodigalities the only care and imployment of their time and Revenues, could not leave or forsake the pathes of their more prudent Progenitors, when the Nobility and Gentry by their charities, alms-deeds, bounties and beneficences, building of Churches, permitting of Copihold Estates, being only antient allowed and continued charities and succouring of the poor & needy, founding of Monasteries, Pories and Religious houses, the then grand supports and Magazines of charity, relief & alms-deeds to the poor, to travellers & strangers, and the sick and needy, granting of large proportions of Commons unto Villages and Townships in that which was part of their own Demesnes, and Common of *Estovers & Turbary* for their wood and firing in divers of their Woods and Forrests, did so continue the honorable customes of a great hospitality, retinue and Attendance, great love
K k and

and good will to their Tenants; who enjoying Lands and Leases under them at small and reasonable Rents, took them to be their tutelar Gods, and as helps and refuges in all their necessities.

And so intent upon charity were those better and less sinfull times, and so much were the necessities of the poor taken to heart, as the Bishops and Prelates in venerable *Bede's* time, which was long before the Conquest, had, as he writeth; alwaies on their Table at meals an *Alms dish*, wherein was carved some good portion of meat out of every dish brought unto the Table, which the poor were sure to have besides the fragments left.

Ethelwald Bishop of *Winchester* in the Reign of King *Edgar* about the year of Christ 963. did in a great Famine sell the Plate belonging to the Church to relieve the almost starved people.

Walter de Suffild Bishop of *Norwich* in a time of great dearth in Anno 1245. sold all his Plate, and distributed the money made thereof unto the poor.

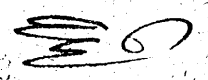
Robert Winchelsey Arch-bishop of *Camberbury* about the year 1293. gave besides the daily fragments of vi-
tuals, expended in his house every Friday and Sunday unto every Beggar which came unto his gate a loaf of bread sufficient for a day, and in times of scarcity relieved on those dayes, four hundred, and some times five hundred poor people.

Nor was the house-keeping, retinue and attendance of the Nobility and Gentry in those and after ages so small or sparing, as it is now in too many of them who having racked their Tenants to the utmost, can leave their Ancestors great and stately houses in the Country as if they had been lately infected with the plague, or were

Stowes Survey of London.

were haunted with some Devils or Hobgoblins, and employ their expences, which would have been more honorably laid out in hospitality, in treatments of two or three hundred pounds at a time, & some of our prodigal Gentry expending fifty, threescore or an hundred pounds in a Suit of Apparrel; can give it away after twice or thrice wearing to a Pimp, Sicophant, or flattering Servant; and can loose two hundred or five hundred pounds in a night at Dice or Cards; give a hundred pounds for a needle-work Band, and expend two hundred pounds *per annum* for Periwigs, and all the racked Revenue either laid out by themselves or their wives (who vie who shall spend most) in the wicked and vain pursuits of a detestable luxury; and as if they held their Lands not as formerly by *Knight service*, but by *Lady service*; and their Ancestors had taken pains to leave them estates to play the mad-men withal, do make sin the only Errand and employments of their lives and conversations and by their prodigal expences and confining themselves to some few dishes of meat dressed at the Common Cooks in *London*, do leave their Foot-boyes and Servants so little of it, as they are many times constrained to be glad with the bones and scraps, which would have been better bestowed upon Beggars, and have reason enough to believe that their Masters can doe no miracles, nor multiply loaves of bread or fishes.

But our Nobility and Gentry demeaned themselves in a more honourable, noble, and Christian way, as may be understood by that of *Thomas Ear of Lancasters* expences in housekeeping in the Reign of King *E. 2.* when money was scarcer than now it is, and yet the ac-



count from *Michaelmas* in the 7. year of the Reign of that King, unto *Michaelmas* in the 8. year of his Reign, being but for one year, was in the Battery, Pantry and Kitchin three thousand four hundred and five pounds.

And there was paid for 6800 Stock-fishes, so called, and for dried Fishes, as Lings, Haberdishes, &c, 41 l. - 6 s. - 7 d. for one hundred eighty four Tonnes, and one Pipe of Claret wine, and one Tonne of white wine 104 l. - 17 s. - 6 d. gave costly Liveries of Furses and Purple to Barons, Knights and Esquires, and paid in that year 623 l. - 15 s. - 6 d. to divers Earls, Barons, Knights and Esquires for Fees.

Stowes Survey of London.

The house-keeping of the Nobility being not then mean or ignoble, when in the fourteenth year of that Kings Reign, *Hugh Spencer* the elder was by Inquisition found to have been possessed of at his several Houses or Manors 28000 Sheep, 1000 Oxen and Steers, 1200 Kine with their Calves, 2000 Hogs, 300 Bullocks, 40 Tons of Wine, 600 Bacons, 80 Carcases of *Martins* Beef, 600 Muttons in the Larder, and 10 Tons of Sider.

Richard Nevil Earl of *Warwick* in the Reign of King *Henry* the fifth had in his house oftentimes six Oxen eat at a Breakfast, and every Tavern was full of his meat, and he that had any acquaintance in his house might have there so much sodden and roste, as he could prick and carry away upon a long Dagger.

Cardinal *Woolsey* Arch-Bishop of *York* in the Reign of King *Henry* the eighth, kept no final house, when as his Master Cook in the privy Kitchen went daily in Velvet and Satten, with a chain of Gold about his neck, had two Clerks of the Kitchin, a Surveyor of the Dresser

Dresser, a Clerk of the Spicery, four Yeomen of the ordinary Scullery, four Yeomen of the silver Scullery, two Yeomen of the Pastery, and two Pastery men under them; in the Scalding house a Yeoman and two Grooms, In the Buttery two Yeomen Grooms and two Pages, In the Pantery two Yeomen, and in the Waferie two Yeomen.

Nicholas West Bishop of *Elj* in the year 1532. in the 23 year of the Reign of King *Henry* the Eighth, kept continually in his house one hundred Servants, giving to the one halfe of them 53 s. 4 d. a piece (then an allowance for a Gentleman Servant, but now by an unreasonable and illegall rise and exaction of servants wages not the halfe of a Carter or Ploughmans wages) and to the other 40 s. a piece, and to every one of his Servants four yards of broad Cloth for his Winter Gown, and for his Summer Coat three yards and a half, and daily gave at his gate (besides bread and drink) warm meat for two hundred poor people.

Edward Earl of *Derby* in the Reigns of Queen *Mary* and Queen *Elizabeth* had 220 men in Checque Roll, fed sixty eight aged persons twice every day, besides all comers, appointed thrice a week for his dealing dayes, and every good Friday gave unto two thousand seven hundred poor men meat drink and money.

The Lord *Cromwell* in the declyning times of charity, as Mr. *John Stow* well observed, served twice every day at his gate two hundred poor people, with bread meat and drink sufficient, all the Gentry making it to be their honor in their lesser orbes to measure their Actions by those as good and honorable patterns.

And proportionable to their hospitality, and the state

State and dignity of our then Nobility were the numbers of their Servants in their houses at home, or in their journies or riding abroad, many of the Knights & Gentlemens Sons of *England* making it to be the best of their breeding, education, and way to preferment, to serve or retain unto them, insomuch as notwithstanding the Statute made against giving of Liveries or Badges 1 R. 2. cap. 7. and the suspicion which some of our Kings and Princes, and King *Henry* the seventh had of their greatness and popularities, the great (so called) Earl of *Warwick* in the Reign of King *Henry* the sixt, rode with six hundred men in red Jackets, embroidered with ragged staves before and behind.

Thomas Audley Lord Chancellor of *England* usually rode with many Gentlemen before him with coats guarded with velvet, and chains of gold, and his Yeomen following after him in Liveries not guarded.

William Paulet Marquess of *Winchester* did ride with a great attendance in Liveries, and gave great reliefe at his gate; and *Edward Duke of Somerset* did the like.

Stays Surveye
of London.

John de Vere Earl of *Oxford* in the Reign of Queen *Mary*, notwithstanding the rigour of the Law against Liveries and Retainers, which King *Henry* the seventh did so turn against one of his highly deserving Ancestors, as it cost him a fine of ten or fifteen thousand marks, was accustomed to ride from his Castle of *Hedingham* in *Essex* to his City House at *London Stone*, with eighty Gentlemen in tawny velvet Liveries or Coats, and Chains of Gold about their necks before him, and one hundred tall Yeomen in the like Liveries of Cloth following him, with the cognifance

sance of the *Blew Bore* embroidered on their left shoulder.

Which being the custome of the good people, Subjects and men of Honor in *England*, in those more honorable, more performing, & leis complementing times, but since withering, and growing fruitless and out of fashion, when that great commander *Luxury* had with his Regiments and Brigades of vices, new fangles and vanities, subdued, and put the people to a greater contribution towards such their wicked and vain expences, and all that they can now make shift for is too little to support and bear out their extravagancies. It is well known and experimented to the great comfort of such as lived within the virge of the Kings houses and residence, that the Hospitality of the Kingdome, like the heart in the body naturall, the *primum vivens* beginner and conservator of life, beginning in the Kings house, and propagating and diffusing it self in and through as many of the Nobility and Gentry, as being *de meliori late*, of a more then ordinary extraction, did strive, as much as became them, to imitate Royal Examples, would be in the Kings house the *ultimum moriens*, the last which expired. And that besides the necessary grandeur and magnificence of the Kings household, plenty, and variety of meat and drink, to entertain at his Officers Tables the Nobility, Gentry and Citizens, which had any occasion to come thither, and 240 gallons of Beer allowed the poor every day at the Buttery Barre, three gallons every day at the Court gate for thirteen poor men; six services or messe of meat, and seven peeces of beef a day as wast and extraordinarie for the Kings Honor; the chippings of bread sometimes
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(more then should be) and the fragments and *knapstry* of broken, or quarter, or half joynts of meat, carcases of Fowl and Poultry, pieces of Pie-crust, or other provisions carefully and daily gathered, and put into severall Almes-baskets left at every Table and Chamber in the Court, and distributed unto the poor by two Grooms and two Yeomen of the *Elemofinary* or *Almonery*, who enjoy any yearly Salary and maintenance from the King for that only employment, which hath fed and supported many poor Families in and about *Westminster* as well as Common Beggars; the Lodgings and accomodations of Nobility and Gentry resorting to the Court, have so greatly enriched all the Streets and parts about it, as that end of *London* and parts adjacent, have, like trees planted by the water side, so very much prospered as *Westminster*, which originally had but some scattered houfes adjoining to the Abby and the Kings Palace, came afterwards to be a Burrough Town & Corporation, endowed with great Liberties and Priviledges, and sending Burgesses to the Parliament, & afterwards to be a City; and the people of other parts, as birds haunting the woods for shelter, shade or succor, observing the plenty & happiness which they enjoyed, have built & made their nests & habitations as near as they could unto that place and Royal seat of bounty, charity, and magnificence, infomuch as the swelling and increase of *London* at this day every where to be seen not without some admiration in her Extent and buildings, hath within this and the last Century of years very much outgrown that ancient City it self; and as Mr. *John Graunt* and some others have truly and ingeniously observed, extended it self Westward, and as near as it could unto the Royal Mansion,

Graunt's observation of the London Bills of Mortality.

bitation, as if that were more to be desired for a neighbourhood then the River of *Thames*, the Exchange, or Custome-house of *London*, and places of Trade and Traffick.

They therefore that shall remember how his Majesties *Maundie* or Charity, kept as his Royal Ancestors ever did upon the Thursday before *Easter*, or Eve of *Good-Friday*, with a Joul of Salmon, a Poll of Ling, 30 red Herrings, and as many white, garnished with herbs in new clean wooden dishes, four six penny loaves of Court bread, cloth for a Gown and a Shirt, a pair of New Shoes and Stockins, and 4 single pennys with a twenty shillings piece of gold overplus, put in severall little purses, given to as many poor old men as the King is years old; and the state and decency observed in the distributing of it; after their feet washed and dried, and the King with a condiscention and unexampled humility, beyond the reach and example of any of his Subjects, kneeling upon his knees, and devoutly kissing the feet of those his Almes-men, cannot certainly tell how to murmur at such an hospitality or Provisions, which afforded him the means wherewith to doe it.

Nor should the many cures which he yearly doth unto such as are *Lame*, *Blind*, *Diseased*, or troubled with the Disease called the *Kings Evil* (because he cureth it) the patience and meekness which he employeth in it, and the yearly charge of at least three thousand pounds *per annum*, which his Angel Gold of the value of ten shillings, and a silk Ribbon put about the neck of every one, be they rich or poor, young or old which doe come to that English Pool of *Bethesda* to be healed and cured, be forgotten or thought unworthy a gratitude,

trade, or some remuneration or acknowledgements.
 Neither can any that ever understood or read of the round Tables of our King *Arthur*, the great *Roger Mortimer*, and the famous Hospitality of *England* continued through the *British*, *Saxon* and *Norman* times all the turmoils and troubles of the after Generations in their greatest extremities of the *Barons* warres, and the direfull and bloody contentions of the two great discording Houses of *York* and *Lancaster*, with the vast quantities of Land given besides to Monasteries and Religious Houses to the great increase of Charity and Alms-deeds, which was then the only Trade driven or thought on in the way to *Cabo di buona speranza*, & the everlasting rest of the righteous; the large proportions of Lands given for Chuntries in a then supposed pious care of themselves, and their Progenitors great gifts and remunerations to Servants, and curtesies and kindness to Neighbours and Tenants, when most of our Nobility and Gentry thought themselves not great unless they were good, nor a Gentleman, because he had only the *insignia virtutum*, Armories and marks of the honor of his Ancestors descended unto him, without the virtuous, noble and heroick qualities, which were the cause or original of them, when pride and interest the *Devils* Deputies were not the Sovereign which they most obeyed, vanity and all the follies of sin the neighbours which they loved as themselves; when virtue was not reckoned, as it is now amongst too many, a base or simple companion, nor honour turned into a Pageant, or *nomen inane*, or only made a pretence to deceive mens expectations; when almost every *English* Gentleman was in his Parish, and amongst his Tenants like

Job

Job that good accomptant of his talents, a deliverer of the poor that cried, the fatherless, and him that had none to help him; caused the Widows heart to sing for joy; was eyes to the blinde, feet to the lame, brake the jawes of the wicked, pluckt the spoils out of his teeth; grieved for the poor, wept for him that was in trouble; and sate chief, and dwelt as a King, in the Army as one that comforteth the mourners; the ears that heard him blessed him, and the eye that saw him gave witness to him, when men gave care and waited, and kept silence at his counsel: (although it must be acknowledged that there are now some of the Gentry more leained & accomplished then in former ages, and might equall or goe beyond their worthy and honorable Ancestors, if they would but imitate their Alms-deeds and hospitality, and not permit their greater expences in matters less warrantable and laudable, to make and enforce an avarice, or *Rubiginem animarum*, canker or rust of the soul to hinder or keep them from it).

Job 29.

And Gentlemen were not then as too many now are, the fools of the Parish, and so little valued as they are now, when too many of them may be beaten and kickt in the Market-places, in the view and sight of their over-racked and disobliged Tenants, *piget & pudet dicere*, I would therewere no cause or occasion to speak it,) and with their few attendants of Sicophants, Pimps and Foot-boyes, be as little helped or regarded by the Common people as a ridiculous pride and a large and wastfull retinue of sins and folly ought to be,

But kept great hospitalities, and were heretofore in their houses in the Country, as the *Dii Tutelares* of the poor, or such as were in any want or necessities,

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the Cities of refuge in all their distresses, the *Esculapian* Temple for wholesome or honest medicaments or unmercenary cures of wounds and diseases which the good Ladies and Gentlewomen, their Wives or Daughters were then well practised in, and had great respects and reverence paid unto them for it.

And see how little is now done in any of those kin's; if he hath any fear of God or care of goodness, love, or respect to his Country and posterity forbear a bewailing of the ruine and decay of the moralities, virtues and honor of *England*, and wonder how that only remaining relique of our fore-fathers magnanimity and virtues, that seed plot of love and good will, which the Angels in their song and rejoycing at the birth of our *Jesus* and Redeemer proclaimed to be a blessing; that seminary of reverence, honor and respect; that ligament and tie betwixt the inferiours and superiours; that incitement and encouragement to reciprocations of love and duty; and that heretofore so famous and well imployed strength and power of the Nobility and Gentry should be difused and laid aside: and that those laudable, pious and honorable actions of Hospitality and Charity, in which our Kings of *England* so much delighted, and by a solemn and thrice repeated crie or proclamation made by one of the Heralds, of a *Largeesse*, a *Largeesse* at the creation of every Baron, Earl, or Duke, (being as the cry or joy of the Harvest mentioned in the holy Scriptures) and at *St. George's* Feasts, did put the Nobility and Gentry in mind to doe the like in their severall orbes and stations, should be now restrained by the want of Pourveyance, or Compositions for it, or that there should be any endeavours
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to decay and hinder it at the fountain or well head, by stopping the pleasant and refreshing waters which gladdened our *Sion*, and the Inhabitants thereof, and made it to be the terror of all the Nations round about us; or that any should think it to be for the good and honor of *England* to lessen that hospitality and plenty in the Kings House or Court, which is so pleasing and suitable to the humor and constitution of the *English* Nation; hath gained the Kings of *England* so much love at home; and honor abroad; maintained so fair a correspondency and intelligence betwixt the Court and ^{Courts} Ministry, and relieved the poor and needy, the Wid-
dow and the Fatherless.

And is so essentiall and proper to Majesty, as *David* when he offered sacrifice unto the Lord after the bringing back of the Ark, did give to every one of the people, men and women a *Cake of bread*, a good *piece of flesh*, and a *Flaggon of wine*; and so customary as the *Romans* could not think themselves secure in the good wills & affections of the people without their *Epule* and publick Feasts and careffing of the people, which *Fu-*
lius Caesar nor his Successor *Augustus* would not adventure to omit.

Nor *Domitian* and *Severus* who gave oyle, wine, and other necessary provisions, a *Fin*, as *Lois d'Orleans* rightly understood it, *d'concilier l'amour de leurs Subjects qu'ils prenoient par le boucho*, to procure the love of the people, who were taken by the mouth: and was so customary in *France* as well as *England*; as at a great solemnity there after that our King *Henry* the fifth had espoused the Daughter and Heir of *France*, and the people of *Paris* in great numbers went unto the
Louvre

2 Sam. 6.

Dionis. Halicarn. lib. 2.

Lois d'Orleans
ouvertures des
Parlemens.

Louvre to see the King and Queen of *England* sit at meat together with their Crowns upon their heads; but being dismissed without an invitation to eat or drink by some of the Officers or Masters of the household, as they were accustomed; they murmured exceedingly; for that when they came to such grand solemnities at the King of *France* Court, they used to have meat and drink given them in great plenty, and those which would sit at meat, were by the Kings Officers most abundantly served with wine and victuals; and at extraordinary Feasts, as that at the marriage of King *Henry* the fifth of *England*, and the Lady *Katherine* Daughter of *Charles* the sixth King of *France*, had Tables furnished with victuals set in the streets, where they which would sit and eat at the Kings charges, as was afterwards also done at *Amiens* at the interview of *Lewis* the eleventh of *France*, and *Edward* the fourth of *England*.

Montrelet lib. 1. ca. 2. 62.

And was there in those dayes most laudably used, *a fin d'unir le peuple au Roy & les pieds a la teste pur affermir le corps politick; & le lier par une gracieuse voire necessaire correspondance*, to the end to fasten the people unto the King, and the feet unto the head, to strengthen the body politick, and unite all the parts thereof by a loving and necessary compliance; and was an usage so well entertained in other Nations, as the *Tartars* and *Laplanders*, would not be without it, and the *Gracians* thought themselves dishonored, if there were not a more then ordinary care to entertain strangers of free cost, insomuch as a Law was made amongst the *Lucani*, to punish such as took not a care of them, and the *Suedes* and *Gothes* esteemed it to be so great an unwor-

Eois d'Orleans les ouvertures des Parlements ca. 8. Guagninus in descript. Mosco via lib. 1. c. 46. Alianus lib. 4. varia. Histor.

unworthines not to doe it, as they did by a Law ordain, That whosoever denied lodging or entertainment to any strangers, and was by witnesses convicted to have thrice offended in that kind *his house was to be burned.*

Jo. Magnus lib. 4. cap. 2.

Those of the like kind and charitable customs having crept through the crannies of humane understanding and right reason into the ruder sort of the heathen; as in some parts of *Africk* the King thinks he is not beloved of his people unless he doth sometimes feast them, and the heads of the *Cornes* which are killed for that provision, are painted and hung up like pictures in his Chamber as for an honor to the King, whereby such strangers which did come to his Court might perceive that he was a good King.

John Leo Hist. of Africa.

Being like the *Agapes* or Love Feasts, allowed by *St. Paul*, and those which the primitive Christians continued as an excellent Custome and usage, when the rich, as *Tertullian* witnesseth, brought to those publick feasting meat and provisions, and fed and feasted the poor, which were so usefull and well-becoming all such as intended or desired the comfort and blessing of it, as that thrifty as well as magnificent Commonwealth of *Venice*, doe not only order and encourage yearly Feasts among the several ranks and Classes of their Citizens and people, but doe make an allowance to their Duke or shadow of Monarchy for the feasting of the principal of the Senate, and to send yearly in the winter to every Citizen a certain petty present of wild fowl.

And if the virtue of charity, which *St. Paul* makes to be the chief, or *summa totalis* of all the virtues and excellencies which humane nature or frailties can be capable of; and will not allow that of speaking with the

tongues

1 Corinth. 13. *tongues of Angels* (which certainly is more to be valued than our last twenty years English complement) nor the gift of prophecy and understanding of all mysteries and all knowledge; neither the having of such a faith as might remove mountains; to be any more then nothing in him or a noise or emptiness, if charity be not joyned with it, be so superlative.

The people of *England* as well as their Kings and Princes were not mistaken when they did so heed, and thought it necessary to be observed, as a good part of the Tythes given by *Ethelulph* in the year after the birth of Christ 855. not only of his own Lands in demesne, but as most of the Writers which lived nearer that time, have, as the most learned and judicious *Selden* rightly observed it, extended unto a grant made by the consent *omnium Pralatorum ac Principum suorum, qui sub ipso variis provinciis totius Angliæ præerant*, of all the Bishops and Prelates, and the Princes and Earles, which under him governed in the severall Provinces, and whether the Tythes came first to be settled here by that great King *Ethelulphus*, and his Bishops and great men; or were assented unto or granted afterwards by the piety and devotion of particular men, and the owners of lands and goods, of which very many grants doe occurre, before they were settled by a very just and binding authority of the Secular & Ecclesiastical power and authority in this our Isle of great *Britain*, some part of them may be certainly said to be in the use and application of them to the Church and Ministry, and sacred uses dedicated and designed for hospitality.

Selden Hist. of Tythes, & Ethelulph's hist.

Which the People of did so greatly regard and look after, as the supposed want of it in the reverend

verend *Cranmer* Archbishop of *Canterbury* begot a project in the reign of King *Henry* the eighth, as Doctor *Peter Heylin*, that learned and great Champion of the Church of *England*, and the truth even after he was blind hath recorded it.

Whereby a design was laid by a potent and over-busie Courtier to ruine the Revenues belonging to that Arch-Bishoprick, by informing the King that the Arch-Bishop of *Canterbury* had fallen much Wood, let long Leases for great Fines, and made great havock of the Revenues of his Arch-Bishoprick, whereby to raise a fortune to his wife and children; and with so large a Revenue had kept no Hospitality; that it was more meet for Bishops to have a sufficient yealy stipend out of the Exchequer, then to be incumbred with Temporal Revenues, and that the Lands being taken to his Majesties use, would afford him besides the said Annual stipends a great yearly Revenue. But the King rightly apprehending the device, sent the Informer on an errand about Dinner time to *Lambeth-house*, where he found all the Tables in the great Hall, to be very bountifully provided, the Arch-Bishop himself, accompaied at Dinner with diverse persons of quality, his Table exceeding plentifully furnished, and all things answerable to the port of so great a Prelate; wherewith the King being made acquainted at his coming back, gave him such a rebuke for his false information, and the design which was built upon it, as neither he nor any of the other Courtiers durst stir any further in that suite.

And the common people of *England* have always with so much reason, loved and applauded Hospitality,

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good House-keeping, Alms Deeds, and works of Charity, (and in that besides their own benefits and concernments did but delight in the ways of God which he hath commanded, and is well pleased with,) whereby the heretofore famous and greatly beloved Nobility and Gentry of *England*, have gained so much love, honor, power, reverence, and well deserved esteem, as the greatest part of the respects which are now afforded, and paid by them unto their Issues and remaining generations, are as unto too many of them, more in remembrance of the good and vertuous deeds of their Ancestors, than any personal good or vertue is either to be found in them, or according to the courses which they now hold, is so much as expected from them, who think a name or title like some gaudy Sign-post hung out of an empty ill governed and worse furnished house, where vice and all manner of sins in their horrid and ugly deformities being treated and entertained, do crawl up and down like Toads, Frogs, and Serpents in some dark and loathsome Dungeon, or that a pedigree deriving their descents from some or many *Heroes* and Worthy Patriots, is honor enough for them, do scorn all but their own follies, and suppose a witty Drollery, and the *Friskes* and *Funambuloes* of an ill governed wit, or of brains soaked and steeped in drink, more to be valued than the wisdom in the Proverbs of *Solomon*, hate vice and admonition, shun vertue and morality as they would do the burst and fire of a *Granado*; and believe drinking, Dicing and Dabbing to be a more Gentle and cleaner way of Hospitality, and make the common people, whilst they stand almost amazed at their
Debau-

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Debaucheries and irregularities, ready to swear they are illegitimate, or some Changelings crept into the name and estate of their Hospitable and vertuous Progenitors; and if any of them should be well affected and inclined to walk in the ways of their Ancestors, and keep good houses, can never be able to do it by reason of the *no Reason* of their Ranting and expensive Wives, twenty of which sort of *new fashioned* women (for there are some, though not so many as should be, which are or would be *helpers* to preserve and increase their Husbands estates, not to waste or destroy them) would if they might enjoy their spending humors, in the wasteful course of their lives be able to consume the value of all or the greatest part of the Lands and Estates in a County.

But however such kind of people shall so misuse their estates and Talents, our Kings & Princes being to guide their Actions by higher & more transcendent rules than any of their Subjects did in the better times, of vertue and Hospitality, are not certainly to be restrained in the magnificence and state of their House-keeping, nor to have the means whereby they should do it, diverted or diminished; when as *Alexander* the Great, answered some that found fault with the greatness of his gift or bounty to a mean man, *The gifts of Kings are not altogether to be proportioned according to the men who receive it, but of the King that giveth it*; and as the Duke of *Savoy* said unto King *Henry* the fourth of *France*, when he found him unwilling to grant or remit unto him the Marquisate of *Saluces*, *Kings do wrong the greatness of their courage, if they shall not give great things.*

*John de Serres
Hist. of France.*

For if there were no necessity of a largeness of heart
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and expences in Hospitality in the Nobility and Gentry of this Nation, they would not be good Subjects to blame it in their King, nor honorers of him, unless they should, as they ought and are enjoyned by their Oaths of Allegiance and Supremacy, maintain and defend his Honor and Jurisdictions, who by the preeminency of his Imperial Dignity is not to wait that which should help to support and adorn it, when as to that, and the preservation of his people who are to subsist and be protected by his welfare, honor, and happiness, there will be a real and very great.

C H A P. V.

Necessity that the King should have and enjoy his Ancient Right of Pourveyance, or Compositions for them.

FOR that there is, and should be always a necessity to observe the Laws of God, Nature, and Nations right reason, and the Laws and reasonable Customs of *England*, and of honoring and obeying the King, and keeping him from mischiefs and inconveniencies, and that the members of the body Politick, should as every part of the body natural doth, be willing to assist and contribute unto the good and well being of the head and better part of it.

And although that *sin* the fruitful parent of all our evils and miseries, be not in *numera eligibilium*, or to be put within the pleas of necessity, yet goodness, vertue and the duties of holy life, are *propter se expetibilia* for their real benefits and excellencies to be desired and
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thirsted after, as the Hart panteth and thirsteth after the water brooks.

And it would be neither wisdom nor goodness in the people to subject the King to an yeerly loss of seventy three thousand six hundred seven pounds fourteen shillings and seven pence, which he did the last year loose in his house-keeping by the want of his Pourveyance or Compositions for them, and by the excessive Rates and Prices of Provisions for his household, which were put upon him by the avarice and ill custome of such as sold or furnished them besides his greater then formerly charge of Carts, and other parts of the Royal Pourveyance, and drive him thereby into wants of money, which may either cause him to be more sparing then he would be otherwise, in his Royal favors, bounty, indulgences, and Charity to his people, or to seek after and take those many legal and just advantages to support himself in his Kingly Office which the Law affords and cannot be denied him, or give a greater liberty or attention then otherwise he would to his necessities, or the designs, or invention of those who by finding out ways of supply to an over-burdened and insufficient Royal Revenue, may shew the people their errors in the denial of just rights and duties, and by putting him to inconveniencies, exceedingly increase and multiply their own, and that it would be much better to imitate the prudence of *Abigail*, who to make some recompence to *Dauids* keeping safe all that appertained to her husband *Nabal*, so that nothing was missing, whilst he was a wall unto him and his people by night and by day, made haste and took two hundred Loaves, two Bottles of Wine, five Sheep ready dressed,
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five measures of parched Corn, an hundred Clusters or Lumpes of Raisins, and two hundred Cakes of Figgs, and intreated him to accept of the blessing or present which she had brought unto him, then the indiscretion, ingratitude, and folly of her Husband *Nabal*, and consider that even the Beasts of the Forrest would think themselves more happy and safe when the *Lyon* shall have his Food and Dyer provided for him and his family, then that he and the young *Lions* should roar for hunger, and that it would be better for the Shephard to bring him a Lambe or two of the Flock, then to enforce him in the extremity of hunger to come and take away three times as many more and carry to his *Den*.

That the *Turks* may as they have for many ages past rejoyce in the foolish covetousness of the Citizens of *Constantinople*, whose generations may curse and abominate their selfishness, and then supposed wisdom in denying their Emperor money and means to defend them, bewail the loss of *Greece*, and weep unpitied for their children when they are by the command of that grand Tyrant of the *Mahometan* Empire, taken from them, and driven like herds of Cattle and Flocks of Sheep, never more to know or remember their parents, or be of the Christian Religion, to his *Serraglio*, where the Males are bred up in the service of his wars or civil affairs, and many of their daughters made to be his Concubines.

And the *French* may lament their ill usage of their King *Charles* the seventh in his great extremities in refusing necessary Aids to resist the successes of our *English* Conquering forefathers, which brought the *Peasantry* and

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and lower ranks of that since *Gabelled* and over *Salted* people, not only to their present miseries, and that fertility of Taxes which is since most fatally rivetted and entailed upon them, but the loss of all their liberties.

Experience having told our Progenitors how much the necessities and wants of some of our Kings and Princes, have heretofore given way to the exursions of some of their servants and Ministers, upon the rights and liberties of the people, which made the Lords and Commons in Parliament frequently in sundry Ages and Parliaments past, to take a great care for the support and honor of their House-keeping, the preserving of the Kings Rights and Revenues, and the punishment of such as were any cause of the waste or diminishing of it.

And that a suppy of the Kings wants, or for the payment of his debts, could never yet, nor can be so *Arithmetically* made or proportioned either as to what was past or to come, as to even the Tax or Assesments of the people, or to make them to be just so much and no more then the Kings wants, but were always like the Tax in *France* for money to buy the *Queen Pins*, or the Aids given to some Foreign Princes to marry their eldest daughters, which amounted unto many times double the sum of the greatest portions which they gave with them, or the *Aides* in *England* to make the Prince or the Kings eldest son a Knight, when the expences never came near the sum contributed, and as heretofore the City of *London* and other Cities and Corporations have done in their Taxes and Subsidies leavyed upon the Citizens and Townsmen, which

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which did usually by a considerable *overplus* surmount the necessities and occasions of them.

Or if there could be any Reason, Prudence, or Religion, for the people to permit their Sovereign, who is to protect and defend them to live under the Tyranny, discredits and pressures of Debts and necessities, when as that which is grievous or too much for him to bear, may easily be supplied or helpt by a contribution of the multitude, or many giving every one a little.

It cannot be for their good that the Kings small Revenue, and the Hospitality and honor of his house-keeping should be subject to the enhance of Prices, cosening and cheating of Tradesmen, and of every one which his Officers and Servants shall have occasion to deal with, or that the Royal Revenues should be like *Pharaohs* lean kine, devoured by the fat, or daily tormented and gnawn upon like *Titius* heart in the Fable, with greedy and never gorged Vultures.

Which if the King and his Revenue could bear at the present, will be every year and oftener more increased, as the pride of the people and their avarice, and cheating to maintain it shall multiply.

When such a great Provision of Meat and Victuals as is necessarily to be made for the Kings household, and his multitude of Servants and Attendants, will when his Provision shall not be sent in (as formerly to his Court which did prevent it) sweep and take away the best sorts of Provisions from the Markets, and as experience hath already told us, make scarce and dear, all Commodities not only in the Markets within the Virge, or in or near *London*, but in the more remote places, or
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threescore miles off, and as far as *Salisbury*, all that can be brought to the Markets near the Kings residence or his occasions.

Teach the people to heighten their Prices whose measure and rule of Conscience is to ask high rates, and take as much as by any pretences, tales, falshoods or devices they can get; and more of the King, Nobility, and Gentry, then of the Mechanick or Common people, and get thereby unjustly of the King more then all their Subsidies and Assesments (if they be not very great) shall come unto.

And if the great enhance of Prices were not or could not be so great a consumption of the Kings Revenue, it must needs be altogether indecent and unbefitting the Duty and Honor of Subjects to their Kings.

That the Kings Harbingers should be so ill entertained as one of them was lately by one of the Tribe of *Nabal* at *Windsor*, at the solemnities of the Feast of the Garter, who answered his demand in the Kings name for lodgings for some of the Kings Court or retinue, that the King had quitted his *Pouveyance*, and was now no more unto him then another man, and he was at liberty to let his lodgings to any one who would give him six pence more.

Or as one of his *Pouveyors* was by a *London* Poulterer by Trade, and a Captain by a sinful & mistaken Commission, who (upon the ingagement of an unwarrantable Covenant, with hands lifted up to heaven to testify his Loyalty to the late King *Charles* the Martyr, whilst with the same hands he did fight against his Person & Authority for liberty of Conscience, to destroy him & his more Loyal and Honest Subjects, did no longer ago then the

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last *Christmas* (when he should have bewailed his Rebellion, and the sad account which he was to make to God for those numberless sins which he had accumulated by engaging in such an ungodly and unwarrantable war, and should have bin more thankful for his Majesties Pardon and Act of Indempnity, and abhorred and repented his former wickedness) buy against the will of the Kings Pourveyer, three *Bitternes* which he was bargaining for and buying of a Poulterer, and though he was informed by the Pourveyor that he was buying, and had bid money for them for the King, could in a most unchristian, rude, and barbarous manner, say, *He cared not a Turd for the King, he had bought and would have them*, and would by no means be perswaded to permit the Kings Pourveyer to have them.

Or that every Clown and Carter, and every mans Kitchin-Maid, shall in matters of Market and Provision, be at liberty to buy Salmons, Pheasants, Partridges, Bustards, or the like, fitter for the King then their Masters or Mistresses out of his Pourveyers hands.

Or if the product of the taking away of the Pourveyance and Compositions for them could be so innocent as not to swell and multiply the Kings charges beyond its just or former dimensions, there will be many other Evils and Inconveniencies, by enforcing the Officers and servants of the Kings household to buy and provide his and their food and provisions as the common people do theirs, when they shall be larded or inlaid with all the oaths, deceits, and pretences which the invention of the Market people can possibly lay upon it, and when that and many over-reaches and cousening tricks

tricks shall be endured, cannot by the carelesness of the Clerks of the Market, and too many of the Justices of the Peace, be always at any certainty that they do not buy the Beef of some diseased Oxe or Cow, which had the knavish help of a Butcher to make mans meat of that which was more fit to make a Feast for the Crows, or such Dogs as should have the happiness to smell out the Carrion, and go a share with them, or that the Poultry which they shall buy were not killed by some accident or disease, as many times they are before they are brought or offered to be sold.

And if that & all the many other mischiefs & inconveniencies which shall happen by taking away the Kings Pourveyances & Compositions for them, levelling him, and his Officers, & Servants, & ranking them in the business of Markets amongst the *Vulgus & Plebeians*, or common or rudest sort of the people, and rendring them in the particular of Pourveyance in a worse condition, and more to be exacted upon then many of the Nobility, Gentry, and Lords of Mannors are, whose Tenants are not at liberty to use them, either as Strangers or Inferiors, and in as bad a condition as the poorest or meanest laborer of the Parish, were fit to be endured or could be reckoned amongst the honors and respects due unto the Sovereignty & Majesty of Kings, there will be added & brought to those heaps of evils, another of no small detriment in the rise of the wages and mainainance of the Kings Officers and Servants, who were hithe to paid and encouraged more by the plenty of the Kings Provisions, and their Tables and Dyet, and some Fees and avails allowed them out of it, then by the yearly Wages and Pensions which were given unto them,

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which being when they were first given of a far greater value then now they are, and were then esteemed sufficient for his great and subordinate officers and servants, being as they ought to be men of honor, worship, and reputation, are and will be now without those Diets, Fees, and Allowances, by the alteration of the times, and the Rates and Prices of Apparel and victua's, and the Wages and keeping of their own servants and manner of livelihood (in regard that they which are to stand before Princes, are by allowance and pattern of Holy Writ, to be more then ordinarily Dieted, Apparrelled, and Clothed) too petty and unworthy for a King to give, or for such his servants to take, and without any possibility of a comely and decent maintenance and subsistence in the service of a King, which requires a more honorable and well accounted Retinue, then any of his Nobility, Gentry or Subjects.

As may appear by the Lord High Admirals yearly Fee of two hundred Marks. The Treasurer of the household besides his Table 123 *l.*—14 *s.* The Cofferers Fee besides his Table 100 *l.* Carvers fifty Marks a peice. Cup-bearers fifty Marks a peice. The Pages of the Privy Chamber forty shillings a peice. The Captain of the Guard 14 *l.* The Serjeant of the Ewries Fee 11 *l.*—8 *s.*—1 *d.*—*ob.* Serjeant of the Bakehouse 11 *l.*—8 *s.*—1 *d.*—*ob.* Serjeant of the Pantry 11 *l.*—8 *s.*—1 *d.*—*ob.* Seven Yeomen five pound a peice. Grooms Fee 2 *l.*—13 *s.*—4 *d.* Two Pages forty shillings a peice. Serjeant of the Cellar 11 *l.*—8 *s.*—1 *d.*—*ob.* Serjeant of the Pastry 11 *l.*—8 *s.*—1 *d.*—*ob.* Serjeant of the Poultry 11 *l.*—8 *s.*—1 *d.*—*ob.* Clarks Fee

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Fee 6 *l.*—13 *s.*—4 *d.* Four Yeomen Pourveyors 7 *l.*—13 *s.*—4 *d.* a peice. Two Yeomen of the boiling house fifty pounds a peice. Three Grooms 2 *l.*—13 *s.*—4 *d.* Two Pages forty shillings a peice. Clarks Fee 6 *l.*—13 *s.*—4 *d.* Serjeant of the Wood-yard 11 *l.*—13 *s.*—4 *d.*

Which small yearly Pensions to the great and other Officers before mentioned as they are termed *above stairs* are made out and supplied by some other Fees and profits belonging to their places and the favor and bounty of the King in other profits and emoluments by suits and requests on the behalf of themselves and others bestowed upon them.

And the Officers or servants *below Stairs*, as they are called, have their offices and places enlarged by some avails and allowances, as may be instanced in these particulars, *viz.*

The Serjeant of the *Ewrie* hath by ancient custome for his Fee all Dyaper spent by the King onely dampned or damnified.

The Serjeant of the *Bakehouse*, all the Bran coming and arising of all the Wheat baked for the which he doth finde all Bolting Clothes.

The Serjeant of the *Pantry*, the Cover pans, Drinking Towels, and other Lynnen Clothes dampned.

The Serjeant of the *Cellar*, the empty Caskes of Wine spent, and Cupboard cloaths damnified.

The Yeoman *Trayer* hath for his Fees all the Lees of the Wines within four fingers of the Chyme of all the Wines spent, and all the Wines shed with drawing.

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The Yeoman of the *Bottles* all the drinking Towels Dampned or Dampnified.

The Serjeant of the *Pastery* is to have by like ancient custome the Bran of the Meal spent, the Leggs of Beeves at four principal Feasts in the year onely, and all the Leggs of Muttons bakt through the year stricken in the first joynt.

The Serjeant of the *Poultry*, the Gray Cony skins from *Alballontide* to *Shrovetide*.

The Clerk hath all the black and Dun Coney Skins.

The Serjeant of the *Accarrie*, the Head of the Oxe, the Tongue, Midriff, Panch, and four Feet.

The Yeoman and Grooms have the Belly-peice, Sticking-peice, and Rump of the Ox, the Sheeps head, Gather, and Calves Feet.

The *Boiling* house hath for Fee, the dripping of the Rost, the stripping cut off from the Brisket and Surloine peice of Beif, and the Grease coming of the drawing of the Beif out of the Lead being in the Kettles or Pans.

And the officers of the *Woodyard*, all the small Taps of Woods of the Kings Fell for the expences of his household.

All which several sorts of Fees, allowances and avails, are not by the orders of the Kings house to be had or taken without the Comptrolment and view of the Clerks Comptrollers, or the Clerk in every office.

And being in many things but parallel, and like unto that which the Nobility and Gentry do allow unto their servants for rewards and encouragements, as to the Gentleman of the Horse, the cast or over-ridden horses, to the Keepers of
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Parks the Umbles, Shoulders and Skins of Deer, a Fee of ten shillings permitted to be taken of every one that hath a Buck or Doe given them, and the Browse and windfall Wood, to servants, the going of some Horses or Sheep in their grounds, to Cooks the Kitchin-stuffe, and to Butlers the chippings and waste Bread and Beer, &c.

Are in the case of diverse of the Kings Officers and servants, eiked and peiced out by the Kings bounty and grace in some peices of Plate given to them for new years gifts, which in *Anno 25 H. 8.* (and tis likely that the same or something like unto it, was and is every year retained as a custome) in what was given by him unto diverse of his Nobility, Bishops, and household officers and servants amounted unto above one thousand pounds sterling, as appears by an account signed with the Sign Manual of that King communicated unto me In Recept. Scac. car. by Mr. *Thomas Falconbridge* one of the Deputy *Chamberlaines* of the Exchequer, very well skilled in our *English* Antiquities, and a great lover and preserver of the Ancient Rolls and Records in the Office of the Receipt of the Exchequer, and by many other allowances, and some permissions and connivences to support the honor of our Kings in their household affairs, Trains, and attendants which would not otherwise be allowed or permitted, and would cost the King as much or more in Wages or other Pensions if they were not, nor would need to be if the Rates and Prices of livelihood did not so exceedingly and beyond all measure and reason surpass the ancient Wages and Pensions of the Court which may escape any, either the severe censures or sullen murmurings of some of the people, when

as the difference in the Kings Wages and Rewards to and upon his officers and servants, betwixt what was heretofore (to make no greater a retrospect, then one hundred or two hundred yeers ago) and what he is now necessitated unto, reaches a great deal beyond the peoples extraordinary charges in his Pourveyance and Compositions; and that his Officers and Servants are not as in the reign of King *H. 3. French and Poitouvins*, or *Bohemians*, as in the Reign of King *R. 2.* or *Gascoignes*, as in the Reign of his Supplanter King *H. 4.* but are for the most part *English*, and the sons or sons in Law, Nephews, kindred, and relations of those that are to furnish the provisions of his household at some under value or loosing rates and prices, and in that way are no great loosers or none at all; if it were not every one of the peoples interest as well as duty to help the King in his provisions for house-keeping, who is their Buckler and ready help upon all occasions, and gave many of them that which may very well enable them to do it.

1 Chron. ca. 27

And it cannot become either the Majesty or business of the King if he had as he hath not a large Demeasne, Vineyards and Olive Trees, as *David* and the Kings of *Israel* and *Juda* had, who kept Tillage in their own hands, and had flocks of Sheep and Lambs, and Herds of Cattel feeding in *Sharon* and the valleys, wherewith to make and perform their often sacrifices, which (though not so great as that which *Solomon* made at the Dedication of the Temple when he sacrificed twenty and two thousand Oxen and twenty thousand Sheep) were with his many other sacrifices every year upon the Altar of the Lord which he had built before the Porch of the Temple very costly and chargeable (and yet had his household

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provisions yearly served in by a rate.)

To ingage or trouble himself and the Officers and Servants of his Court being men of another manner of extraction and business in the low and laborious labors, or skill of Ploughmen, Herdsmen, or Husbandmen, or of buying and selling Cattle, when they are not at all instructed or educated therein, or to have their Court and Palaces incumbered with the making of Butter and Cheese, breeding and feeding of Poultry with the employments belonging thereunto, which are usually managed by those inferior ranks and degrees of women, who are onely necessary for those or the like kinde of Incumbrances, which however it may with other sorts of people be very subservient and consistent with Hospitality and house keeping, and the necessaries thereunto; and that the breeding and raising of their own household provisions, and the having it of their own, did heretofore very much enable our Nobility and Gentry in their Hospitalities and house-keeping, yet it was never according to the prudence and wisdom of the *Egyptians*, *Greeks* and *Romans*, and by all the major part of Nations thorough so many ages and so much experimented right Reason, thought fitting or becoming the Majesty, State, and employment of Kings and Princes, who (as *Quintius Cincinnatus* well understood it when he left his Plough and Country life, to help the *Romans* his Countrymen, when in their great distress they choose him to be their Dictator :) are more especially to employ their time and cares in military affairs, and the daily importunities and troubles of State and Government.

And when those kinde of high and important affairs

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Boemus de moribus Gentium,
Sigonius de Re-pub. Athenien.
lib. i. 481. & de Antiqua Jure Provincia-um
lib. 2.

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Aristotel. poli. sic. lib. 7. ca. 9. fairs shall give them any ease or respiration, *Opus est quiete & otio ad virtutem comparandam & ad Rempub- licam gerendam.* It is requisite (saith Aristotle) that uni- versal searcher into Nature, and all manner of Learn- ing and Policy,) that such as govern or employ them- selves in Magistracy should have leisure to contem- plate Virtue, and the best wayes, and means, of Go- vernment; and that *in optima Republica*, the best kinde of Government (by which he understands Mon- archy, which he else where preferreth before all other, and calleth it Divine) *nec cerse Agricola;* men that busie themselves in Husbandry are not to be admitted into it.

Which being granted by all that are in any Amity or correspondence with their own understanding, it will by a most undeniable consequence or conclusion, ne- cessarily follow, that the Officers and Servants of the King are either to buy his provisions for house-keeping at the Markets, or where else it may be had, or take, or receive it as formerly they did by ancient right and cus- tome by way of Pourveyance and Composition, and that the buying of it as he doth now, when he hath not his Pourveyance and Composition, will if they pay not ready money, but add instead of interest a greater rate then they shall pay who do buy with ready money, and if they do buy with ready money, which in such a con- sumption, as the Kings Estate and Revenue languisheth under, they are not likely to do, will not be able after such exorbitant rates long to continue payment of ready mony, and if those notwithstanding who shall be im- ployed be not the honestest, may take of the Kings Offi- cers more money then they lay out, and by serving his
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provisions in at a certain rate, gain a quarter or fourth part of the price in every thing they buy. Such or the like good services being now by a general way of *Shift* and cosening, bred and nursed up by the late unhappy Rebel- lion & liberties of sinning, & are now so much in fashion, as too many of the Cook-maids or servants in private houses and families will out of every joynt of meat, and things which they are sent to buy at the Market, or in any other place, Tax & scone their Master or Mistresses purses, as much as their ill-Consciences shall direct them, and think they have bad services if they have not besides their meat, drink, lodging, and as much wages again as formerly they had, the benefit of their *Basket*, as they term it, and going to Market to cozen or cheat ten or fif- teen pounds more then their yearly Wages, and if their Masters to prevent it shall agree with the Butcher to serve them at a rate all the year for Beef, Veal, Lamb and Mutton, will be so impudent as to threaten to carry their Masters custom some where else, or not pay the money which is sent to pay them, unless they may have poun- dage allowed them, and may after that rate and fashion of their pride and cheating their Masters to maintain it, make themselves in a little time to be free of the Cor- poration of *Judas*, whilst too many Citizens or Trade- men, notwithstanding the great care which they seem to take of *Truth and Religion, preaching of the Word, purity of the Gospel, Family Duties, Catechising their servants, repetition of Sermons, walking the wayes of God, and a good conscience,* and their fear of the increase of *Popery, Superstition, Idolatry,* and the *impending judgements of God for the sins of the Nation,* can by most wicked combinations entice and allure their cu- stomers,
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stomachs, servants, to cozen and cheat their Masters by stretching the reckonings, and making them, to be due unto themselves, can give them an allowance or present out of it of ten shillings, or some other sum of money in a Bill of four or five pounds, and give an acquittance for it, as if they themselves had received it.

So as all manner of cozening and artificial and newly devised trim ways of cheating, under the pretence and colour of Religion, honesty, and doing of faithful service, having like some *Epidemick* and general contagion, infected and spread it self through almost all the ranks and degrees of the people, the King who is like to be most abused by it, hath now a greater necessity then ever of his Compositions for Pourveyance, and of the several Counties serving in their Provisions, for that otherwise so great a number of *Harpies* and *Gypsies* as his officers and servants shall meet with, in the buying of his household Provisions, will make a great allowance or assignments in money for household expences, which several Acts of Parliament in the Reign of King *H. 7.* King *H. 8.* Queen *Elizabeth* and King *James*, did in aid of the Pourveyance or Compositions for them limit and appoint to be paid towards the charge of house-keeping, out of several parts of the revenue, as some out of the profits of the Court of Wards, some out of Fee Farm Rents, and others out of the Customes, yet unrepealed, to be but as a very little, and render it altogether insufficient, and not the one half so much in value as the allowance or money shall seem to be.

Or if the King had had a yearly sum of money to be yearly charged upon the people, and paid by them in lieu of the Pourveyance, as it was designed by a Bill for

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for an Act of Parliament thrice read in the house of Peers in Parliament in the first year of the Reign of King *James* and passed, and sent down to the house of *Commons*, and being by them not assented unto, but another Bill for an Act of Parliament prepared and sent up in stead of the former, and the abolishing of all Pourveyance, and fifty thousand pound *per annum* in recompence thereof, granted to be levayed upon the Lands in every County of *England*, and prosecuted no further then the twice reading of that Bill.

Such an yearly sum of money, being afterwards yearly drawn and forced from those uses by some greater necessities, would have left the King to more wants, and his people to a greater necessity of supplying him, or if it had been then as it is now supposed to be, satisfied by a grant of the moiety of the Excise of *Ale, Beer, Sider, Perry*, and other compounded driaks, to be yearly paid to him his heirs and Successors, those yearly profits would have been under the like fate of being otherwise employed, and whether in that way, or by the fifty thousand pound *per annum* to be charged upon the people, would not have been a just and adequate recompence for the yearly loss (if no more) of *seventy three thousand six hundred pounds fourteen shillings and seven pence*, which the King now sustaineth for want of his pre-emption, Pourveyance, or Compositions for them; by how much the sum of seventy three thousand six hundred pounds fourteen shillings and seven pence *per annum*, if no further addition of damage should happen, exceedeth fifty thousand pounds *per annum*, and by how much the moiety of such an Excise might as it doth now fall a great deal short of the estimate

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estimate or yearly Income, which it was believed to be.

Nor can come up unto that equality or rule of justice which ought to be in laying of Assessements or Taxes upon the common people for a general and public good wherein every man being concerned ought to contribute, for that such a Tax or Imposition for the Pourveyance, will be as wide of it, as to lay the burden of the rich upon the poor, compell the Aged, Lame, or Impotent, to maintain the young more healthy and able, or to enforce a contribution of the County of *Oxford*, towards the See Walls, Inning of Marthes, or draining of Fennes in *Norfolk* and *Lincolneshire*, constrain men to freight out Ships and pay custome for the goods of Merchants, when they shall partake nothing of the gains, and make all the Counties and people of *England*, to pay a far greater Tax then the Compositions for Pourveyance amounted unto for to purchase a discharge of Compositions for Pourveyance, which lay but lightly upon all but twelve or thirteen Shires or Counties which are near adjacent unto *London*, and gave them little or no trouble at all, to ease those twelve or thirteen Counties which gained ten times more by the Pourveyance, and the Kings residence at *London*, then what they ever paid or contributed towards it.

And may well miscarry in the hopes or wishes of the peoples content or approbation, when as such a recompence as the King is supposed to have by it, and as much again laid upon the people by the fraud and exactions of the Brewers and sellers of Ale and Beer, &c. and

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and the peoples oppressing and cheating of one another, by pretence and colour of it, and in the Farming or collecting of it shall be extorted or taken out of the necessities or excess of his subjects, the groans and complaints of the poorer sort of them, and the murmurs and discontents of the rich & more able to bear it, who will not be perswaded but that it is an Artifice of the Nobility and Gentry, to ease themselves of other necessary duties and payments by taking it off their own shoulders, and putting it upon theirs.

And the poorer sort of people who were never used to be troubled with any charge or payments towards Pourveyance and Compositions, and by their weakness of Purse and Estate, are always more sensible and complaining of any burdens which shall be laid upon them, shall as they will finde themselves to be loofers in the rise and heightning of all victuals and provisions to be bought, as much or more then the yearly charge of the Kings Pourveyance and Compositions did amount unto, for that the Kings price will increase that of the Nobility, that of the Nobility will raise the Gentry in their prices, and the unreasonable rates and prices which the Gentry must be constrained to give, will raise that of the common people, and a price once raised and fixed, but for a little time is so by the craft and sinful pretences of the sellers kept up and continued as it seldom falls again, but riseth higher and higher, and as far as they can possibly stretch or strain it, so as none will be gainers but the sellers, who are not a third part of the people, and their gains must be made out of the losses and damage of the King and two parts of the people.

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Who will also be put in a worse condition when the King by a daily waste and consumption in his Revenue by such exactions and prices imposed upon him in buying his household provisions at such intollerable rates and prices, as the unbounded avarice, gnawing and grinding advantages of the sellers shall be pleased to put upon him, shall for want of his Pourveyance or Compositions be enforced to lay down his Officers and Servants Tables, and put all or most of his servants to *Board-wages*, and that the money which shall be intended or assigned to pay them, shall afterwards upon some emergencies or necessities of State affairs for the defence or preservation of himself or his people be transferred to other important uses.

When the wants and cravings of his servants who cannot live by unpaid Arrears, may set them to hunt the people for monys which they suppose may by reason of some neglected rights or concealments, be due from them to the King their Master, or to devise projects, and perswade him to strain his Prerogative in the reformation of known abuses in Trade, or other dealings, wherein many of the people do appear to be very great gainers, more then by Law or Conscience they ought, to be, to the end that he might help his servants, who think it to be reasonable enough for them to essay lawful ways and means to support themselves, whilst they conceive that they should not have wanted their daily bread or maintenance, if the business of the Commonwealth, and the Kings care of the people in general had not bereaved or deprived them in their particulars.

And that their sufferings, want of Wages and fitting maintenance was to procure the welfare and happiness of their fellow subjects.

Or

Or if that way which many times galls & vexes more in the matter then the things themselves shall not extend unto their relief, will at the best after dangerous discontents and commotions in the minds of the people, but beget large Taxes and Assesments in exchange of projects or some other necessitated incursions upon the peoples liberties, or produce some Artifices or Policies of State to raise money from them, as the *Crusades* by the Popes in the Reign of King *Henry* the third, and dispensing for money with such as had engaged to go to the wars in the holy Land, and were sick or not able, or had a minde to tarry at home; or as some Kings and Princes have done by pretending fears of invasion from some neighbor Princes, or a necessity of transporting the war out of their own into an enemies Country, and when they had raised great sums of money and made ready their Armies, dismissed all but the money which was gained by them, to return home again upon an overture of a peace, or a certainty that there was no need or likelihood of wars.

Mat. Par. 805. 913.

When it is well known that the people had no just cause to complain of the Pourveyance or Compositions for it, nor of the Cart taking, as to themselves or their servants, when the Masters had two pence a mile allowed them for their Horses and Carts, which most commonly went not above twelve miles from their habitations, the Horses having no want of Grass, Provender, or Hay; the men had better Beer and Victuals then they had at home. And the owners of Carts and Horses within the Virge of the Kings houses, or Palaces, or in the way of his progress, were no loosers by his coming when either for his recreation

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or refreshment, or to visit the several parts and Provinces of his kingdom, he should think fit to make his progress to meet with and redress any complaints or grievances which should happen therein.

So as the fault must needs be in themselves, if they would now finde fault with that which they could not do before, when as those just and ancient rights of the Kings of *England*, and duties of their subjects, were alwayes so necessary and inseparable to the Crown and their Imperial dignity, as that if our ancient Kings of *England* had not enjoyed those their just rights (which the fury of the Barons was against King *John*, and his son King *Henry* the third, and those grand advantages which they had over those Kings in so great a commotion of the people, which the power and interests of those Barons (for all had not laid aside their loyalty) had stirred up against them, did not in the making and confirming of our *Magna Charta* think fit to deny them if they paid the *antiqua pretia* ancient rates and hire) they could not without an immense charge, which we do not finde they were at have removed so often and so far as they did from *London*, to their several houses and Palaces (which their many Forrests, Chases, and Parks, for their disport and Hunting in several Counties and remote parts of the Kingdom will evidence, that they did not seldom do) and make so many Voyages into *Normandy*, as our *Norman* Kings *William Rufus* and *Henry* the first, and their successor *Henry* the second, and he and his son King *John*, and *Richard* the second did into *Ireland*, or as other of their predecessors did into *Wales*, or as King *James* did from and into *Scotland*, or King *Charles* the *Martyr*, his son

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son when he went thither to be Crowned, nor keep their *Christmas* and other Festivals, for their Parliaments as many of our Kings and their successors did in several places of the Kingdom, which their Letters Patents dated from thence, do frequently testifie, or the term as King *Edward* the first did at *York*.

Neither could our late Royal *Martyr* King *Charles* the first have made so good a shift as he did to remove himself and his Court Northerly, and to *York* in the year 1641. to save himself from the *London* tumults, nor have gathered Forces, or had means or time to defend himself and his people, if he had released and forbid his Pouveyances by Act of Parliament, but must like a Bird without Feathers, or with broken wings, have been taken with a little running after, and been brought back again by the Sheriff of the first County he had escaped into, which the Rebellious party in the late distempered and fatally unhappy Parliament, were confident would have been the consequence of his going away from them without granting unto them his regality, and surrendering up the care and protection of his people into their arbitrary way of governing them in his name to their own use, and as they pleased by Votes and Ordinances.

If his officers and servants could not when the Factious party in that Parliament had seized his Rents and Revenues, have hired a Cart for his use without an order or provision of Carts and Horses made by the appointment of two of the next Justices of Peace, or at a lesser rate then six pence a mile, or what more every rich sturdy Clown, or his rude unmannerly servants should have demanded of them to be paid before hand,

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and upon refusal of their Carts or Carriages should have had no other remedy but to complain to the Justices of Peace to compell or punish them.

The want of which part of the Royal Pourveyance, as well as his other Pourveyance and Compositions for them, hindring his now Majesty in the last Summer 1661. when he intended a Progress to visit his loyal City of Worcester, the Royal ever to be remembred Oak, and the places of his marvelous escape in a grateful acknowledgement of Gods never to be forgotten mercies shewed unto him in that his greatest of distresses, so as he could not either then or ever since perfect or put in execution, that his pious and most Christian-like resolution may inform every one that is not more then deaf to all reason, that it was the Nations concernment that the King should not have wanted the assistance of his Pourveyance to have gone to the place of that his extraordinary deliverance, to have readred thanks for himself and his people, who may be said to have been delivered in him, and escaped with him.

And if it had not been such an ancient right, should not have been denyed him in his necessities; which Cicero who was as great a Commonwealths man in Rome and lover of it, as any of our Republicans could be in England, was of opinion, ought to be obeyed, *ubi pro salute Reipublice*, where it is for the good of the Commonwealth. And Molina and Covarruvias, do think it no adventure to conclude that in that case *Subditi non sunt excusati in foro conscientie, si tributa collectas, &c. detrectent aut fraude circumveniant*, Subjects are not in conscience to be excused if they delay or deny to pay their

Tully lib. de officiis.

Molina de just. & Jur. Tom 3. disputat. 674 & Covarru. ad cap. peccatum.

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their Tributes or dues, or shall use any deceit in the payment of them.

For it can be no other then the weal publike, and an universal good and benefit that the King, who although he be Gods Deputie, is not as he is Omniscient or Omnipresent, nor can at once or a far off see and understand all the Actions of his subjects, should like the Sun in his course visit at several times as many parts and places of his Kingdom as he can, and it must needs be a great damage to his people that the King who is not to be chained like the Romane Gods to the Capitol, or forced into the condition of some Foggy Citizen of London, who being born within the sound of Bow Bell, thinks it a great adventure to travil any further; should be kept for want of his Pourveyance, from the knowledge of his people, who can not justly complain that their burdens, or grievances when there are any (as some will always be in the most Pacifique and happy Government, and are many times not at all occasioned by any publike affaurs or inconveniencies, but by the peoples afflicting and oppressing one another (a small matter being to a weak man, or of an incumbered estate, or overcharged with children, misfortunes, or debts, a burden or grievance, which to one that is otherwise, would seem light or trivial, and scarce worth the taking notice of.)

Are not remedied, or can no sooner get through the throng or crowds of pleasures, designs, or interests, which too much and too often infest and injure the Courts of Princes and their good intentions, or that they cannot find intercessors or opportunities when they shall for want of his Pourveyances and progresses,

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confine him to one place of residence, nor may wonder that he is so much in want of money, and complain that they should so often be inforced to give entertainment to Subsidies, Taxes, and Assessments to supply him, and the publike affairs, when as they themselves do not onely increase his wants by putting dear rates and unreasonable prices upon him, but constrain him by reason of the loss of his Pourveyance, to reside altogether at *London*, where nothing but devout cheating and knavery is cheap, when *David* was sometimes at *Hebron*, and *Solomon* at *Gibeon* as well as at *Jerusalem*. And it must needs be very necessary that Kings should sometimes by their progresses visit their several Provinces, and inquire into the contents or discontents, weal or wo of their Subjects, when they have not an hundred eyes like *Argus*, nor *Lyncens* his sharp sight to see as he is said to have done at a great distance, nor can make use of their own eyes and ears, the truest and best Intelligencers, if they shall be always tyed up to one and the same House or Palace, where the mists and clouds of Flattery, the bane and ruine of Princes and their Kingdoms, and people and multitudes of varnished designs, do hourly interpose, keep out or abuse any true information which shall be given or made unto them of the grievances of the people, who like Cripples, or *Mephiboshek*, lame of their feet, cannot reach the gracious eyes or ears of their Prince, but must give against their wills advantages to every lying and deceitful *Ziba*, to misuse or divert the effect of their Princes cares and good intentions which makes Progresses to be so useful, and to have been heretofore so observed and unneglected by our *English* as well as all other Kings and Princes, where-

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whereby to understand as *Philippus Honorius* saith, *La natura di subdit*, the manners and employment well or ill being of their subjects, and the performance, or neglect of subordinate Governors, and to rejoyce, and comfort themselves in their love and acclamations, and should therefore have their eyes like Gods providence, running to and fro the Land, as much as mortality and its frailties can permit them, which hath taught the great Monarch of *Industan* not onely yearly to make his progresses into several parts of his Dominions, but wherever he resides to shew himself, every evening out of his window about Sun setting to the people, and to cause a little Bell to be hung in the room where he sits, by the cord whereof conveyed without the door, any suitor or petitioner may ring the Bell & be admitted. And the unhappy *Childerick* King of *France*, keeping too much within doors all the rest of the year, could notwithstanding be perswaded to exhibit and shew himself to the people every *May* day.

The necessity and good use of Progresses being to be subscribed unto, and acknowledged when the King shall diffuse his comforts to all that shall be within the circumference or neighborhood of his abode, when he shall not by his Royal influence and neighborhood, make one part of his Kingdom an *East* or *West Indies*, and all the rest or the major part thereof to be a *Greenland*, or place uncomfortable, but extend his bounty and goodness at several times and seasons to all his people.

When many a petition and request shall not need to make a costly journey to *London*, when the prices of the Markets raised higher then they were before by his Train and Retinue coming amongst them, and the

Philippus Honorius
Tesaur. Politic.

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the confluence of many people from all parts within or neer unto the neighborhood, shall reimburse the Sellers a great deal more then those parts, or their neighborhood, did pay or were charged with, either for Compositions for Pourveyance, or Cart taking, when some Cities and Towns, as many have done shall be much the better by an enlargement of their Charters, or a grant of some immunities and priviledges to them their successors and after generations in perpetuity.

When some families may be for ever made happy as one was in a progress of King *James*, when a careful Gentlewoman with her seven young children, having too small an estate to educate them, being purposely placed in a stand where the King was brought to shoot at a Deer, and pleasantly tendred to the King as a Hen with her seven Chicken, gave his Princely charity and bounty the opportunity to take them into his care and service when they came to be fit for it, and brought either all or most of them to great preferments, when poor people or their children being lame or diseased with the sickness called the Kings Evil, may be freed from their otherwise tedious journeys and charges in going to *London*, their abode there and returning home, which if a Tax were laid upon their Parishes to furnish, would come to as much if not more then the charge of Cart taking and Pourveyance did cost them. When our Pool of *Bethesda* shall be *Itinerant*, and the good Angel shall yearly ride his Circuit to bring blessings and cures to those that need it, and where a multitude of people shall not be the cause of uncovering the roof of any house to let down the sicke
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in their beds to be healed.

All which with many other comforts and benefits which the King by his progress or residence brings to all which are or shall be near it. The City of *York* in the North parts of *England*, and her adjacent and neighbor Provinces would purchase at a greater rate then the Pourveyances or Compositions for them, do or did ever yearly amount unto, and being like to be great and glad gainers by it, would be most chearfully willing and ready to carry or remove his travelling goods or utensils from or to any of his Royal houses at his no contemptible or unreasonable rates or Prices.

O the City of *Worcester*, or Town of *Shrewsbury*, with their adjacent bordering Shires would in the prospect or certain gain of it, be not at all discontented or troubled at the neighborhood of such an enriching *staple comfort*.

Which every man may believe when as he must be a great stranger to *England*, as well as to common sense and understanding, who cannot apprehend how much relief an old fashioned *English* Gentlemans house (for we must distinguish betwixt rich hospitable good men, and those who being weary of Gods long continued mercies and patience, do think they are not Gentlemen or well educated if they do not swear as fast as they can *God damne me*, and *the devil take me*, and make themselves, and their wives and children, their estate, and all that they have, the prey and business of Taylors, Vintners, Cooks, Pimps, Flatterers, and all that may consume them) is unto two or three Cottages or poor peoples houses near unto it, what small Villages and Towns, and how mean, unfrequented, and poor *Oxford* and *Cambridge* were before the founding of those

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famous Univerfities, and the Colledges and Halls in them? How many Villages and some Borough Towns have been founded and built by the warmth and comfort of the Kings Palaces, as *Woodstock*, &c. how many have been built or much augmented by the neighborhood of Abbies and Monasteries, or as *Ewe-sham*, *Reding*, *Bangor*, *St. Albans*, &c. and of Bishops houses, as *Croydon*, *Lambeth*, &c. though many or most of the Religious Houses in *England* and *Wales* were at the first designed & intended for solitude. How many great Towns and Villages in *Middlesex*, *Essex*, and *Kent* have been more then in other Counties more remote, built or much augmented and increased by the Kings residence at *London*, and the Port Towns and convenienty for Shipping? How many Farmers in *Berkshire* and other Counties near *London*, have more then in those farther distant, converted their Barns into Gentlemens Halls, or stately houses, and began their Gentility with great and plentiful revenues to support it? What addreses or suites are often made to Judges in their Circuits to transfer the keeping of the Assizes from some City or Shire Town, to some other Town in the County to help or do them some good, by the resort and company which comes to the Assizes, as to keep it at *Maidstone* and not at *Canterbury* in the County of *Kent*, at *Wolverhampton*, not at *Stafford* in the County of *Stafford*, &c. or to keep Terms in a time of Pestilence, and adjournment from *London* to *St. Albans*, *Hertford* or *Reding*? & how like an *Antwerp* or the *Skeleton*, or ruins of a forsaken City, the Suburbs of *London*, now the greatest and beautifullest part of it would be if the residence of the King and his Courts of Justice should

should be removed from thence or discontinued? How many thousand families would be undone and ruined? and how those stately buildings would for want of that daily comfort which they received by it, moulder and sink down *interitum*, under its daily ruines, and give leave to the earth and grass to cover and surmount them, and turn the new *Troy*, if that were not a fable, into that of the old. Which the Citizens of *London* very well understood, when in the reign of King *Richard* the second, and the infancy of those blessings and riches which since have hapned to that City by the Kings of *England*, making it to be their darling or Royal Chamber, that King was so much displeas'd with them, as besides a fine of ten thousand pounds imposed upon them for some misdemeanors, their liberties seized, their Mayor committed prisoner to the Castle of *Windsor*, and diverse Aldermen and substantial Citizens arrested, he removed his Court from *London*, where not long before at a solemn Justes or Tourney, he had kept open house, for all comers, they most humbly and submissively pacified him, and procured his return to so great a joy of the Citizens, as they received him with four hundred of their Citizens on horseback clad all in one Livery, and presented the King and Queen with many rich gifts. All which and more which may happen by the Kings want of his Pourveyance, or Compositions for them, and keeping him and his Officers and Servants in want of money, or streightning him or them in their necessities, and daily provisions may perswade every man to subscribe to these *Axioms*, that the more which the King hath the more the people have. Q. 2 That

That whosoever cozens and deceives the King, cozens and deceives the people, that the wants and necessities of the King and common parent which is to be supplied by the people, are and will become their own wants and necessities.

That it cannot be for the good or honor of the Nation, that the King, who is not onely *Anima, Cor, Caput, & Radix Reipublica*, the Soul, heart, head, and foundation of the Commonwealth, but the defender and preserver of it, should either want or languish in his honor and estate, when as *unusquisque subditorum* saith *Valdesius Regi ut Capiti, cordique suo oppitulari debeat precipue ad dignitatem Regiam Regniq; auctoritatem publicam tuendam cum ut membrum particeps sit gloria qua Caput fruitur*, every subject ought to assist his King as he would do his own head and heart, and more especially to maintain and defend his Kingly dignity and authority for that every member in the body pertakes of the good and honor which the head enjoys.

Valdesius in proemio de prerogatis Regum Hispanie.

That it cannot be for the good or happiness of subjects to necessitate the power of their Prince, or enforce him to try how far it can extend or prevail to free himself from wants or pressures incumbent upon him; when as common observation can tell us that small Brooks or Rivolets being stopt or obstructed in their creeping *Meanders*, or way unto the greater Rivers who are to conduct and lead them into the great assembly or *collection of waters*, will go out of their former gentleness, and either inforce a passage by inundations or break their way through all the Barricadoes which can be made to restrain them, and that the more they are endeavored to be restrained, the more they do rage, and

and easily overcame and bear down before them all that can come in the way of their combined fury stirred up and heightened by the necessities which were put upon them. That a want of Revenue in a King to discharge common and ordinary necessities, makes *necessitatem invincibilem & violentam*, which saith *Aristotle, proposito & electioni prohibet & obstat*, such an irresistable and violent necessity as it enforceth that which was never intended, nor would otherwise have been done (which the Wisdom & Spirit of God in the vision which he shewed unto the Prophet *Ezekiel*, of the building & order of the Holy City, & the Revenues of the Prince held fit to prevent by a competent Revenue) That Armies do notwithstanding all the cares and commands of their Generals, and the severest Laws and Discipline of war, prohibiting spoil, rapine, or plundering, break out for want of pay and necessities into all manner of disorders and oppressions, and that we need not enquire of the days of old, or the Ages past, of the numberless mischiefs and inconveniences which have inevitably followed the wants of Princes and the effects of power put on or let loose by necessities.

Bod. n. lib. 4. c. 5. de repub. Aristot. Politic.

Ezech. 46. 8.

And may sadly remember that the people of *England* denying the late blessed King and *Martyr* his Customs of *Tonnage* and *Poundage*, did not onely put him and the cause of his Protestant Allies and friends into many disadvantages for want of those aides which he would otherwise have been enabled to give them, and enforced him to fall short of his desires and intentions therein, but to give way to many of his craving *Scots* and wanting servants to take in the assistance of his Royal Prerogative, and stretch it further than ever he intended.

^{1090 in pp 1002} (302)
 tended. That notwithstanding all the care which he could take that such grants and letters Patents should not transgress or go beyond the bounds of the Law and the right reason and use of it, and did upon the granting of many of those Patents, cause the Patentees to become bound in Recognizances of great penalties to surrender up their grants and letters Patents, if at any time he or his Council should require it. And had of his own accord in the year 1639. and 1640. by his Proclamation called in above thirty of such Patents and Commissions as either had been or were likely to be grievances unto the people, and in the beginning of that long and unhappy Parliament had graciously condescended to the annulling or abolition of all that did but resemble grievances, or were but likely to produce them.

And that those Letters Patents, Commissions and Grants which were called Projects and Innovations were invented and promoted by many Citizens Tradesmen Gentlemen & others, who being none of the Kings servants, did court and won the Kings Prerogative unto it, and busily employed some of the Kings servants to go shares with them in the gain or profit thereof, none or very little, whatsoever was pretended, coming to the King or his Treasury, & began with the necessities which a causeless discontented part of the people, did most unadvisedly and undutifully put upon their King, whom they would not suffer to be at any rest, untill he had engaged himself and his Allies in a war with *Spain* and the then greatly prevailing house of *Austria*, for the recovery of the *Palatinate*, and to make a breach with *France* for the relief of *Rosbel* and the *Hugonots*, and left

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 left him afterwards in the midst of the troubles, expence and danger thereof, without any aid or assistance to go through as well as he could with it.

And may now understand how much better it had been to have acquiesced in the many precedents and authorities of the Kings just and legal power of sending his writs to the *Cinque ports*, and many maritime Towns & Counties, many if not all of whom were by Tenure or Custom in lieu of many liberties & privileges granted unto them by the Kings Royal Progenitors, which they do yet enjoy to send or furnish out a certain number of Ships at their own charges, when the King should have any publick occasion or necessity, & to have continued the Kings most just & ancient rights and regalities in his Tenures *in Capite* and by *Knight Service*, which by Land together with a fixed & certain aid of Shipping, contributed by the *Cinque Ports* and Maritime Towns and Counties, would together with his Commissions of Array, have enabled him upon a short warning never to have wanted most puissant and gallant Armes and Forces both by Land and by Sea, consisting not of hirelings and strangers, but such as would have fought *pro Aris & Focis*, for their own as well as their Princes interest, and would not easily turn their backs, betray or fly from their Wives and Children and their own Estates, then to put the King for want of them to a yearly charge, of no less than *eight hundred thousand pounds per annum* by Sea and by Land for the peace, security, & honour of the Nation, which did not before cost the late King *four score thousand pounds per Annum*.

Or to be charged with an everlasting Excise as to the moiety

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moiety of the Excise of Ale, Beer, Sider, Perry, &c. which did not the last year amount unto more than *one hundred & five thousand pounds per annum* in recompence of the yearly profits of the Kings Tenures *in Capite* and by *Knight Service*, and what he loofeth by his want of Pourveyance and Compositions for them, both which did yearly amount unto a far greater benefit, what an ill bargain both the King and the people have by the laying by of the one, and granting the other; how small an advantage the people got by their heretofore invisible *Keepers of their Liberties*, who did all they could to keep them from them, or by *Oliver*, their *quondam Protector*, and whether the turning of their freedom into a slavery, and the intreating of him by that which by a *dreamed authority of Parliament*, they called the Petition and advice to accept of *ten hundred thousand pounds per Annum*, to be charged upon the people without a Land Tax for the maintenance of a Navy *ten thousand horse and Dragoons*, and *twenty thousand Foot*, (to keep them and their posterities in *sin and slavery*) with such other supplies as should be needful to be raised from time to time, and *three hundred thousand pounds per Annum* in like manner to be raised for the support of his Arbitrary and Tyrannical Government, were less trouble and charge than the Kings Tenures *in Capite* and by *Knight Service*, and his Compositions for Pourveyance; the greatest yearly profit by the Tenures, in what was paid to the King, nor amounting unto above *one hundred thousand pounds per Annum*, and the Pourveyance which saved the King in his Household expences above *one hundred and forty thousand pounds per Annum*, not charging the people in these
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late times of enhance of prices above *Sixty five thousand pounds per annum*.

Who when they shall have paid double or treble more then the Excise is rated at by colour of the Excise which was by Act of Parliament given to the King and his Heirs and Successors, in supplement of his exhausted and overwasted Revenue, and racked and oppressed one another by occasion or pretence of the charge of it, cunning and avarice of the *selling* and richer part of the people, Merchants, Retailers, and Mechanicks of the Nation, every one striving to put the damage from themselves, and shift as much as they can the burden upon others, will by a lamentable *summa totalis* find how little they have gained by putting their Prince into necessities, and how small a gain or blessing they will leave to their posterities.

When by begging, getting and keeping all they can from the King and cozening him all that they can; the common people unless they will have their body *Politick* to be without a head, and as they were in the Time of Usurpation when there was no King in *Israel*, busied like the Beasts of the Forrests, and Fishes in the Sea in devouring and oppressing one another in a *Chaos* of villany and confusion, cannot subsist or maintain themselves in peace and plenty without enabling the King to support himself to protect and defend them.

And may without any violence used to their judgments believe that it was better with the common people of *England* when they paid for their Farms, some rent in money, & some in provisions of *house-keeping*, when by the

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hospitality of their Landlords, they were sure to partake of them, their Lands and Rents being not tortured or drawn up to the highest pin or screw of the *Rack* or any possible improvement which might be made of it. And the plowing of some part of their Lords Demeafnes, reaping or carrying in of their Corn, and helping them to fetch home some Wood or Coals, did not amongst a many of Tenants according to their proportioned services for which they reckoned the love, protection, and hospitality of their Landlords, to be satisfaction enough amount unto the *Twentieth* or *Thirtieth* part of the *Rack* Rent which now they do pay and have not so much as a Cup of Beer or a morsel of Bread given them when they come to pay it.

Which the people of *Scotland* may to their cost experiment, if they should as the rustick part of the people of *England* have done, never think themselves happy untill they have shaken off the services and obligations to their Lords and *Benefactors*, and in stead of paying some *Chalders* of *Viſuals* *Mailles* and other more easie duties, have their Lands let by their Landlords to the utmost penny and *bidding*; and like the *Israelites* in their *Egyptian* bondage make Brick and gather the Straw and pay a Rent as much as the Land or Farm can possibly yeild or it may be a great deal more.

And may persuade the people that there is a grand necessity attended with many other great necessities that the King should have again his just and harmless rights and prerogative of *præ-emption*, *Pourveyance* and *Compositions*, and as great a necessity for the people if they will avoid those heaps of evils and inconveniences

niences which may otherwise happen upon them and their posterities to desire that he should have it.

When the oppression of the Markets, and the people working upon one anothers necessity, the most part of them walking by no rule of piety, virtue, morality, humanity, charity, or conscience, but labouring all they can in their actions to advance the kingdom of *Sin* and *Satan*, and their own everlasting punishments, shall by their wicked and illegal enhauncings, *ingrossings*, combinations, and contrivances, make the prizes of every thing to be so immense and unreasonable, as the vicious and *Roeking* part of the people will, if such rates and prices shall hold on, continue, and grow higher and higher, as they are like to do without some *Bando* or reiglement, and a greater care taken by the *Justices* of *Peace*, and *Clerks* of the *Market*, then hitherto they have been pleased to bestow in the execution of their places and duties, undoe and begger the virtuous, or such as shall be inforced to buy at such unreasonable rates their provisions of food and livelyhood, & make, as a *Tow* lately well observed, none but the richen part able to live with any plenty or content, utterly ruining the middle ranks of the people, and enslave and begger the poorer, who must like the *Gibeonites* be well contented to be *hymers of wood*, & *drawers of water*, that they may live, and eat bread.

And that all that the King and his Council can do by putting in practice the ancient usage of a *Jury* impannelled by the *Clerk* of the *Market* within the *Virge* of the *Court*, and commanding them upon their

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their Oaths to set a marketable and reasonable rate according to the usual prices of Victuals and household provisions in Markets and elsewhere, which all men were enjoyned by His Majesties Proclamation strictly to observe, cannot now that the Pourveyance or Compositions for it are laid aside, keep their rates and prices within the bounds and limits of any reason, but the people are so insatiable in their gains, and so cunning to promote their unjust designs therein, as they do not only not keep the Kings rates, but to enlarge their profit and prices do all they can to bribe and go a share with some of his Pourveyers.

When it is very evident and demonstrable, and our own happiness might tell us, if we did not too much mistake and abuse it, and make our sins to be the product of it, that now, that in *England*, by laying down of Tillage more than it should, there is more Pasture & Land to feed or fatten Cattel ten or twenty to one then ever it had before, and that this our fruitful Isle hath both for Tillage and Pasturage, *agros luxuriantes*, rich and fertile Lands, watered and enriched with many Rivers, her Mountains and Downs covered and replenished with Sheep, and far more then they were before the Raige of King *Edward* the third, abounds with Corn, Butter, Cheese, and all manner of Commodities for the use and livelihood of mankind and by a greater improvement of all the Lands of the Kingdom within this last Century or hundred yeares, then was in three or four hundred yeares before, and by watering, marling, and burning the more barren parts of it, is gone far beyond the time and

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and expectation of our Fathers and Progenitors, either *Brittaines*, *Saxons*, or *Normans*; and is in the yearly value of Land increased in many parts or particulars thereof twenty, thirty, or forty to one more then it was, inso much as we may to our comfort say and believe that Forraign Writers were well acquainted with our happiness when they called *England* the Court of *Ceres*, and (as *Charles* the great, or *Charlemaigne* of *France* our neighbor was wont to term it) the Granary of the Western world, a Paradise of Pleasure and Garden of God, and was many ages before in the *Brittish* times so fruitful in all kinde of Corn and Grain, as the *Romanes* were wont yearly to transport from hence with a Fleet of eight hundred vessels, then but something bigger then Barges, great store of Corn for the maintenance of their Armies; and our *Brittains* could before those large improvements of Lands and Husbandry which have been since made in it, declare unto the *Saxons* when they unhappily called them in to their aid, and took them to be their friends, that it was a Land plentiful and abounding in all things.

Pope *Innocent* the fourth in the Raige of our King *Henry* the third, called it *Hortus deliciarum*, a Garden of delights *ubi multa abundant*, where all things are plentiful. And in the Raige of King *Edward* the third where there was small or very little enriching or bettering of Lands compared with what it is now, the *English* Leigier Embassadors at *Rome* hearing that Pope *Clement* the sixth had made a grant, as he then took upon him, to the King of *Spaine* of the *Fortunate Islands* (now called the *Canaries*) did so believe that to be *England* which was then granted by the name of the *Fortunate Islands*,

Speed Hist. of
Great Brittain
in P. 00010

Mat. Paris in
Anno 1246.

(310.)

as they made what haste they could home to inform the King of that which they believed to be a danger.

And may now more then ever well deserve those *Encomiums* or commendations which our industrious *Speed* hath given it. that her Vallies are like *Eden*, her Hills as *Lebanon*, her Springs as *Pisgab*, her Rivers as *Jordan*, and hath for her Walls the *Ocean*, which hath Fish more then enough to feed her people, if they wanted Flesh and had not as they have such innumerable Herds of Cattle, & flocks of Sheep, such plenty of Fowl, Fruit, Poultry, and all other provisions on the Land for the sustenance & life of man, to furnish the delicacy of the richer part of the people, and the necessities of the poorer, if they would but lay aside their too much accustomed Lazines and carelessness, with which the plenty of *England* hath infected her people, and not suffer the *Dutch* to enrich themselves and make a great part of their vast Commerce and Trade, by the Fish which they catch and take in our *British* Seas, multiplying the flocks of their children and Orphants; whilst too many of ours for want of their parents industry, have none at all or being ready to starve or dye, do begg up and down the streets, when the waters have made her great, the Deep hath set her on high with her Rivers running round about her plants, and sent out her little Rivers unto all the Trees of the field, when she is become the Merchant for many Isles, hath covered the Seas with her ships, which go and return a great deal sooner then *Solomons* Ships to or from *Ophyr*, searcheth the *Indies* and the remotest parts of the earth, to enrich her borders and adds unto her extraordinary plenty, the Spices, Sugar, Oyl, Wine, and

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and whatsoever foreign Countries can produce to adorn our Tables, which former Ages wanted, or had not in so great an abundance.

And that her people are now (if so much) no more numerous than formerly, by her emptying of multitudes of her Natives into *Ireland*, since the Raign of King *Henry* the Second, many of whose Inhabitants have been *English*, transplanted, & gone thither, by our many great Plantations, since the middle of the Raign of Queen *Elizabeth*, sent into *America*, as *Virginia*, *Bermudas*, *New-England*, *Barbadoes*, *St. Christophers*, *Mary-Land*, *Charibe Isles*, *Mevis*, &c. By our many Voyages at Seas, and to the *Indies* more than formerly; our Fishing in *New found Land*, which we had not in former dayes, our Nursery of War, and Regiments of *English* in *Holland*, and the United Provinces, and our greater than formerly Luxury, use of Physick, and shortning the lives of the richer part of the people by it.

When the Provisions for the Kings Household, or the Compositions for them, in so great a plenty as *England*, is now more than formerly blessed with, notwithstanding that we do keep fewer *Fasts*, & *Fasting Evens* than heretofore, and do, as it hath been an usage & custom of this Nation, eat more flesh in every one month of every year, the time of *Lent* excepted, (which since the Reformation of our Religion, & the return of it from the now Church of *Rome*, to that which is more Orthodox, is very little at all, or not so well observed as our Laws intend, and it ought to be than all *France*, *Spain*, & the *Netherlands* do in every year, would if the Universal Pride & Luxury of the

the people, and their *Racking* and *Cheating* one another to maintain it, did not hinder it, be as cheap, or cheaper afforded than it was heretofore.

I. For that our Ancestors well approved, and much applauded customs of Hospitality, are almost every where turned out of doors, and an evil custom of eating no Suppers (which a Tax, for a little time, of as much as was saved by one meal in every week, introduced, and brought into fashion, to maintain the *Grand Rebellion*) hath helped the *Back* to cozen the *Belly*, and the *Back*, with its *Beigade* of Taylors, and all other the abused and retaining Trades to *Luscifer*, hath cheated, and rooted out Love, Charity, and good House-keeping, and retrenched much of the Provisions, which were wont to be better employed.

II. That the Lands of most part of the Monasteries, and Religious Houses in *England* and *Wales*, and their yearly Revenues, which, at the old easie rates, were an, or about the Raigh of King *Henry* the Fourth, computed to be sufficient, and enough to maintain *fifteen Earls*, which after the rate of Earls in those dayes, and their great Revenues, could not be a little, *fifteen hundred Knights*, *six thousand two hundred Gentlemen*, and *an hundred Hospitals*, besides *twenty thousand pounds per Annum* to be given to the King, many, if not all of which, were by Priviledges, or otherwise exempted from Pourveyance, and bding at a low, and great undervalue, in the latter end of the Raigh of King *Henry* the Eighth, now above one hundred years since, of the yearly value of *one hundred eighty six thousand five hundred twelve*

twelve pounds eight shillings peny farthing, now improved unto more then *Ten* times that yeerly value are for the most part of them come to be the inheritance of Lay-men. And too much of the Revenues of Bishops, which by a sacrilegious alienation from the Church are not enjoyed by any of the sons of *Levy*.

A great part of the Lands belonging to Monasteries or Religious houses by custome or exemption become Tythe free.

The greatest part of 3845. Appropriations or Impropriations which had been formerly designed and given *ad mensam*, unto several Monasteries and Religious houses, for the better support and maintenance of their hospitality, and which before contributed nothing to the Kings Pourveyance now made to be a Temporal and Lay inheritance.

Many Forrests and Chaces, and a great part of other Forrests and Chaces Deafforrested, much Assart lands, and many Parks converted to Tillage or Pasture.

No *Escuage* paid since the Raigh of King *Henry* the sixth, nor Aid leavyed to make the Kings eldest son a Knight, or to marry his eldest daughter, for above fifty years, during the Raigh of King *Edward* the sixth, *Queen Mary* and *Queen Elizabeth*, and very many Copyhold estates (which usually paid nothing at all to the provisions for the Kings household) converted into Freeholds.

Many Fens and Imbanked Marshes, consisting of some hundred thousand Acres Drained or recovered from the Sea.

An *Espargne* or saving more then formerly, of much money, very far surmounting the yearly charge, damage,

Vide in Wevers funeral monuments, an information given to Queen Elizabeth of under valuations in the suppression of the Abbies, &c.

III.

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VII.

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Stowes Annals.

age, or losses by the Kings Pouveyances in the purchase or procuring the Popes Bulls (which as was affirmed in the Parliament of 25 H. 8. had betwixt that time and the fourth year of the Reign of King H. 7. cost the people of this Kingdome three score thousand pounds Sterling) by being no more troubled with provisions to Benefices, many chargeable Oblations to the Church, and mony spent in Lamps or Tapers, Powreyance or provisions for the Popes Legates, Shrines, Copes, Altarages, extraordinary Masses, Dirges, Trentals, relaxations, faculties, grants, abolitions, Penfions, Censes, Procurations, rescripts, appeals, and long and chargeable journeyes to Rome, where as well as in England, (as their own Monkes and Writers affirm) the Pope did, *Angaris & Injuriis miseros exagitare*, poll and pill the wretched English, made Walter Gray a Bishop of England in the Reign of King H. 3. pay one thousand pounds for his Pall, and at the breaking up of every general Council, extorted of every Prelate a great sum of money before he would give them leave to depart, chid William Abbot of St. Albans for coming to take leave of him without any present, and when he offered him fifty marks, checked and enforced him before he went out of his Chamber to pay one hundred Marks, the fashion being then for every man to pay dear for his Benedictions, lay down his money ready told before his Holiness feet, and if present Cash was wanting, the Popes Merchants and Usurers were at hand, but upon very hard conditions to supply it. And so great were his Emunitiones, as Mathew Paris calls them exactions and impositions in England, as a bloody Wolf tearing the Innocent sheep, by sometimes exacting a third part of the Clergies goods, and at other times

Lib. Sancti Albani M. S.

Mat. Paris Hist. M.

times a twentieth by aides towards the deftaying of his own wars and other pretences, sometimes exacting the one half of an yearly renew of their Benefices, and enjoying them under the penalty of their then dreadful Excommunications not to complain of it or publish it, sending his Legats or Predicadores to wring and preach money out of the peoples purses *pro negotio Crucis*, under colour of making a war to regain Jerusalem and the Holy Land, out of the hands of the Saracens, and by such a multitude of other contrivances and extorsions as all the Abbotts of England, *vultu Flebili & capite demisso* were with great sorrow and lamentation enforced to complain to the King of the impossibility of satisfying the Pope, *eos incessanter torquenti*, incessantly grinding & tormenting them, & of his avarice, and exactions *toto mundo detestabiles* to be abhorred of all the world. By Dispensations, pardons, licences, Indulgencies, vows, pilgrimages, Writs called *perinde valere*, breeves, and other instruments of sundry natures, names, and kinds, in great numbers, which in the Act of Parliament of 25 H. 8. c. 26. for the exonerating of the Kings subjects from exactions and impositions paid to the See of Rome, were justly said to have greatly decayed and impoverished by intolerable exactions, of great sums of money, the subjects of the Realm.

Mat. Paris 716, 717.

Mat. Paris 514

A freedom from the chargeable giving of great quantities of Lands for Chantries, and the meaning of that Clergy by the reformation of the Church of England, from their over-sucking or making sore the Breasts or Nipples of the common people, which the murmuring men of these times, would if they had as their forefathers

IX.

thers tried it more then seven times, and over and over
be of the opinion of *Piers the Plowman* in *Chan-
cer* (who being of the *Romish* Church, wrote in the
unfortunate Reign of King *Richard* the second, when
the *Hydra* of our late *Rebellious* devices spawned by the
not long before ill grounded *Doctrines*, and treason-
able positions of the two *Spencers*, father and son began
to *Craule*) complaining,

That the *Friars* followed folke that were rich,
And folk that were poor, at little price they set;
And no *Cops* in the *Hykeyard*, nor *Hyke* was
buried,
But quick he bequeth them ought or quit part of
his Det.

Advisech his friend,
So confesse to some *Frier* and leto him thy *Symes*,
For while *Fortune* is thy friend *Friers* will thee
love,
And fetch the to their *Fraternity*, and for thee be-
seech
To their *Prior* *Provinciall* a pardon to have,
And pray for the pole by pole if thou be *pecuniosus*.

Brings in a *Frier* perswading a sick *Farmer* to make
his confession to him rather then to his *Parish Priest* and
requesting him as he lay upon his death-bed to bestow
a *Legacy* upon his *Covent*.

Give me then of thy *Gold* to make our *Cloister*,
Quoth he for many a *Duskle* and many an *Duster*,
When

When other men have been full well at ease,
Hath been our food, our *Cloister* for to rease;
And yet *God* wot unneath the *foundement*,
Performed is ne of our *payment*,
Is not a *Tile* yet within our *wones*.
By *God* we owe forty pound for *stones*.

And in his *Prologue* to his *Canterbury Tales* thus
Characters such a *Frier*,

Full sweetly heard he confession,
And pleasant was his *abolution*;
He was an easie man to give *penance*,
There as he wist to have a good *pitance*.

The disuse of the old and never grudged course of
Sponte Oblata's gifts or presents to the *King*, and the
Annum Regina, Gold or presents made and given to the
Queen in return of their *Gifts* and favors received from
the *King*.

X.

Great liberties and priviledges, by grants of free
Warren, *Mines*, *Felons* and *Outlaws* goods, *Deo-
dands*, *Waifs*, *Estraies*, *Fishings*, *CourtLeets*, *Tolls*,
and freedom from *Tolls* to many *Cities* and people of
England, granted since the ninth year of the reign
of *King Henry* the third, when for the like and
some other liberties then confirmed unto them, the
people of *England* not having half so much before that
time granted unto them as by the bounty and *Indulgen-
ces* of the succeeding *Kings* and *Princes*, they have had
since, took it to be no ill bargain to give unto the *King*,
for that his grace and favour a *Subsidy* of the *Fifteentb*
part

XI.

part of all their moveables, not loosely rated or much undervalued as their posterities have found the way to do.

XII.

Abundance of Wood and Tymber sold and destroyed by their prodigal posterities which yielded them as much money as the inheritance of the Lands would have done, some of their wives, like the story of *Gargantua's* lusty Mare whisking down with their Tailles whole Woods and great store of Timber in them of two or three hundred years growth.

XIII.

A lesser number of servants and retainers, and charge of Badges and Liveries, especially since the Statutes of 1 R. 2. ca. 7. and 8 E. 4. ca. 2. made against too great a number or the abuse of them, when as now many Gentlemen can put a Coachman & Carter into one, and supply the places of a Servingman, Butler, and Taylor, by one man fitted for all those employments.

XIV.

A great increase of Wool and the price thereof, since the Raing of King *Edward* the third, by our *quondam* flourishing Trade of Clothing, untill that our late giddy times of Rebellion had so very much lessened and impaired it.

XV.

Many great Factories or Manufactures of Bays, Sayes, Serges, and Kerseys at and about *Colchester*, *Sudbury*, &c. and of stuffs at *Norwich*, *Canterbury*, *Sandwich*, *Kidderminster*, &c. erected and encouraged before our long and late unhappy wars, and the raing and Rapine of *Mechanick Reformers*.

XVI.

The Lands of *Wales* greatly improved since the Raing of King *Henry* the fourth, and his severe Laws which denyed them the intercourse, commerce, and priviledges of *England*.

The

The freeing of some of the Northern Counties, as *Cumberland*, *Westmerland*, and *Northumberland* from the trouble, charge, and damages of maintaining their Borders against the *Scotish*, formerly and frequent outrages, invasions, and taking away their goods and cattle by day and by night.

XVII.

And the like freedom from the incursions and depra-dations of the *Welch* assured and settled upon the four Shires or Counties of *Gloucester*, *Worcester*, *Hereford*, and *Shropshire*, by the guard and residence of a Lord *President* of *Wales* and the *Marches* thereof.

XVIII.

Abundance of Markets and Fairs now more then formerly granted, so as few or no parts of *England* and *Wales* can complain of any want of them within every four or five miles distance.

XIX.

Great store of *Welch*, *Scottish* and *Irish* cattle now yearly brought into *England*, when as few or none were heretofore.

XX.

Horses, Oxen and Cattel now by Law permitted to be transported into the parts beyond the Seas which were formerly denyed.

XXI.

A greater profit made to many private Lords of Mannors by Lead and other Mines, &c. more then heretofore.

XXII.

Many Fruit Trees bearing Apples, Pears, &c. yearly planted, and great quantities of Sider and Perry made more then formerly.

XXIII.

Many Rivers made Navigable, and Havens repaired.

XXIV.

The los of Cattel and great damages by Inundations of the Sea, or the Creeks thereof, or of some boysterous and unainly Rivers prevented by contributions to the making of Sea walls by several Statutes or Commissions for *Sewers*.

XXV.

None

- XXVI. None or very little trouble or charges before our late wars for maintaining of Garrisons, &c. or by the disorder or Rapines of any of them.
- XXVII. Our Ships better then in former times secured upon the Sea Coasts by light houses, &c.
- XXVIII. Some of our Principal native Commodities, as Fullers Earth, Leather, Hides, &c. and Corn when it is not cheap, prohibited to be exported.
- XXIX. Divers Statutes restraining Aliens, not being Denizen'd to Trade or keep Shops, &c.
- XXX. Convenient provisions made for Vicars in case of Churches appropriate.
- XXXI. The goods of Foraigners to be taxed for the payment of fifteens.
- XXXII. The breed of large Horses and increase of Husbandry commanded, divers Statutes made for the encouragement of Merchants, Merchandize and Mariners; preservation of Fishing, Fuel, Cattel, and Rivers, and against Freequarter of souldiers, excessive Tolls, Forestallers, Regrators, Ingrossers, and Monopolies, Riots, Routs, and Vagabond Rogues, and to relieve the poor.
- XXXIII. All Commotes or unlawful gatherings of money in Wales, and the Marches thereof taken away.
- XXXIV. Weights and measures Regulated.
- XXXV. Depopulations prohibited.
- XXXVI. Many an unjust title in concealed Lands made good by sixty years quiet possession.
- XXVII. Interest for money lent, reduced to a lower rate then formerly, and Brokage forbidden.

- No Tillage or errable land to be laid down, but as much to be broken up. XXXVII.
- Merchants Strangers permitted to Trade and sell their Merchandize in England, and buy and sell things vendible; and a great improvement of Trade and Merchandize six or seven times exceeding that which was in or before the reign of Queen Elizabeth. XXXVIII.
- Fishgarthes in the Rivers of Ouse and Humber ordered to be pulled down. XXIX.
- The passage upon the River of Severne freed from Tolles imposed by the proprietors of the Lands upon the Banks. XL.
- The bringing of Silver Bullion into England by our English Merchants encouraged, the transportation from thence of Gold and Silver without the Kings licence prohibited, and the care of the Kings Exchangers, untill the disuse of it now of late preventing all abuses in the coyn or money of the Kingdom. XLI.
- Merchants Aliens, and Merchants of Ireland, ordained to imploy their mony received in England upon the Commodities thereof and every Merchant Alien to finde Sureties that they shall not carry Gold or Silver out of this Realm. XLII.
- The keeping of great numbers of Sheep by rich men, whereby meaner men were impoverished, restrained to a certain number. XLIII.
- Ordinances made for Bakers, Brewers, and other Viuallers. XLIIII.
- The prices of viuals to be rated and assessed by the Magistrates. XLV.
- Rents of houses in Staple-Towns to be reasonable and assessed by the Maior. XLVI.

T t Great

XLVII. Great quantities of waste grounds and Commons inclosed and improved.

XLVIII. A long and happy Peace at home for more then two hundred years.

XLIX. Many an Act of Parliament made to prevent or remedy grievances, enlarge the peoples liberties, and make them the most free and happy Nation in the world, *si sua bona Norint*, if they could but be content with their happines, and know how to use it.

L. All the Revenues and Estates of the people, aswell reall as personal, exceedingly and by many degrees improved more then formerly. And all manner of Victuals and provisions, sold at such excessiv rates and prices as would busie our Forefathers with no common or ordinary wonder if they could be alive again to see or understand it, and makes the former Market prizes and rates, to be but as *Pigmies* or *Dwarfs* to those which are now so immense and *Gigantine*.

So as if the Laws of God, Nature and Nations, right reason, and the heretofore well approved custome of *England*, with the care of avoding of evils and inconveniencies, which was wont to be the *primum mobile* and *greatest Orator* in worldly affairs, to incite and stir up most mens cares and preventions (many of whom have had cause to lament the not allowing of that and other the Kings ancient and just rights, and a due submission thereunto) cannot perswade or lead them unto that great part of reason & duty called *Pra-emption*, *Pourveyance* or *Compositions* for them; the consideration of the liberties and happines which they do now enjoy more then many of their *Ancestors* might certainly drive or carry them into their more laudable ways and courses.

When

When the peoples want of a liberty of *unmannerliness* or *Praemption* before their Sovereign or his servants on his behalf, begets no other loss or grievance unto them then a disturbance of their Fancies, or their not obtaining that which did not become them or their *Humor* of hindring their betters from having of it, or to make a *vie* betwixt them and the Kings servants, either to hinder him from having of it, or to make him pay for it a great deal more then it was worth.

Which *Davids* three Worthies who hazarded their lives, *And brake thorough the host of the Philistims to draw water out of the Well of Bethlehem, and brought it to David who longed and had a desire to drink of it*, would never have done but would have been ashamed to offer unto their Prince so great an indignity. 2 Sam. 23.

And the charge and enhaunce of the prices of all Commodities necessary for household provisions, will by the needless racking of rates and prices, and the *Insana prætia* intollerable rates and prices, which the King by the avarice and insatiableness of the sellers is and shall be inforced to give, so infect and spoile the markets of such part of the people as shall have occasion to buy, which are many to every one that is a feller, those that are sellers having sometimes also occasion to be buyers, as if the wisdom of the King and his great and Privy Council prevent it not, there will in a few years be *ten* times or a greater charge more then was in the same year when the *Pourveyance* or *Compositions* for it were abolished, imposed upon the subjects by the Tyranny of rates and prices then ever the *Compositions* for the Kings *Pourveyance* or household provisions did amount unto.

Tt 2

And

And when the difference in the Compositions for the Kings Pourveyance betwixt the Market rates and the Kings price, do amount at the utmost but unto *sixty five thousand pounds per annum* or thereabouts, and is charged upon so many and in so easie and petit proportions.

And being no greater a charge or inconvenience, the people who in a legal and Parliamentary way are to help him to sustain and bear his burdens, if they love and tender their own good and the well being of themselves and their posterities, will too prodigally cast away too much of their own happiness, and as much of their own Estates, if they shall for want of so small and easie accommodations which are so just, and so necessary to the honor and support of their Prince, enforce him into so great a prejudice and damage as to pay yearly four times as much as *sixty five thousand pounds per annum*, shall amount unto, in many; if not all the particulars of his household provisions, as may be instanced in *four and twenty shillings*, the price of a Sheep, which was in the Compositions to be served in at *three shillings four pence*; An Ox *twelve pounds*, which was to have been furnished at *four marks*; *three shillings* or *two shillings six pence* for a Hen, which was to be furnished for *two pence*, *four shillings* for a Goose which was to be sent in for *four pence*, Lambs at *twelve pence* a piece, for which he now pays *eleven* or *twelve shillings*, and at *Christmas sixteen* or *twenty shillings*, Wheat at ten pence a Bushel (the Market rate being no more for Wheat in 18. of Queen Elizabeth) for which he lately paid before the late dearth *7 s. 6 d.* a Bushel, and cannot furnish sixteen dishes of meat to the Table of one of his great Officers.

Vide Act of Parliament 18. Elizabeth cap 6. touching the Colleges in the Universities of Oxford and Cambridge, reserving a third part of their rents in Corn, or Malt, &c.

Officers of his household, if report be true under *twenty shillings* a dish.

And if weather beaten by such an exaction and enhance of prices, he shall seek a shelter or Port by putting *one thousand two hundred* and *fourty* servants (the Queens servants above and below stairs not included) to *Board wages*, the profits and allowed avails of their places which contrary to the Laws of England, the honor of the King, the wealth and profit of him and his people too many have dearly bought and paid for, will to reduce their vails and profits of their places into a certain yearly *Board-wages*, their standing Wages and Pensions being so very petit and inconsiderable cost him in such an unreasonable and intollerable exaction, and enhance of Rates and Prices as there is in the Markets, *ten times* more in money and *twenty times* more in some then what he now pates, if his servants shall not like *hunger bitten, starved, and ragged Beggars*, be enforced to torment as well as shame him with their daily Petitions and importunities, or be as the naked attendants about the *Salvage Kings*.

Or if he shall not make them recompence for the losses of their Diet and availes arising by it will undoe and ruine very near so many Families and Dependancies who have nothing to live upon but his Majesties service and their hopes of subsistence by it.

Or if the loss of Pourveyance or Compositions for them shall in his house-keeping endamage him but *two hundred thousand pounds per annum*, it will with *one hundred thousand pounds per annum* profit which was heretofore made by the *Tenures*, amount unto *three*

three hundred thousand pounds per annum, which will be more then that part of the *Excise* which was allowed in lieu of the Tenures and Pourveyance; and the supplemental Revenue of the *Chimney* money deductis deducendis will yearly bring into the Kings *Exchequer*.

So great a damage will arise unto the King by the loss of his Pourveyance and Compositions for them; and so much the greater, if he shall put his servants (which never King of *England* was yet enforced unto, and the Nobility and Gentry of *England*, untill of late disdained to do) to *Board-wages*, and give them recompence for their losses; and will be not onely a very great damage and inconvenience in the consequence to the people.

But a great dishonor unto the King, whose sublimity, Majesty and Honor is not to be measured or managed by the narrow rules of private men or house-keepers, for although it may relish very well with some that have Tables daily furnished at the Kings charge to feed so many as depend upon it, and entertain such men of quality as shall come to his Court about his or their affairs, and would much advance their private purses, and do well in their own families to have the expences of it turned into a yearly Pension in money, wherein the King is like to be as much a saver as King *Charles the Martyr*, was when he allowed Mr. *Andrew Pitcarne* the Master of his Hawks ten shillings per diem to provide Pigeons, Hens, and other meat for his Hawks; and as he and many of his Progenitors have been in converting allowances or provisions into Salaries.

And that some of those who advise a *Sparing*, not at all becoming the grandeur and honour of a Prince to make

Pat. 1. Car. 1.
3 Part.

make themselves the greater gainers by his bounty to be worse employed upon themselves, may suppose that which might be a fit *Espargne* in their own lesser Orbes and Oeconomies, may serve for the Court and Family of an *English* King, and that the Grandeur and Magnificence thereof would be but little or not at all lessened by some thriftic contrivances and abatements calculated only for their own Meridian, and that the Power, Authority, and Virtue of a Prince, can well enough subsist without the prop and support of that due Awe and Reverence which are to attend the Majesty of Kings, and that some in their short sighted Policies may reckon such or the like good husbandries to be no small part of Prudence and Providence very laudable and fit to be put in practice.

Yet the Laws of God, Nature and Nations, and the state and magnificence of Kings and their Princely Families, allowed as well as mentioned in the Book of God and Holy Writ, as that of *Pharaoh, Saul, David, Solomon* and *Abashuerus*. The State and Magnificence of all the Christian and Heathen Kings and Princes, *Grecian* Magistrates, *Romane* Consuls and Dictators, *Venetian* Doges, and *Dutch* Stadtholders, and our laudable customs of *England*, can teach every man who hath not abjured his own reason as well as the Laws of God and Nature, and the reasonable customes of *England*, how very necessary the honor and State of Princes are to the obedience and good Government of the people, how much they conduce to their well-being; how the observance, honor, and reverence due unto Kings

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Kings, are lessened by the meanness of their Servants, and diminishing their State and Port, how unsafe and insipid such new found policies and contrivances would be; and that the dishonor of the Prince is the unsafety and dishonor of the people, who may easily and every where find a necessity of his Pourveyance or Compositions for it, and no reason at all to deny it.

When the total of the charges of it will be so useful to their Sovereign, so becoming his Royal Dignity, so necessary to the honor and splendor of his house-keeping, and that the parts which shall be charged upon particular men to make up that total, will be so petit and inconsiderable, as our Laws and the Compositions for Pourveyance had ordered it.

C H A P.

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C H A P. VI.

The small charge of the Pourveyance or Compositions for it, to or upon such of the people as were chargeable with it.

AS may evidently and undeniably appear by the Compositions for Pourveyance which were agreed to be paid by the severall Counties, As,

For the County of *Anglsey* in *Wales* which hath eighty three Parishes, but five pounds, which is for every Parish not one shilling three pence, it being commonly in every County charged onely upon the Lands of inheritance of the greater size or quantity, (not upon Copyholders or small Freeholders) and upon those kind of Lands which were most proper for it and could better afford it as *Wheat, Malt, &c.* upon Errable Lands and Cattel upon Pasture, &c.

For the County of *Mountgomery* who were to provide yearly but twenty Sturks or smaller sized Cattle so called, or sixty pounds *per annum*, and had *Fifty four* Parishes, whereof five or six were Borough Towns, which made the charge upon every Parish to be little more then twenty shillings *per annum*.

All the charge of the Compositions for the Kings provisions being onely of one hundred and eighty Sturks in *Wales* and its *thirteen* shires or Counties which costes that Dominion yeerly no more then *three hundred and sixty* pounds.

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The County of *Worcester* which hath one hundred and fifty two Parishes, paid but four hundred ninety five pounds besides the Kings price or rate allowed for provisions served in kinde, which is but three pounds and seven shillings or thereabouts to be assessed upon every Parish.

Derbyshire having one hundred and six Parishes, paid but two hundred fifty four pounds two shillings two pence, which is something less then fifty shillings upon every Parish.

Yorkshire, which hath four hundred fifty nine Parishes, besides many large Chapelries was charged with no more then four hundred ninety five pounds, which was not two and twenty shillings upon every Parish one with another, and would not be six pence a year upon every house one with another, if no respect were to be had to the real or personal Estates of the proprietors which admits of large differences or proportions more or less then one another.

The County of *Middlesex* having seventy three Parishes, besides what are in the *London* Suburbs, paid but nine hundred seventeen pound nineteen shillings, which by her great benefits by the Kings constant residence in it, is in a better condition with her few but very plentiful and numerous Parishes, then the Counties further distant, and by the letting and setting of their Lands, Houses, and Lodgings, and the great rates and prices of all the Commodities which they sell to other people gaineth forty to one at the least of what they loose by the Kings prices for his Pourveyance or household provisions, the City of *Westminster*, and the Suburb Parishes of *London*, consisting more of houses then Lands or Pasture

Pasture and being not at all charged or troubled with

The County of *Essex* paid for Composition but two thousand nine hundred thirty one pounds two shillings and two pence, and having many of the benefits which *Middlesex* enjoyeth far exceeding the charge of the Compositions for Pourveyance, hath four hundred and fifteen Parishes, which is little more then seven pound five shillings upon every Parish chargeable, for the Compositions and provisions served in kinde.

Bedfordshire which hath one hundred and sixteen Parishes, paid but four hundred ninety seven pounds eight shillings four pence, which was but four pounds five shillings nine pence upon every Parish.

The County of *Buckingham* which hath one hundred eighty five Parishes, two thousand fourty pounds sixteen shillings and six pence, which was but something more then eleven pounds upon every Parish one with another.

Berkshire having one hundred and fourty Parishes, but one thousand two hundred and fifty five pounds seventeen shillings and eight pence, which did not charge every Parish with nine pounds per annum.

Cheshire having sixty eight Parishes and furnishing but 25 lean Oxen at the Kings price 2l. - 13s. - 4d. a peice
Total - 66l. - 13s. - 4d. at the Market price - 6l. - 10s.
Total - 162l. - 10s. - 0. Difference - 95l. - 16s. - 8d.
was not thereby charged with more then one pound nine shillings upon every parish.

Cornwall having an hundred sixty one Parishes, and furnishing but Ten fat Oxen at the Kings price - 4l. Total
U u 2 40l.

40 l. Market price - 10 l. Total - 100 l. Difference - 60 l. did bear not so great a contribution as eight shillings upon every Parish.

The County of Devon having three hundred ninety four Parishes, and furnishing but Ten fat Oxen at the Kings price - 4 l. Total - 40 l. Market price - 10 l. Total - 100 l. Difference - 60 l. Muttons fat 150. at the Kings price - 6 s. - 8 d. Total - 50 l. Market price - 18 s. Total - 135 l. Difference - 85 l. paid no greater a sum in that yearly Composition then ten shillings upon every parish.

Gloucestershire which hath two hundred and eighty parishes paid but four hundred twenty two pounds seven shillings eight pence, which was not one pound eleven shillings upon every parish.

Hertfordshire numbering one hundred and twenty parishes, paid but one thousand two hundred fifty nine pounds ninteen shillings four pence, which laid upon every parish but about ten pounds ten shillings.

Herefordshire furnishing but 18. fat Oxen at the Kings price - 4 l. Total - 72 l. Market price - 10 l. Total - 180 l. Difference - 108 l. and having one hundred seventy six parishes, made every one of them a contributary of no more then about twelve shillings six pence upon every parish.

Kent having three hundred ninety eight parishes, and being a very great gainer by the Kings so constant abode in his Chamber of London, more then its charge of Pourveyance amounted unto, paid but three thousand three hundred thirty four pounds and six shillings, which laid upon ever parish for Compositions for the Pourveyance,

veyance, no more then about eight pounds ten shillings.

Lincolnshire which hath six hundred and thirty parishes, and paid but one thousand one hundred seventy five pounds thirteen shillings and eight pence, charged every parish with no more then about nineteen shillings six pence, or thereabouts.

The County of Northampton having three hundred twenty six parishes, and being like to be no looser by its gainful vicinity to London, and the Royal Residence, paid no more towards the Pourveyance and Compositions then nine hundred ninety three pounds eighteen shillings four pence, which was for every parish very little more then three pounds.

The County of Norfolk having six hundred and sixty parishes, paid but one thousand ninety three pounds two shillings and eight pence, which charged every parish not with one pound eleven shillings.

Somersetshire which hath three hundred eighty five parishes, and paid no more then seven hundred fifty five pounds fourteen shillings eight pence, laid no greater a leavy for the Composition for Pourveyance upon every Parish then about forty shillings.

The County of Surry having one hundred and forty parishes, and paid no more then one thousand seventy nine pounds three pence, rendered every parish a contributor for the Pourveyance of not above seven pounds nine shillings.

The County of Suffex which hath one hundred and twelve parishes, and paid no more to that kind of contribution then one thousand and sixteen pounds two shillings

Shillings six pence, makes every Parish to be charged with no greater a sum or proportion then three pounds thirteen shillings six pence or thereabouts.

And London which is and hath been the greatest gainer by the residence of the King and his principal Courts of Justice at Westminster, and by the confluence of the people, not onely of this Nation, but many Merchants and people from all parts of the Christian world, is grown to be the grand Emporium and Town of Trade in England, mighty and strong in shipping, a Merchant-like Tyrus for many Isles, and as great and famous as any City or Mart Town of the World, to whom all the Ships of the Sea with their Mariners do bring their Merchandize; the most of Nations are her Merchants by reason of the multitude of the Wares, of her making; and with the multitude of her riches and Merchandize makes all the other parts, Counties, Cities, and Borough Towns of the Kingdom, as to riches, money, and Trade, her vassals and retailers, doth for all these benefits contribute with the out Ports only for the Kings Grocery ware, which if it could be called a contribution, did in some years amount according to the full price but unto two thousand pounds per annum, and in other years but unto sixteen hundred pounds or thereabouts, and is raised and charged by way of Impost upon the gross quantities of such kinde of Merchandise; and being repayed the Merchant by the retailer, and by the buyer to the retailer, was no more in the fifth year of the Raige of King Charles the first in the Impost or Rates of Composition then as followeth, viz.

Rates

Rates of Composition for Grocery wares for his Majesties House.

Pepper	}	The hundred pound	xviii. d.
Cloves			
Mace			
Nutmeggs	}		
Cynamon			
Ginger the hundred pound			xii. d.
Raisons of the Sun the hundred waight			iii. d.
Raisons great the piece			i. d. ob.
Proyus the Tun			xvi. d.
Almonds the hundred waight			v. d.
Corrants the Tun			ii. s.
Sweet oyle the Pipe			iii. s.
Sugar refined the hundred waight			viii. d.
Sugar powder, and Mukovadoes the C. waight			v. d.
The Chest			xx. d.
Sugar corse and paneles the C. waight			iii. d.
Figges the	}	Barrell	i. d.
		Piece	ob. q.
		Topnet	ob.
Dates the hundred waight			viii. d.
Rice the hundred waight			iiii. d. ob.
Olives the Tun			iiii. s.
Castel and all other hard Soap the C. waight			vi. d.
Aniseeds the hundred waight			ii. d.
Licorish the hundred waight			ii. d.

And so petit as in a pound of Raisins of the Sunne now sold for four pence a pound, it falls

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falls to be less then the eighth or tenth part of a farthing increase of price in every pound of Raisins of the Sun.

And as inconsiderable in the charge or burden of it, laid upon the Grocers or Retailers as that of their packthread and brown paper, which in the vent of those commodities and accommodation of Customers are freely and willingly given into the bargain.

And when the Brewers in London, and four miles about, did before the granting of the Excise upon Ale and Beer, and taking away of the Pourveyances or Composition for them, pay four pence in every quarter of Malt which they Brewed, the Composition thereof amounting but unto three thousand five hundred pounds *per annum*, being now remitted and not paid by reason of the said Excise, that yearly Impost or Composition, did not onely lye upon the Brewers, but was dispersed and laid upon all their Customers and Inhabitants of London, who paying for it in the smalness of their Ale and Beer and of the measure, were notwithstanding no loosers by it, when as the damage that the poorest sort of house-keepers received thereby, came not, when their gains were least, unto the twentieth penny nor of the richer, to the hundreth or two hundreth peny of what they gained by the Kings residence, by trade, letting, of lodgings, or the greater rent of their houses; and if the Brewer had paid it himself, and not laid it upon his Customers, might for his privilege in Brewing in the Cities of London and Westminster, and not being removed or punished for the Nuisance, have very well afforded so small a sum as four pence in every quarter of Mault, containing eight

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eight Bushels, ^{being} but one half penny per Bushel, being but a small Imposition proportionable unto four shillings a Bushel, and was compounded for by the Brewers for one thousand seven hundred Tun of Beer at two and twenty shillings per Tun.

Out of every sixty Bushels of Salt, takes for his Composition or Pourveyance but one Bushel of twelve pence in money.

And far less for his Pourveyance or Composition for Codd and Ling in the Sea Coast Towns in Essex, Norfolk, and Suffolke, as at Harwich, Southold, Dunwich, Yarmouth, Wells, and Lynn, where they enjoy their Havens, and protection at Sea, with many priviledges at Land, and do pay the King commonly but one hundred Lings out of a Ship laden with Fish.

And at Harwich, Aldborough, Dunwich, Walder swick, Southold, Yarmouth, Wells, Burnam and Lynne, no more then one hundred Cods out of a Ship, from whence his Officers do pay for the carriage of them to a Ship or Barke hired to carry them to London, and for their freight.

Not troubling the masters or owners of Ships to send their Composition Fish to London, but do take out of the particular Ships their Composition Fish which is after no greater a rate.

And do for fresh Fish, as Salmon, Sturgeons, Pikes, &c. which do come to London (though by the Kings ancient right and Prerogative, the Sturgeons as a Royal Fish ought to be had at the Kings price, or for nothing) make but use only of his preemption, giving the rates which the retailing Fishmonger do pay, which the Fishers & Rippiers need not complain of, when by the Kings residence at

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London,

London, and their bringing their Fish thither to be sold, those high prizes which they sell the residue of their Fish to others at, do largely recompence any loss which every particular Rippuar or Fisher may sustaine by permitting the Kings Fishmonger to have a more large and special Pike or Salmon for the Kings use, at no easier a price then what the retailing Fishmonger would give for them.

And the more Parishes every County hath, if the Assessement for the Pourveyance should be upon the persons of men, and all manner of their Estates the cheaper, such kind of provisions may be afforded in one County or Shire more then another, the less of charge or payment will fall upon every man in particular; but as it is onely laid upon Freehold Lands, will as some of the Parishes are greater in their extent of Lands, then others which have not so many Plough Lands, Yard Lands, or Oxegangs, render the proportion of Assessements for that purpose, to be laid or charged upon every man in particular to be so small and inconsiderable, as the greatest unwillingness to pay it, or the most froward refusers will not be able to bring it within the nature or description of a burden, or a thing fit to be complained of.

The consideration whereof, and of the charge which was incumbent upon all the Counties in England and Wales for their Compositions for the Pourveyance to be delivered in specie for the Kings use, and what it exceeded in price or value more then the Kings price or allowance (of which that which is here represented as to the Counties of Anglesey, Montgomery, Worcester, Derby, Yorke, Essex, Middlesex, Bedford, Buckinghamshire, Berk-

Berkshire, Cheshire, Cornwall, Devonshire, Gloucestershire, Hertfordshire, Herefordshire, Kent, Northampton, Norfolk, Somersetshire, Surrey, Sussex and London, may give the prospect of the rest) and how small the proportions were, which were charged upon such as were to bear or pay them, may make it appear that that so much now of late complained of charge of Pourveyance or Compositions for them will be so little, as there will be no cause at all for it, when as the yearly charge of buying Babes, Hobby horses, and Toys for children to spoil as well as play with (which costs England (as hath been computed) near one hundred thousand pounds per annum) or of amending the High ways, yearly Treatments given to Harvest Folk, or the expences of an Harvest Goose, and a Seed Cake given yearly to their Plow men; keeping a wake or Parish Feast every year, or the monyes which the good Women in every Parish and County, do expend in their Gossippings, at the births of their Neighbours Children, or many other such like trivial and most cheerful and pleasing expences, will make the foot of the account as to the several kinds of those particulars to be a great deal more then the charge of that necessary duty of Pourveyance or Compositions for them which was so easily and petty as in most of the Counties of England, it was many times not singly rated or assessed by itself, but was joynted with some other Assessements, and in Kent, where more was paid then in any one County near London, it was so little felt and regarded, that a Tenant paying one hundred pounds rent per annum, for his Land, did not think it to be of any concernment for him to reckon it to his Landlord, and demand an allowance for it. Which

Which caused the people of *Oxfordshire, Berkshire, Wilshire, and Hampshire*, upon his now Majesties most happy restoration, receiving his gracious letters, offering them the Election of suffering him to take his *Pre-emption and Pourveyance*, or to pay the Compositions, to return answer by their letters, which were read before the King in his Compting-house in *White-Hall*; that they humbly desired him to accept of the Compositions.

And all the other Counties and the generality of the people of the smaller as well as greater Intellectuals, to understand it to be so much for the good of the King & his People, as many of them are troubled and discontented that he hath them not.

And they who causing the Markets and the prices of things to be so unreasonably dear and excessive by their own raising of prices for their own advantages, may when they please make the difference betwixt the Kings rates and theirs to be none at all, or much lesser if they would but sell as cheap as they might afford their commodities according to the plenty of Victuals, or provisions which is in *England*. The high prices and rates which are now put upon Victuals and Provisions for Food and House-keeping being neither enforced nor occasioned by any plenty of Gold or Silver in *England*, and if there were any such store or abundance of it, *non causatur effectus, cuius effectus est necessarius nisi aliunde impediatur*, could not be so the sole or proper cause of it, as if not otherwise hindered it could not want its necessary effect.

CHAP.

CHAP. VII.

That the supposed plenty of money, and Gold, and Silver in England since the Conquest of the West Indies by the Spaniards, hath not been a cause of raising the prices of food and victuals in England.

BUt will upon a due examination, be too light in the Ballance of Truth and Reason, and deserve a place in the Catalogue of vulgar Errors.

For that the rise of Silver in its value or denomination by certain gradations or parts in several Ages from *twenty pence the ounce* by King *Henry the sixth* by his prerogative to *thirty pence*, and between his *Raign* and that of Queen *Elizabeth* to *forty pence*, and after to *forty five pence*, and after to *sixty pence*, ours being of a finer standard mixture or Alloy than that of *France*, the united *Belgicque Provinces*, or the *hanse* or *Imperial Cities* of *Germany*, and is now as high as *five shillings and a penny the ounce*, comes far short of the now or then enhance of victuals and commodities, and makes so large a disproportion as the abundance of that could not be probably the cause of the dearth of victuals, and all manner of Commodities, for that the plenty of those bewitching and domineering mettals of Gold and Silver, supposed to be betwixt the Times of the discovery and subduing of the *Indian Mines* in the *Raign* of our King *Henry the seventh*, which was about the year of our Lord, one

Lex Mercatoria per Gerard Martens.

Sir Ralph Madisons Enquiries into the State of the Trade to the East and West Indies.

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one thousand five hundred and five, and the middle of the Raig of King *Edward* the sixth, when as those *Irritamenta malorum*, *American* riches, and the allurements of them, did not in the time of *Charles* the fifth Emperer, who out-lived our King *Henry* the eight, amount unto for his account, any more then *five hundred thousand Crowns* of Gold, and with that and what came into *Europe* to the *Spanish* Merchants Accompts, our *English* having not then learnt the way to the *West Indies*, or to search the unknown passages of the unmerciful Ocean could not have so great an influence upon *England*, which was no neer neighbor to the *Indies*, as to cause that dearth of *Victuals*, & all commodities which was heavily complained of in the raig of King *Edward* the sixth, and if it had, there would not have been any necessity of King *Henry* the 8. embasing or mixing with *Copper* so much as he did the *Gold* and *Silver* Coin of the Nation, or that the price of the ounce of *Silver* should be raised betwixt the Raig of King *Henry* the 7. and the middle of the raig of Queen *Elizabeth* to *sixty pence* or *five shillings* the ounce, and though it must be granted that the raising of the ounce of *Silver* by King *Henry* the 8. or King *Edward* the 6. to *five and forty pence*, and afterwards by some of his successors to *sixty pence*, and the making of more pence out of an Ounce then was formerly, might be some cause of the enhance of the price of *viſtials* and commodities. And that some of our Gallants or Gentlemen of these times forgetting the laudable frugality of their ancestors, who had otherwise not have been able to have left them those *Lands* & estates which do now so elevate their *Poles*, may by coiting their mony from them, as if they were weary of it,

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M. S. of Sir
Thoms Cham-
berlaines.

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many times ignorantly give out of their misused abundance more mony, or as much again as a thing is worth, or not having money to play the *fools* withall in the excess of gluttony or apparel, or the pursuite of their other vices may sometimes by taking them upon *day* or trust, give three or four times more then the commoditys would be sold to another for ready money, the feller being many times never paid at all, and if he should reckon his often attendance and waiting upon such a customer to no other purpose but to tire himself and never get a peny of his money, would have been a greater gainer if he had given him his wares or commodities for nothing, and if after many yeers he should by a chance meet with his money, loofeth more by his interest then the principal amounted unto.

Yet if Parliaments which have been composed of the collected wisdom of the Nation, and their Acts and Statutes which have been as they are understood to be made with the wisdom, and universal consent of the people of *England*, & tanta solemnitate, and with so great solemnity (as *Fortescue* in the Raig of King *H. 6.* and the Judges in *Doctor Fosters* Coke 11. Reports. Case in 12. *Fac. Regis*, do say they are) may be credited, the plenty of *Gold* and *Silver*, was never alleaged or believed to be a cause of the dearness of *Victuals* and provisions.

When as the Statute of *Herring* made in the thirty fifth year of the Raig of King *Edward* the third, when the Trade of *Clothing* was in a most flourishing condition, such a Trade necessarily inducing & conferring some plenty of money, declares the cause of the dearness of *Herring* to be because that the *Hofes* of the Town of *Herring* were great

Statute of Herring, 35 E. 3.

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great Yarmouth, who lodged the Fishers coming there in the time of the Fair, would not suffer the Fishers to sell their Herrings, nor to meddle with the sale of the same, but sell them at their own will as dear as they will, and give the Fishers that pleaseth them, so that the Fishers did withdraw themselves to come there, and the Herring was set at a greater dearth then there was before, and that men outvied and overbid each other.

For if the many accidents concurring to the enhancing of the price of any thing or commodity beyond its ordinary and intrinsic worth & value, shall be rightly considered as famine the unseasonableness of the year or harvest, blasts or Mildews of Corn, transportation, fear of an approaching famine, keeping Corn and provisions from Markets, and hoarding them up, either for the peoples own use, or to catch an opportunity of the highest rates, the scarcity, or surpassing excellency of it, obstructions which wars, policy, or controversies of Princes or neighbor Nations, one with or against another, may put upon it a general Murrain or Mortality of Cattel, Inundations of waters, great store of provision or fodder for Cattle, or a gentle Winter; the charge and burden of a new Tolle or Taxe, a present necessity to have the thing desired to be bought or had, which the crafty and covetous seller hath taken notice of, the importunity of an affection, to have it although it cost a great deal more then the worth of it, or the conveniency for one more then another, which may recompence the damage in giving too much for it, or more then was otherwise needful, making it to be a good bargain for that particular person, time or place, which would not be so for others, and the Market people imitating one

another

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another's high demands or avarice, by taking advantage of some particular persons folly, or over-bidding and keeping up the excessive rates of the Market, to the same or a more unreasonable price, and not being willing to let them fall again to a lower price, though there be plenty and reason enough to do it, unlawful combinations and confederacies of Trades men to raise their prices, or cause their wares to be made Slight or insufficient, unconscionable adulterating of Commodities, and making them seem what they are not, to raise the greater prices, evil Artifices of Fore-stallers of the Markets, Ingrossers and Regratois, who for their own ungodly gains can make a dearth and scarcity in the midst of plenty, and like Caterpillars spoil and devour the Hopes of the years fertility, the Landlords racking of rents, and the price of all manner of household provisions and other things raised by the Tenants to enable them to pay them; an universal pride and vanity of the Nation and enhance of prices to support them, plunder, miseries, and desolations of War; numberless tricks and deceits of Tradesmen, and fraud of the common and Rustick part of the people in the Counties near London, in keeping many of their Cattel half a mile or some little distance from the Fairs untill the Evening, or much of the day be spent, to make them to sell at greater rates; frequent deceits of stocking or Tying up the Udders of Kine, a day before hand to make them swell and seem to give great store of Milke: And as many other tricks of Trade and deceit as the Devil and deluded consciences can invent.

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And truly looked upon as causes or concurrent parts of the cause of the now grand and most intollerable inhanice of the rates and pices of Victuals, household provisions, and other Commodities, there will be little or no room for the supposed plenty of Gold and Silver to be either a cause or so much as any part of a cause of it.

Nor can be well imagined, when as notwithstanding that betwixt the middle of the Raign of King *Henry* the eight, and the beginning of the Raign of Queen *Elizabeth*, the Gold and Silver Mines of the *West Indies* had by the *Spanish* cruelty to the *Indians* and their almost extirpation afforded such quantities of these baites of *Satan* and temptations, as *two hundred and sixty millions of Gold*, did appear by the Records of the Custom-house of *Siwill*, to have been brought from the *West Indies* into *Spain*, all the plenty of that riches; either by our Merchants bringing in of Bullion from *Spain* and its other Kingdomes and Provinces by Commerce or return of Merchandize did not so in *England* raise & enhaunce the rates and prices of Victuals and household provisions, but that we finde the Parliament of 24. *H. 8.* ordaining that *Beef Pork, Mutton and Veal* should be sold by the weight called *haber dupois*, no person should take for a pound of *Beef or Pork* above one half penny, nor for a pound of *Mutton or Veal* above half penny farthing, did believe they might be reasonably so afforded.

And the rates of Victuals and household provisions notwithstanding so increasing as in the yeer following. It was ordained, That *Governors of Cities and Market Towns* upon complaint to them made of any *Butcher* refusing to sell victuals by the weight, according to the Statute.

Lewis Roberts
Map of Commerce.

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tute of 24. *H. 8.* ca. 3. might commit the offenders to ward untill he should pay all penalties limited by the said Statute, and were enabled to sell or cause to be sold by weight all such victuals for ready money to be delivered to the owner; and if any *Grasier, Farmer, Breeder, Drover, &c.* should refuse to sell his fat Cattel to a *Butcher* upon such reasonable prices as he may retail it at the price assessed by the said Statute. The *Justices of Peace, Maiors, or Governors* should cause indifferent persons to set the prices of the same which if the owner refused to accept then the *Justices, &c.* should binde him to appear the next Term in the *Star Chamber*, to be punished as the *Kings Council* should think good.

And the same Parliament Enacting, That upon every complaint made of any enhauncing of prices of *Cheese, Butter, Capons, Hens, Chickens, and other Victuals* necessary for mens sustenance without ground or cause reasonable in any part of this Realm, or in any other the *Kings Dominions*, the *Lord Chancellor of England, the Lord President of the Kings most honorable Council, the Lord Privy Seal, the Lord Steward, the Lord Chamberlaine, and all other Lords of the Kings most honorable house, the Chancellor of the Dutchy of Lancaster, the Kings Justices of either Bench, the Chancellor, Chamberlains, under Treasurer, and the Barons of the Kings Exchequer, or seven of them at the least, whereof the Lord Chancellor, Lord Treasurer, the Lord President of the Kings Council, or the Lord Privy seal to be one, should have power and authority from time to time, as the cause should require, to set and tax reasonable prices of all such kinde of Victuals how they should be sold in gross or by retail, and that after such prices set and taxed, Proclamation should*

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be made in the Kings name, under the great Seal, of the said prices, in such parts of this Realm, as should be convenient for the same.

Was not of opinion that the plenty of Gold and Silver were any cause of the enhance of the prices or rates of Victuals; but did in the preamble of that Act declare, That forasmuch as dearth, scarcity, good, cheap and plenty of such kinde of Victuals happeneth, riseth and chances of so many, and diverse occasions that it is very hard and difficult to put any certain prices to any such things, yet nevertheless the prices of such Victuals, be many times enhanced and raised by the greedy covetousness and appetites of the owners of such Victuals by occasion of ingrossing and regrating the same more then upon any reasonable or just ground, or cause to the great damage and impoverishing of the Kings subjects.

M. S. Sir Thomas Chamberlaine.

Sir Thomas Chamberlaine, *qui mores hominum multorum vidit & urbes*, who by his several Embassages from England into Foraign Countries in the Reigns of King Henry the eighth, and King Edward the sixth was not a little acquainted with the customes of other Nations, aswell as his own, did in the Reign of King Edward the sixth, in a Treatise entituled *Policies to reduce the Realm of England unto a prosperous wealth and estate*, dedicated unto the Duke of Somerset, then Lord Protector, assign the causes of the high prices and dearth of Victuals (far less then what is now) to be abusing of Coyn, and giving more then Fortypence for the ounce of Silver, ingrossing of Commodities, the high price of Wooll, which caused the Lords and Gentlemen, being by the suppressing of the Abbies and liberality of King Henry the eight, waxen rich, to convert

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vert all their grounds into Sheep Pastures, which diminished Victuals, ten Lordships to the great decay of Husbandry, being sometimes employed onely to the Pasturage of Sheep, and lessened the plenty of Calves, Butter, Eggs, Cheese, Chickens, Hens, Capons, Ducks, Geese, Beef, Piggs, Pork, and Bacon, the labor of the husbandman, wife and servants encreasing more Victuals thorough the whitemeat, of one Cow in one year being well pastured, and her Calf taken from her at a moneth old, then her body being fat amounted unto, the dearth of Victuals, causing the greatness of price of other Commodities, and the overcharging of Commons by raising the Rents of enclosed grounds.

The very judicious and learned Camden doth not believe the plenty of money to be the sole or principal, if any cause of the high prices and rates of Victuals, but refers it to Politicians to dispute among themselves, whether the dearth of all things (now very much exceeded) which most complain of doth proceed from plenty of Gold and Silver since the discovery of the West Indies, or from Monopolies and Combinations of Merchants and Craftsmen, transportation of grain, or from the pleasure of great personages, who do most highly rate such things as they do most like, or excess in private persons, or from all these.

Camdens Remaines.

And Gerard Malines, a Learned knowing and judicious Merchant, is (in his learned Tract or Book called *Lex Mercatoria*, written in Anno 1622. of opinion that the General dearth of all things within this Realm, where there is no scarcity of provisions for the Back and Belly, & yet food is dear, and there is a dearth, proceeds from the Husbandman, who lays the fault upon the Noblemen and Gentle-

Gentlemen for raising of their Rents, taking of Farms into their hands, and making of inclosures, Noblemen and Gentlemen, alleging the fault to be in Merchants and Artificers for selling things dearer then in times past, which caused every man to make the most of his own, and the Artificers and workmen raising their wages when they do buy all things dearer.

To which the Merchants in their ordinary and lawful course of Trade and Merchandize (without those lately practised illegal wayes of Ingrossings, when as one having bought up all the Pepper which was in London, and recruiting and adding more unto it, made thirty thousand pounds clear gain thereof) being more to be tollerated then other men, in regard of the hazard of Seas, Pirates and Imbargoes which many times attends their busines and affairs do but very little contribute, but the disease and evil is more intrinsicke within our selves and at home, and proceeds (where it is not upon scarcity as of Corn, &c. which happeneth not often nor continueth long) not from the increase of money or people, but of pride, selfishness, oppressing of one another, and the non-execution of many good Laws which are yet in force and unrepealed, as may evidently appear to any that will but look back and survey our Bigone and former times.

For although money which notwithstanding the opinion of some learned men that pecunia was derived a pecude from the use of Cattle in exchange of other commodities, was as anciently in use as the times of Abraham and Jacob, be as it hath of long time been in this and many other parts of the world, the exchange rule or measure in commutations and commerce, and should be

be in some sort the Par in the prices or rates of all Commodities to be bought or exchanged by it, yet the avarice and craft of people, never satisfied with gaining advantages one upon another, the power of some, and weakness of others in Estate or Judgements, have so far transgressed the rules which ought to be in that measure, or the Justice which every man owes one to another, and to do as they would be done unto, as the plenty or want of money not abased or corrupted, is seldom (as to the generality) the cause of the dearness or cheapness of things, and if it could so happen or appear to be so, neither of them can be any causa potens, an onely or meer cause in it self of the dearth or cheapness, or the excessiveness of the prices or rates of provisions to be bought or provided with it.

It being not to be denyed but that the scarcity or want of money doth many times enforce a Tenant to sell his Corn or Cattle at cheaper rates and prices then he otherwise would do, whereby to be able to pay his Landlord his Rent at the time appointed; or an Indebted Gentlemen to sell his Lands much beneath the worth or true value of it, to avoid greater inconveniences, or redeem himself out of the Pawes of a Panther-like usurer, and his biting Interest, and that the plenty of money at the same time in the buyer, makes it to be much cheaper unto him then otherwise it would have been, and renders the scarcity or want of money in the one, and the plenty of it in the other, to be a cause of the small rate or price of the commodity, or that which is sold; and howsoever it be admitted that the prices and rates of commodities or things to be bought with money, may sometimes have a respect or regard to the true and

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intinck value of the Coin or money which is to be given for it; and that at some times there may be more money or Coin in a Kingdom then there is or can be at another time, yet that *grand Witch or Inchantress*, which insinuates it self into most mens loves and affections (the small and contemptible (the more is the pity) society of *Scholars, Philosophers* and *Vertuosi's* onely excepted) is so predominant and powerful, as *Aurifacrafames*, the greedy appetite of Gold and Silver, and the insatiableness thereof veritying the long ago experimented saying of the Poet, that

Crescit amor nummi quantum ipsa pecunia crescit.

the love of money increaseth as the money doth, will not allow us to believe that there is no hoarding or keeping it from the knowledge or use of others, or that there is such an equal distribution of it, that every one like the children of *Israel* gathering their *Manna* in the Desert, might go out and fill their *Homers*, or as much as might be sufficient for their necessary provisions, when this age wherein we live hath told us, that *Sir William Craven* an Alderman of *London*, could besides a great estate purchased in Land, leave at his death in money four hundred thousand pounds, which was more overplus and spare money then all the men in that large County of *York*, from whence originally he came, could make or cast into a Treasury. That *Sir William Cokaine* an Alderman of *London*, could within a few years after, notwithstanding great portions given unto two of his daughters in marriage, the one unto a Baron, & the other unto an Earl, dye possessed of a personal Estate worth

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worth 200000*l.* and seized of such an Estate of Inheritance of his own getting, as enabled his son to be made an *Irish* Viscount, which was more then all the men in the County of *Bedford*, from whence he was descended, could have made in overplus and spare money; and that *Paul Bayning* an Alderman of *London*, could about the same time, besides an Estate in Land of inheritance, of almost six thousand pound *per annum*, make a totall of his personal Estate, of about one hundred and forty thousand pounds, which was as much or more then many thousand men in the County of *Essex* could above their necessary expences make in an overplus or sum of money.

And that if money were in *England*, as plentiful as it was in *Jerusalem* in the happy Raig of the wise King *Solomon*, when it was said to be in as much abundance as the stones in the streets, yet if Corn, Cattel, and food should be scarce, the greatest plenty of money we can imagine would not deliver us from that dearth which was in that Kingdom, not many years after, when *Samaria* was besieged, making the excessive rates of an *Asses head*, and a *Kab of Pigeons Dung*; and whether money be scarce or plentiful, if there should be a famine as it was in *Israel* when there had been *no rain in three years*, when the heavens were as brass, and the fruits of the earth failed, no man can with any reason believe that the great rates or prices of Corn, Victuals, and household provisions were because there was plenty of Gold & Silver, for if there be a scarcity of the thing to be bought, it must be the want of that, and not the abundance of money that makes the dearness, which if it be never so much cannot increase that little that is of the Commodity or

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thing to be bought, nor the want of money make it to be any cheaper; the want or plenty of it contributing in such a case nothing at all to the making that to be dear, which when there is more of it, will be sold at a cheaper rate & for a little money, & whether they that are to buy it have little or more of money, the want of money constraining him that sells to sell cheaper, and the great store of money, sometimes but not often or generally perswading the buyer to give more than one that hath not so much, will be drawn to give for it.

For as it is true that in *Virginia* where their principal Barter or Exchange is by *Tobacco* instead of money, and is there many times used as their Coyn or money; that where any man there is in want of *Tobacco*, and must needs have it, he will be willing to give more Beavers Skins, or any other commodities which he hath for it, then he would otherwise do if *Tobacco* were more plentiful or easier to be had. And as certain likewise that when there is great store of *Tobacco*, and it is (in the language of Merchants and Tradesmen) but as a Drug and of little price or value, there will not be so much of other things or commodities given for it.

So it will be as true and certain that there is in no Kingdom or Country of Christendom, especially in our *Brittain* and *other world* where (howsoever some Cosmographers and Chartes or Mapps, would by a great mistake make Gold to be a Native) the Sun is not so amorous as to beget us Mines of Gold, nor is there any probability that there ever were any, neither is there any *Tagus* or River bringing any golden Sands along with it. And that which we have of Silver is but rarely and seldom intermixed, and lurking
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in our Mines of Lead; there can be no ground for our belief or reason that there should be such a disesteem or undervaluing of Gold and Silver, in regard of any plenty of it, as was amongst the *Americans* or *West-Indians*, when they would give great quantities of it for Knives, Beads, or other Toys which the novelty of them or their desires to have them, made to be pretious, or that there should ever be such a surfeit of Gold and Silver which most of the sons of men do desire to get or keep, as to make all things dear which are to be bought with it, or to hinder that cheapness of things to be bought with it, which will be of necessity where there happens to be an abundance, which is the true and never failing cause of cheapness abstracted and altogether a stranger to any supposed plenty of money, neither the want of money or plenty of it, being generally any sole proper or efficient cause of cheapness or dearness, which residing in the commodity to be bought or sold *tanquam in subjecta materia*, as in its matter or subject regulates and makes the price when there are no fraudes or Artifices to disturb it according as there is a scarcity or plenty of that which is to be bought or sold, which is the cause that the scarcity of money hath not in all ages made or enforced a cheapness of commodities or household provisions to be bought with it, nor a plenty of money made a dearness or enhance of prices, nor any thing like or within many degrees of that which is now or hath been within forty years last past, and they therefore will *err toto Calo*, who by misplacing the cause, would make the plenty or scarcity of the *mensura* or money, to be either the cause of the scarcity or plenty, dearness or cheapness of the *Mensurata* or things to be bought with
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it, as by a retrospect into the course of former times and ages may be plainly manifested.

Fig'on in Bib-
litheca Cottleni-
ana.

Where we may find the *Britaines* when the *Barbarians* drove them back to the Sea, and the Sea put them back to the *Barbarians*, grievously tormented with a famine and mortality which raged in the Land; and with great desolations wrought by that dearth, and after they had by repressing their enemies gained some peace, and that produced such a plenty and abundance of all things, as the like before no age had seen, to have fallen into great Riots and Excesses, plenty of money (there being then none or little in the Land) not being any cause of the dearth or scarcity, nor scarcity of the money of the plenty of provisions.

The *Saxons* being oppressed with the invasion of the *Danes*, and enforced to pay them a Composition of sixteen thousand pounds, shortly after twenty thousand pounds, afterwards twenty four, then thirty, and lastly forty thousand pounds, untill all the Land was emptied of all her Coyne, did not find their Victuals to be cheap in regard of their want of money, but Victuals and all things to be bought with it to be dear by reason of the spoil of wars and Murrain of Cattel.

And they having in *Anno Domini* 1066. met with *Talions* Law, and the Divine *vindicta*, or punishment for their perfidiousness to the *Britaines* hastened by their excess of pride, the women wearing as *Ordericus vitalis*, a contemporary of *William the Conqueror* tells us far longer Trains or Garments then was necessary, and the men striving to overtake the pride and vanity of *Absolom* in his hair or Bush of Excrement, and so subdued and conquered as they were enforced to be shaved and

and wear their hair shorter, their Lands being given away to his *Normans*, the greatest part of the Nobility and Gentry extirped, many of the common people glad to be vassals and Tenants to those Lands which before were their own, and had nothing to recompence their losses, but the retaining of their good old Laws; and their Masters and Conquerors having gathered all the money and riches of the Kingdom into their Chests and possessions, there was, after the harrassed *English* had gained some peace, and that the long languishing Olive branches began again to recover their Sap and Verdure, so small an improvement of the rent of Land amongst the *Normans* plenty of money as in the valuation of Lands in the sixteenth year of the reign of *William the Conqueror*, there was such a wonderful small value put upon Lands, fifty or sixty and more to one less then it is now (the commodities and Cattel raised thereupon, being in all probability proportionable thereunto) as in *Drayton* no unfruitful place in *Cambridgeshire*, the Abbot of *Croyland* had fourteen or fifteen yard Lands, twelve *Villaines*, three *Bordmen*, three *Socage Tenants* and two *Meadows*, which in the time of *Edward the Confessor*, were of the value of five pounds per annum, and at that time but four pounds and ten shillings.

Hist. Ingulph.
& liber Censua-
lis, of Domest-
day.

In the Reign of King *Henry* the first, which began his Reign in the year of our Lord one thousand one hundred, when the *Normans* had something more improved their Lands and possessions, their plenty of money made out of the *English* miseries, did not banish their cheapness of victuals and provisions, but left them at those small rates of one shilling for the Carcase of an Ox, and four pence for a sheep, and no more for the

In ingro lib.
Sccii. & in
glossar Henrici
Spelman in voce
Firma.

Pro-

Camdens Re-
mains.

Proviender of twenty horses, the Denarius or English penny then being probably as the Roman which was but the fourth part of an ounce of Silver which in coyn or money made no more then twenty pence.

Hoveden part
posterior, 424.

In the latter end of the Raigh of King Richard the first, who began his Raigh in Anno Domini, one thousand one hundred eighty nine, and after his redemption from his imprisonment by the Emperor of Germany in his return from the Holy Land, when money was so scarce in England as to make up the sum of one hundred thousand Marks for his ransome, the Church Plate and Chalice were pawned, an Oxe or Cow was but of the price of four shillings, a Hogg ten pence, a sheep of the finer Wooll ten pence, and six pence of the courser.

Extent maner
rii de Kisburgh
p incipi,
27.E.1.

In the Raigh of King Edward the first, whose raigh commenced in the year of our Lord God one thousand two hundred fifty two, when there was as much plenty of mony as peace, and an increase of Trade under his happy and prudent Government, Scotland conquered and subdued, and such a plenty of money, as some Esterlings or men of Germany, from whom our Sterling money is well conjectured by Sir Henry Spelman, to receive its denomination) were here employed to coyn our money; the Market price of an Oxe was eight shillings and six pence, twenty six seames (or sums or horse-loads, or quarters) of Barley was at forty three shillings, a quarter of Oats for fourteen pence, and the yearly value of an Acre of Meadow was in Buckinghamshire, apud abum firmam, at the Rack, but eight pence per Acre, and so small a power had the plenty of mony then upon the price of victuals, as upon the payment of mony agreed

agreed to be paid upon a Bond or Deed (which was not likely to be for any long time) as the Case at Law tempore, E. 1. Cited in 9. E. 4. informs us the price of a quarter of Barley, which was at the time of the making of the Bond or Deed but three shillings a quarter, was before the time of payment for it, come to be thirty and two shillings a quarter, which might happen from some other causes, and not at all by reason of any extraordinary store of money which the Kingdom was then blessed withal.

In quodam бага
entitulat. Rageman
apud Recept. Scii.

In the eighth year of the Raigh of King Edward the second, which was in the year of our Lord God one thousand three hundred and fifteen, a Parliament was assembled at London, where all or most of the Prelates and great Lords of England, werewith the Commons assembled, saith, Thomas Walsingham, ad tractandum de statu regni & alleviatione rerum venalium (a matter now more then ever necessary) to consult of the State of the Kingdom, and the taking down the price of victuals which saith Walsingham was then so high, ut vix posset vivere plebs communis, as the common people could scarce live, and would have been in a worse condition if the Landlords had then let their Lands at the Rack, or beyond the value, as many of them do now, and many of the household provisions had been sold as they are now more then twenty times, and others ten or fifteen times more then they were then, where it was ordained that an Ox not fed with grain, should be sold for sixteen shillings, and if with grain and fat for four and twenty shillings, and no more, a fat Cow of the best sort for twelve shillings, a fat Hogg of two years old three shillings and four pence, a Mutton fat and shorn for four-
teen

Walsingham
hist. Anglie, 106

teen pence, and for one that was unshorn, one shilling eight pence, a Goose for two pence half penny, a Hen for a penny, and four Pigeons for a penny. And though immediately after in the same year there followed such a very great famine, as Flesh and Corn were scarcely to be had, Hens and Geese seldom found, Pigs and Swine, wanted Food, and Sheep dyed of the Rot or Murrain, yet a quarter of Malt was sold for a Mark, and a quarter of Corn for twenty shillings, and upon the great dearth which happened in the next year after, making such a famine, as Horse flesh was good Diet for the poor, and causing a repeal of the Act of Parliament which was made the year before touching the price of Victuals, three quarts of strong Beer was then sold for three pence, and of small for two pence, which in that sad and horrid famine the Magistrates of London understood to be so unreasonable, as they prohibited it to be sold at so high a rate, in the City, and ordained that no more then three half pence should be taken for three quarts of strong Beer, and a penny for small; and the King by his Proclamation likewise commanded that in all parts of the Kingdom three quarts of Beer should not be sold for more then a penny.

In the 21. year of the Reign of King Edward the third, notwithstanding any enhaunce of prices made or occasioned by the great famine which was in the eight and ninth years of the Reign of King Edward the second his Father, and the continuance of it for four or five years afterwards by reason of the Murrain of Cattel, and a more then ordinary unseasonableness of those years, twenty quarters of Corn were furnished for the Kings use and taken by the Sheriff of Kent at eleven shil-

shillings the quarter, as appeareth by a Tally struck for the payment thereof, yet extant in his Majesties Receipt of the Exchequer, and although that in the year next following by reason of a peace with France, and the great victories before obtained against it by the English, when the King was rich and the people rich, which makes a Kingdom compleatly rich, with the riches and spoiles gained thereby, and that great store of Gold and Silver, Plate, Jewels, and rich vestiments *sparsim per Angliam in singulorum domibus*, were almost in every house in England to be found, and that in the 23. year of the Raigu of the said King, so great a mortality of men and Cattle happned *ut vix mediant decima pars hominum remaneret*, as scarce a third part and as some were of opinion, not above a tenth part of the people remained alive, which must needs have made a plenty of money, *Et tunc redditus perierunt*, saith the Historian, *hinc terra ob defectum Colonorum qui nusquam erant remansit incubat antaque miseria ex his malis est secuta quod mundus ad pristinum statum redeundi nunquam postea habuit facultatem*, insomuch as Rents (or Tenants) for Lands were not to be had, the Lands for want of husbandmen, remained untilled (which would necessarily produce a dearth and scarcity of Victuals) And so great was the misery as the Kingdom was never like to recover its former condition.

And that in the 25. year of the Reign of King Edward the third, by reason of the Kings coyning of groats and half groats, less in value then the Esterling money, Victuals were through all England more dear then formerly, and the Workmen, Artificers, and servants raised their Wages yet in Anno 12 R. 2. though there

In Receipt Scaccarii.

Walsingham hist. Angliae 168.

Walsingham hist. Angliae 169.

there was a great dearth, yet Wooll was sold for *two shillings* a Stone, a Bushel of Wheat for *thirteen pence*, which was then thought to be a great rate, a Bushel of Wheat being sold the year before for *six pence*.

Sir Richard Bakers Ch. o. nicle or hist. of England, 166.

In quadam ba. ga intitulat. Nageman in Re. cept. Scaccari.

And in *Anno 14.* of King R. 2. in an account made in the Receipt of the Exchequer by *Roger Durston* the Kings Bayliff, he reckons for three Capons paid for Rent four pence half penny, for *thirteen Hens*, one *shilling and seven pence*, for a P'ow share paid for Rent *eight pence*, and for four hundred Couple of Conies at *three pence* a couple, *one hundred shillings*.

2 H. 5. cap. 2.

In *Anno 2 H. 5.* the Parliament understood *four pounds thirteen shillings four pence* to be a good yearly allowance or salary for a Chaplain, being men of more then ordinary quality (so great a cheapness was there then of Victuals and other provisors for the livelihood of men) and for Parish Priests, *six pounds per annum* for their Board, Apparel, and other necessaries; and being to provide that Jurors which were to be impanelled touching the life of man Plea Real or Forty Marks damage should be as the Statute of *42 E. 3. c. 5.* required men of substance, good estate and credit, did ordain that none should be Jurors in such cases but such as had *fourty shillings per annum* in Lands above all charges, which was so believed to be a good estate in *5 H. 8. c. 5.* which was almost one hundred years after, as the Parliament of that year did think it to be an estate competent enough for such kind of men.

In the Ra:gn of King *Henry* the sixth, after that *France*, a great and rich neighboring kingdom was wholly conquered and possessed by the *English*, who had not

not then learned their wasteful Luxuries or *Mimick* fashions, and could not with such an increase of Dominion and so great spoils and riches transported from thence hither, but be abundantly and more then formerly full of money; the price and rates of Victuals was so cheap, as the King could *right worshipfully*, as the Record saith, keep his Royal Court, which then could be no mean one with no greater a charge then four and twenty thousand pounds *per annum*; and in the *33.* year of his reign, which was in *Anno Domini*, one thousand four hundred fifty and five, by assent of Parliament granted to his son the Prince of *Wales*, but *one thousand pound per annum*, whilst he had Diet and Lodging for himself and his servants in his house, until he should come to the age of eight years, and afterwards no more then *2000. Marks per annum* for the charge of his Wardrobe, Wages of servants, and other necessary expences, whilst he remained in the house of the King his rather, which was then thought sufficient to support the honor and dignity of the Prince and heir apparent of *England*, though now such a sum of money can by some one that mindeth his pleasure more then his estate, and the present more then the future, be thrown away in one night or day at Cards or Dice.

Rot. Parl. 33. H. 6.

In *Anno 37 H. 6.* Meadow in *Derbyshire* was valued but at *ten pence per Acre*, and arable Land at *three pence*.

Inquis. inter e. videncias Johannis Ferrers Armig. ii.

In the *22.* year of the Ra:gn of King *Edward* the fourth, which was in the year of our Lord one thousand four hundred eighty and two, the price and value of six Oxen was at the highest valuation but ten pounds.

Termino Pasche 2. E. 4.

In the seventh year of the Ra:gn of King *H. 7.* which was

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was in *Anno Domini* one thousand four hundred ninety and two, Wheat was sold at *London* for twenty pence the Bushel, which was then accounted a great dearth, and three years after for six pence the Bushel; Bay Salt for three pence half penny, *Namptwich* Salt for six pence the Bushel, white Herrings nine shillings the Barrel, red Herrings three shillings the Cade; in the fiftenth year of his Raig *Gascoign* Wine was sold at *London* for fourty shillings the Tun, and a quarter of Wheat for four shillings.

24 H. 8 cap 3

In the 24. year of the Raig of King *Henry* the 8. a fat Ox was sold at *London* for 26 s. & an half peny a pound for Beef and Pork, and a half penny farthing a pound for Veal and Mutton, was by Act of Parliament thought to be a reasonable price, and with gain enough afforded.

Sir Richard Bakers history of England.

In the fourth year of the Raig of Queen *Mary*, which was in the year of our Lord God one thousand five hundred fifty and seven, when very many families and multitudes of the people of *England* had been but a little before greatly monyed & enriched by the lands & spoil of the Monasteries and other Religious houses and their large possessions, Wheat was sold before Harvest for four Marks the quarter, Malt at four and fourty shillings the quarter, and Pease at six and fourty shillings and eight pence, but after Harvest Wheat was sold at *London* for five shillings the quarter, Malt at six shillings eight pence; and Rye at three shillings four pence the quarter, and in the Country Wheat was sold for four shillings the quarter, Malt at four shillings eight pence, and in some places a Bushel of Rye for a pound of Candles, which was worth but four pence.

In the eighteenth year of Queen *Elizabeth*, when the

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the Act of Parliament was made in favour of the two Univerities of *Oxford* and *Cambridge*, that the Colleges and Halls should take a third part of their rents in Corn, Malt, &c. the price of a quarter of Wheat was valued but at six shillings eight pence the quarter, and Malt at five shillings, and the Tenants or Lessees might (if it should be cheaper) make their election to pay them after the rate as it should be the next Market day before their rents should grow due.

18 Eliz. cap. 6.

Anno 25. *Eliz.* four good Leggs of Mutton could be bought in *London* for four shillings, two Roasting Piggs for two shillings and six pence, four Pullets for four shillings four pence, and four Leggs of Pork for four shillings and six pence, which may prove that the Compositions for Pourveyance made with the County of *Essex* in or about the fourth year of her blessed Raig for six shillings eight pence a quarter of Wheat, six shillings eight pence for a Mutton, no more for a Pork, and eighteen pence for a Hen. was if not more or as much, but a very little below the Market. In Anno 34. *Eliz.* after her many glorious succeses against the *Spanish* King, with whom she had no commerce or alliance to bring any fruits of his golden Mines into *England*, and the many plunderings and ransackings of his *Indian* Treasurs by our fatmous *Drake*, and his worthy contemporaries in their high adventures, and the enriching of our Land and people thereby, that, or any other plenty of money, did not so increase (if at all it had been able) our Market prices, for food and household provisions, but that they might be bought at *London* at lesse then half the rate they are now at, and the whole charges of a plentiful Dyet for

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for a society of twenty four Gentlemen of no ordinary quality or condition with Beef, Mutton, Beer, Bread, Rabbits, Chickens, Geese, Capons, Piggs, Fish, Sawles and Oysters, and the charges of Fire, Washing of Table Clothes and Napkins, the Cooks and Butlers Salaries, and all other appu-tenant expences of household Provisions, with Suppers as well as Dinners came then by the week but unto six pound five shillings and four pence, which amounted unto very little more then five shillings a man. In Anno 43. Eliz. two necks of Mutton were bought for one shilling and ten pence, and four large Shoulders of Mutton for five shillings six pence, and a weeks Commons for the same society and number of quality which might have contented Justices of Peace and men of worship, came but to eight pound ten shillings seven pence, which charged every man with little more then seven shillings a peece.

In Anno 20. Jac. after that England had suffered too many of the hungry & never satisfied Scottish Nation, not only to partake of her plenties here, but to carry home all the monies and riches which an over kind & gracious Sovereign sending away few of their desires unanswered, had so liberally distributed amongst them, and the more then formerly profusions & expences of our own nation, making such a scarcity of money as might have made provisions for housekeeping cheap, if the supposed Rule of plenty of money would make them dear, the rates of victuals and provisions met with some augmentation notwithstanding more then needed.

And in quarto Car. primi, when too many mens unnecessary expences, and the higher rack and rent of Lands had informed every man that victuals and household

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hold provisions were dearer then they should have been, the rates and prices of diet and household provisions be- but a little more advanced.

And the stretch of prices and rates of victuals and household provisions, from that time keeping pace with the rack and increasing of Rents, or rather out going them, and so far surpassing the bounds of reason and moderation, as well as the customs and usage of former times and ages, as a Tenant by several Leases of a Farm in the County of Essex, almost forty miles distant from London, of no extraordinary Lands, being raised since the beginning of the Raing of King James from five and twenty pounds *per annum*, to eight & thirty pounds *per annum*, after that to sixty pounds *per annum*, was most unconscionably turned out of his Farm this present yeer, because he could not afford to give his racking Lendlord, one hundred Marks *per annum*, and too many of the Landlords, Tenants, and Sellers vying who should most drain and disadvantage the purses of the buyers, or those which had need of their Lands or Commodities (as if God Almighty the revenger of oppressions and relief, at one time or another, or by one way or another of such as suffer by it, had onely made and ordained mankind to devour and take advantages one of another) have so brought the Markets and prices of household provisions, from those formerly more moderate, gentle and easie to those immoderate and unconscionable rates which are now imposed upon the buyers, as we may plainly see from whence they do proceed, and that the raising and increase of the price of the ounce of Silver could not cause or effect them.

For although that our *Denarius*, both *Anglo, Sax-*
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onick and *Norman* had more weight and Silver in it when the ounce of Silver was valued but at twenty then when it was at thirty pence, and that had more weight and Silver in it then when it was at forty or five and forty pence, then as it is now at five shillings the ounce, and that a *Denarius* or English penny, is but now the sixtieth part of an ounce; and that when it was in the reign of King *Henry* the sixth, raised to thirty pence the ounce, in regard of the enhauncing of mony in foreign parts, & that our *Denarius* or penny passed as Mr. *Malines* saith in his *Lex Mercatoria* for three half pence, and in the reign of King *Edward* the fourth for two pence, when the ounce of Silver was raised to forty pence, and so continued untill the raigns of King *Edward* the sixth and Queen *Elizabeth*, and was then valued at three pence, because the ounce of Silver was enhaunced to sixty pence or five shillings, and that all three pences coyned by that Queen did weigh but a penny weight, and the six pence but a two penny weight, which is rather to be understood as to the weight of the penny or two pence in the coyning or myning of it, then to the denomination of it or the value as the people did receive or pay it in Commerce and exchange, when as six single pence or three two pences were then as they are now esteemed & taken for no less then a six pence in one iature peice of coyn, and a Queen *Elizabeths* six pence doth now pass in payment for three times the value of a two pence, yet our *Casars* value or rate put upon it making our now *Denarius* or penny to be current at the rate or value which the former *Denarius* or penny was, and the King giving at his Mint or Exchange for those or any other coyns of Silver, after the rate as the ounce of Silver

Malines Lex
Mercatoria.

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is now at; and the buyers of things or commodities can put it away in payment for a peny, and the seller can pass it away for as much as he received it, there is no wrong at all done by it when it passeth in *England* (though the intrinsick value will be onely looked upon in Foreign parts) for a greater value then it is, as in some of the Heathen Countries, where Rice and sometimes *Cocao Nuts* pass for their money, or as the *Dutch* have done when some of their Towns have been streightly besieged in allowing the Townsmen and Garrison to make use of Tynne, Leather, or Paper for money, and not onely promised but at the raising of the siege rendred them in good money as much as that went or was taken for, or as our King *James* did when he made good Queen *Elizabeths* promise, and paid good money for that Copper or base money which her necessities in the *Irish* wars had made use of for the present, or as our saithing Tokens or brasse did no hurt but a great deal of good when they went for more then the intrinsick worth or value: And therefore such high rates and prices of victuals and household provisions may well be understood to be the product of other causes, and not of any plenty of money which could not cause either a scarcity of provisions (which is one of the grand causes of high rates and prices) or when there is a plenty of provisions enforce any great rates and prices for them.

Philippus
Casus a Ze-
sen in Leone
Belgica.

But if it should be otherwise, and that the valuing of Coyn, above their true and real values should have no small influence upon the prices and rates of food and household provisions, yet they did not always proceed *passibus aequis*, keep even pace one

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with another, when as from the raising of the ounce of Silver to forty five pence, those peices of Coyn which went before for a penny, were as Mr. Malines saith, taken in payment in the Raigns of King Henry the eighth, Edward the sixth, and Queen Mary for two pence, and when the ounce of Silver came to be five shillings or sixty pence in the Raigns of Queen Elizabeth, went for three pence though it waighed but a penny waight, the prices or rates of victuals and household prov'ions would not keep company with the intrinsick value of the money; but contenting themselves with the denomination or what it was then or is since onely current for; are at this day gone excessively beyond the rise of the ounce of Silver, & so unreasonably as they do exceed all measure and reason; & those proportions which were formerly holden betwixt the coyn and the Bullion; and after Malines in his book called *Lex Mercatoria*, attributting all or the most part of the dearness of all sorts of household provisions to the raising of the Rents of Lands, will hardly be able to reconcile that contradiction with what he seemeth at the same time to be very positive in, that according to plenty or scarcity of money, commodities, do generally become dear or good cheap, and that so it came to pass of late years that every thing is enhanced in price by the abundance of Bullion moneys which come from the West Indies into Europe, and the money it self being altered by valuation, caused the measure to be made lesser, whereby the number did increase to make up the tale, being augmented by denomination from twenty to forty, and in later years from forty five to sixty, it being always to be remembred that the rareness or scarcity of every thing doth augment the value, and that it is the value.

Gerard Malines Lex Mercatoria, 47. & 147.

value which begets an esteem and makes it precious, and that Silver being in the infancy of the world very much esteemed and valued, and hath to the decrepit and old age of the world more & more increased its value and esteem, the rising of the price or rate of the ounce of Silver by King Henry the sixth, King Henry the eighth, and Queen Elizabeth might as well proceed from the scarcity of it, as from any policy or reason of State to keep our Silver at home, and not permit it to be carryed away by Foreign Princes enhances, or putting a denomination upon it over and above its real value, or to keep the ballance of Trade and Commerce even betwixt us and them; and that as it hath been rationally enough said by some that the denomination of coyn passeth by the connivance of the Magistrate insensibly, and as much without damage or inconvenience to the people, as the permissive monies have done amongst Brokers and Merchants Cashiers; and as it is now daily experimented by the Brass or Copper farthing since the causeless suspension of the farthing tokens by the late overturning Reformers (because they were established by his late Majesties Letters Patents, or upon some other new found Politick pretences) which some Tavern keepers and Chandlers do take the boldness to stamp with an inscription of their own names and places of abode.

And it would be near of kin to a wonder, & the reason of it lye everlastingly hid & undiscovered, that any plenty of monys here should so swell our rates and prices, and make every thing dear which is to be bought with it, and make a plenty of provisions to be as a scarcity, when as there have been no such effects or consequences there.

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thereof found amongst other Nations.

For the *Hollanders* who by the Artifice of their Banks and greatness of their Trade, do give laws to all the commerce and money of Christendom, and a great part of the *Pagan Nations*, and in their long wars with the King or *Spain* for above sixty years together have been a means to waste & consume all the Gold and money which his *Indies* or other large and over taxed Dominions could furnish, and had it spent upon or amongst them, and having little Lands of their own, but much of their provisions and victuals from the neighboring Countries and Nations could not in that great plenty of money and Trade, wherein they are known to abound, live so cheaply as they might (if the heavy burden of continual Taxes and Excise which are there the onely or a great part of the cause of their dearth were separate and abstracted from the natural and genuine rates and prices thereof) where Fish, Fowl, Carrets, Turneps, Apples, Pears, and many other household provisions, are (notwithstanding the burden of their Excise) much cheaper then in *England*, if store or plenty of money could be any efficient cause of high rates and prices for victuals and household provisions.

In *France* the Paylants which are the greatest part of the people, will tell us that there is mony little enough, and that there would (if it were not for their *Hydras* and multitudes of Taxes and *Gabels*) be cheapness enough of all manner of household provisions, when their Wines and flesh notwithstanding that or any supposed plenty of money are cheap enough.

In *Scotland* the moneys and riches which that Nation gained from *England* by King *James* his coming to the

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the *English Crown*, and the bounties of that King and his Son King *Charles the Martyr*, with the three hundred thousand pounds sterling, for brotherly assistance given to a factious and Rebellious part of them, by a party of *Covenanting English Rebels*, to ruine their King and the race and posterity of their benefactors, together with the two hundred thousand pounds sterling, far exceeding the pay as well as wickedness of their Master *Judas*, given them to sell their pious and distressed King (who in a confidence of their *Covenanting* pretences, Faith and promises had fled to their Army for refuge, which with the help of his loyal *English* subjects might easily have preserved him as well as themselves from the miseries and destruction which afterwards happened) never appeared to be any cause of the dearness of victuals and household provisions more then ordinary, or what proceeded from other accidents or causes.

In *Germany*, where the *Bavarian* Silver Mines have of late made a plenty of it, and every petty Prince and principality hath a regality and priviledge of coyning, their *Dollars* are much allayed and mixed with a baser metall, and their *Hanse* and Imperial Cities do enjoy a great commerce by Sea and Land, they do not complain of the high rates and prices of victuals and household provisions.

The Kingdom of *Sweden* whose Copper Mines are their *Indies*, and do furnish plenty of Copper money, with a value in its weight and materials as much as their denominations which the coyns of Gold and Silver, necessarily requiring an allay and some mixture are never blessed with, hath in a plenty of that base money, no high

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high rates or prices upon their native commodities, but of reasonable as fish enough may be bought for three pence to nine twenty men.

Rome which receives the money as well as feet of many strangers, is the Mart or *Forum* for the dispatch of most of the Ecclesiastical, and too much of the civil affairs of the Catholike Nations, and by her claimed Vicariat or Lieutenantcy from Jesus Christ, and an Empire in Ecclesiastical affairs hath her Taxes, Tenths, first fruits, Oblations, Jubilees, Indulgences, pardons, and other attractions of money, large Territories, Church Land Revenues, and the disposal of many priviledges and principalities, and famous Channels cut for the Gold and Silver of the Catholike and most enriched Nations, to run into the Ocean of its ever filling and never emptying Treasury, can at the same time whilst she sits as Queen and delights her self in the several Magazines and Store-houses of her abundance of riches, enjoy a very great plenty and cheapness of household provisions.

The Commonwealth of *Venice* with her wonderful Amass of Treasures, by which she hath for some years last past made wars with the grand *Seignior*, the *Behemoth* and *Leviathan* of the East doth, notwithstanding as she did before those wars bless her inhabitants with a competent cheapness.

The Kingdom of *Naples* and Dutchy of *Milan* who with their Garrisons and Armies of *Spaniards* to the natives in a forced and unwilling obedience are the expeditors and wasters of much of the King of *Spaines* incomes from *India* and other his Dominions, do not finde that to be the cause or occasion of any dearth
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or high prices of victuals amongst them.

The grand Duke of *Florence* with his great commerce and riches brought into that Country by granting of great priviledges to his Port of *Legorn*, and the Merchants of other Nations trading thither, filling his subjects and people with more then formerly and ordinary plenty of money did not thereby so establish the unhappiness of buying their victuals and provisions at unreasonable prices, but that there, as well as in other principalities and Provinces of *Italy* (which by the Trade of *Legorn* and neighborhood of *Rome*, and her Ecclesiastical Merchandize are greatly enriched) there is so little reason for an enhance of the prices and rates of food or provisions as they can be honest gainers by an easie *Banda* or Reiglement of what is to be paid for them.

In *Spain* where the common people do onely hear of the arrival of many millions of Gold and Silver from the *West Indies*, and have little of that but a great deal of black money or *Maravedis*, their great rates for flesh do not arise from the abundance of their money, either of the one kinde or of the other, but from the barrenness of the Country and the little use thereof, procuring no dearness in their Oranges, Olives, and Lymmons and other fruits, and delicacies of that mountainous Country.

In the *East Indies* which is one of the Suns darlings, whether our English Merchants carry more money then they should, & where their mountains & hills bring forth great quantities of precious stones and Jewels, Gold and Silver, and bestows upon them an abundance thereof, enough to adorn themselves and the people
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of the utmost Isles; there are no high rates put upon food or victuals.

In *China*, where there is no want of money, they have Rice and other meat for the sustenance of man very cheap, and to be had for almost nothing in the *Philippina Islands*, three Hens were sold not long ago for a *Rial*, which is no more then six pence English money; a Deer for two *Rials*, and a Hogg for eighteen.

And our Countreyman Mr. Gage in his journey in Anno 1625. from *St. John de Uhu* to *Mexico* in the *West Indies*, where the world had as it were laid up its Treasures of Gold and Silver, found Beef, Mutton, Kid, Hens, Turkies, Fowles and Quails to be so plentiful and cheap as he was astonished at it, nor was it any store of money in *Virginia*, which heightened there for some times the prices of all things, but the Merchants giving greater sums of money to the Savages then they needed, neither in *New England* in Anno 1636. when a Cow was sold for two and twenty pounds, which the next yeer after upon the arrival of more might be had for eight pounds.

And as little is any supposed plenty of money in old *England*, when three millions of Gold (too much of which is since transported) were coined here betwixt the years 1622. and 1630. and two hundred thousand pounds per annum brought hither from *Spain* to be coined for some years betwixt that and 1640. (now no more coming so long a voyage to our Mint) the cause or reason of these excessive and intollerable prices and rates of victuals and household provisions, even to an oppression of the buyers, and a consumption of their estates, making

making the greatest most universal and extended grievances and oppression of the Nation.

When as there is and hath been for some years of late in *England*, the greatest want of money and Trade which should introduce and procure it that ever hath languished and groaned under for three hundred years last past, by an universal poverty, and want of it by reason of twenty years great and heavy Taxes which yearly enforced and called for more money then the King of *Spain*, during that time, received for his *West Indies* for his own account, or *England* ever paid in Taxes, all being summed up together in the space of 500. years before, together with a general pride & luxury since wasting and carrying away that little that was left of our money, whilst all or the most of our Gold have been inticed and transported into Foreign Countries by reason of the fineness of our Standard, and their putting a greater value upon our coyne, much of our Silver hath in coyne or Plate been carried into *Ireland* and *Scotland*, and from thence or from *England* into Foreign parts, and that little which remained of it together with a great part of our Silver converted into Gold and Silver Lace, or other vain and needless manufactures, some millions of money employed here by the *Dutch* at interest, because that their own Country, yeilded not above four per cent. for it, called home and taken away by reason of our distempers and troubles, the bringing of interest by our usurping Legislators to six per cent. whereby to advance the sale of loyal mens lands which they had without law or reason taken from them, eighty thousand pounds in coyne and Silver Bullion, or Ingotts of our

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small remainder of mony yearly carryed out of *England* by our *East Indian* company into the *East Indies* or *Persia*, to purchase Spices & many superfluous and transmarine commodities, without which our forefathers could live longer, more plentifully and healthy then now they do. And so little money left in the Nation in general or amongst the common people, as they are many of them being dragged by their necessities, enforced to endure the greatest birings and extortions from the Usurers, and the *Cancer* or *Gangreen* of Usury & Brokage grown so high and intollerable, as by a judicious computation lately made there are no less then 3000. publike and private Brokers and Harpies in and about the City of *London*, taking forty, sixty, or eighty *per cent.* far exceeding that of the *Jews*, or the *Caurfni*, when they tormented *England* with their unmerciful Usuries untill they were banished many of our Merchants by reason of the adulterating of our Commodities, and taking away the credit of them, or by the inticements of an unlawful gain buying their Corants at *Zant*, and Silks and other Commodities in the *Levant* and *Turky*, with pieces of eight, and their Deal and Timber in *Norway* with *Dollars*, which hath made such a scarcity and want, as all the Silver money coyned in the Kingdom by the late Parliament so called, with their dolorous *Cross* and *illtuned Harp*, amounted when it was called into the Mint after his Majesties restoration to no more, with some store of Brass, Copper, or Lead counterfeit money crept in amongst it, then *five hundred thousand pounds sterling*, or thereabouts, and that which went about of the Coynes of *Queen Elizabeth*, *King James*, and *King Charles the Martyr*, not being estimated

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estimated to be much above as much more, nor making a total with both, included together of more then a *million and a half of sterling monies*, which amongst *four millions* of people, if that should be the account of the number of the inhabitants, men, women and children in *England*, there being not likely to be many less, would afford but *seven shillings* and *six pence* to every one, and if the money in the Kingdom should as some have guessed it more at random, then upon certainty or probability amount unto *twenty seven hundred thousand pounds*, or to make it *numerum rotundum*, for the more even and easie computing of it *three millions sterling* would yeild every one but *fifteen shillings*, which renders the mony of the kingdom to be lamentably scarce & too little for the people, & may without the blame of being over sanguine or credulous induce any man to believe that the credit which the people have one with another, far exceeds the money of the Nation, that they which are any thing rich in the Kingdom, the Nobility, Gentry, and such as live upon their Lands and Estats without trading onely excepted, are but as the *pikes* in the Ponds or Rivers which devour and feed upon the multitude and smaller *Frye* of *Fishes*, that there is no such plenty of money now in *England*, when poverty and want are as *Regiments* of armed men breaking in upon every County and part of *England* and *Wales*, the lamentations of the poor and such as are undone for want of trade and employments, are as the noise of many waters, and the excessive rates and prices of victuals and household provisions are to seek for some other causes or originals, then a supposed plenty of money, when as there is no housekeeper but feels the burden

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and smart of them, and may hear almost every body, not as Usurers which do it to conceal their money from such as might over importune them to borrow it, or to heighten the necessities of such as they may *scute* up to their exactions, or in a greedy humor or appetite never think they have money enough, but as a people exhausted and impoverished by wars and luxury, lamenting their want of money, and that every Town, Corporation, City and County of the Kingdom, the more vain and prodigal part of the people who make hast to spend all that they have or can come at onely exepcted have too many symptoms and signs of a poverty and want of Trade, and tire themselves with the complaints of it.

And it cannot be either want or plenty of money which causeth such extraordinary rates and prices of food and household provisions, servants and workmens wages, greatness of Rents, and the intollerable and unreasonabke prices of all that are to be bought either for the Belly or the Back, now more then it was twenty years ago, and then more then it was some hundred years before, making the sin of oppreffion and cozening one another, to rise like the waters of *Noahs Flood* *prevailing* and *increasing greatly*, but the wickedness in the hearts of men doing and devising evil continually, oppressing, and cheating one another.

For it was not an abundance of mony that hath made Beef to be at three pence, Mutton four pence a pound, and to be much dearer at *Christmas* and other Festivals, then at other times in the year but an evil custome only, & the will & pleasure of the Butchers, or that hath raised the Board wages of a Footman to be *seven shillings* and

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and a *valeet du Chambre* or extraordinary Serving man, *ten shillings* a week, that makes good Butter to be at *nine pence* a pound, when it was within this twenty years commonly one year with another but at *six pence per pound*, and three Eggs a goat; a Maid-servants wages to be four pounds a year, and a Ploughmans five or six pounds a yeer, but because the Maids will wear Silkes and Gold and Silver Lace, and the Clowns their clothes after the Gentlemans mode or fashion, or that hath doubled workmens wages, but because they will eat of the finest sorts of meat, and be as Trim as pride and Ribbons can make them.

That causes Milk at *London* in a time of as many or more Cowes and Pasturage then ever, to be at one penny a quart for some little time in Summer, and three half pence and some times seven farthings a quart all the year after, when as *Iohn Stow* not long ago deceased, hath left it amongst his memorials, that in his youth he fetched many a *half penny* worth of *Milk* from a Farm by the *Minories* near *London*, and never had less then three *Ale pintes* for a *half penny* in the Summer, nor less then *two Ale pintes* for a half penny in the Winter. Nor any excess of money that brings many poor Artizans and their pittiful fed Families to do suite and service to the *Chandlers*, who having made their Mathematical Lines upon their Cheefes, can enforce them to be content with such small penny worths of that, and such farthings-worth of Butter, as they shall think fit to allow them.

No such scarcity of fruit nor store of mony two years ago amongst Gallants as to make a *dozen of Pears* cost *six and thirty shillings*, or of *Peermains* this year, when

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a dozen of them may be bought by others for a penny to give a penny a pece for them, but the small acquaintance of those that gave it with their forefathers frugalities.

Nor any discovery of a new *Indies* or *Atlantick* Islands that makes twenty shillings a pound to be given for Cherries, or ten shillings a peck for green Pease, but because their faancies or disorderly appetites will not rary untill the Markets come to be cheaper, when Cherries may be had for a groat a pound, and a peck of as good or better Pease for the same price, and can give twenty shillings for a small Apricock, or Spring Garden Tart, when the next morning they have nothing to satisfie the men of *Items* or *reckonings* for their long forborn and clamorous debts.

No increase of money but the profusion and *luxuria Triumphans* of the times we now live in, which (by a peculiar carelesness of our Gentry eating their meat before they inquire what is to be paid for it, which all other Nations do as much abhor as wonder at) hath raised the reckonings of the Vintners who can sit in their little *Sentry* houses turning over the leaves of their Bibles, and yet as if they were to be the Collectors of the Devils Revenues can multiply their Wine as they finde their Guests over much taken with it, and increase their scores according as the company are careless, or when the Gallants are willing to let their Mistresses or *Dalilas* know how readily they can expend their monys in those or the like exercises, & never be daunted at a reckoning of 13 s. 4 d. for a couple of green Geese, when they were every where to be met withal for two shillings a peice, *ten shillings* for two brace of Partridges,

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and *four pound* for a Collar of Brawn, and the Cooks so unwilling to come far behind them as to think themselves not paid unless they may have *three shillings six pence* for a Neats Tongue and Turnips, *seven shillings* for a Shoulder of Mutton with Oysters, for a *Potage thirty shillings*, eight tame Pigeons *eleven shillings*, dressing a dish of Carpes *fifteen shillings*, a dish of Whittings and Flounders *ten shillings*, dressing a dish of Smelts *eight shillings*, for a Neck of Mutton *three shillings and six pence*, a Shoulder of Mutton *five shillings and six pence*, and for a Calves head hashed *ten shillings*.

No overflowing of our *English* purses which hath made a load of Wood which hath been bought in some Woodland Counties of *England* within the memory of man for a penny a load as much as six Oxen could draw, to be now seven or eight shillings a load, but the devouring Ironworks and the scarcity of Wood, or that hath made our *Newcastle* Coles when they are now at the cheapest to be a third part dearer then they were.

No Surfeit of money or scarcity of horses that hath brought a horse within these twenty years last past, from ten pounds price for a man of worship or good estate and reputation, to be sold for twenty, thirty, forty or fifty pounds, and sometimes a hundred pound, though they be onely for travailing, and no *Barbary* or Foreign breed, or race horses, nor could they be really so much worth, but that the prices are onely advanced according to the pride, humor or affection of some, and imitated and brought into a custome by others who were loath to come short of them in their folly, which makes those or greater prices to be kept up or demand-
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ed by the subtil Countrymen or sellers, who by such indiscretions and humors can make their Market advantages greater then ever they were before.

Or that makes in our greatest want of money a Gorget for a Lady or Gentlewoman to cost eighty or one hundred or two hundred pounds, and a yard of *Flanders* or *Frenchified* Lace, at the rate of forty or fifty pounds, or a Lady in the Country to tread and trample upon a Gorget which her husband had brought her from *London*, because it had not cost above *sixteen pounds*, or a young Merchant to wear a Band of thirty pound price, when as twenty pounds *per annum* in Fee or for life was in the Parliament of *primo E. 2.* which was in *Anno domini 1307.* accounted to be a good Revenue to maintain a Knight, his Lady and Family in a worshipful manner, and keep good horses, men and Arms for the service of his Prince and Country.

No Inundation of money from Foreign Countries, but the knavery of the Tanners and Curriers, and transportation of Leather, and to enable the Shoemakers Wives to wear Lace upon their Gorgets of forty shillings a yard, that makes a Hide of Leather which within the memory of a young man was sold for twelve shillings, now to cost thirty shillings or above, and the making of a pair of Shoes to a Journeyman which was wont to be for five pence, not to be now under fourteen pence, and that makes our Gentlemens plain Shoes which were heretofore sold for *three shillings*, not to be now under *six shillings*, when there are more Cattle killed and spent then ever, and Boots are not so frequently worn as they were in the later end of King

King *James* his Raig (when the *Spanish* Embassador the *Conde of Gondomar*, could pleasantly relate when he went home into *Spain*, that all the Citizens of *London* were Booted and ready as he thought to go out of Town) and that for many years since all the men of the Nation as low as the Plowmen and meanest Artizans which walked in their Boots, are now with the fashion returned again as formerly to Shooes and Stockings.

Neither is it plenty of money that maketh Scholars or men of Learning never less regarded, more poor and scorned, to pay double or many times treble the rates and prices for Books, then they did twenty years ago, because the rates and prices of books are by the unconscionable Arts and Trade of the Stationers, proportioned and kept up to a penny a sheet, which of late was usually paid for Pamphlets sold and cryed up and down the streets to publish the madness and rebellion of an hypocritical and wicked part of the people, or that causeth *China* Orengees which at a dearer rate then elsewhere are to be had at the Play-house door five for a *shilling*, but within the house, in that which is called the *Pit* not to be had of the woman that sells them, under *three* for a *shilling*, because for a Monopoly of the only selling of them in the *Play-house*, she gives one hundred pounds Fine, and thirty pounds *per annum* Rent, and hath such a power and dominion over some of the peoples purses, who take it to be an honor to be foolish and ready upon any terms to part with their money and be their own *Pick* pockets, as they that sit in the *eighteen pence* Rooms or Galleries may have four for a *shilling*, and those that sit in the

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twelve penny Rooms or Galleries are seldom denied five for a *shilling*.

It was not the plenty of money but Prodigality which in *Holland* and the *Netherlands* not long since made *Tulips*, whose glories are in the varieties of their most excellent Colours and abasements in the want of Odour to accompany them, to beat two or *three hundred pounds sterling* a piece untill those insane and causeless prices were decryed and forbidden by the Edicts or *Placaets* of the States General, and that an hundred, or fixty, or fifty, or forty pound *sterling*, could be here given for a Root of a *Tulip*, when as now in an abundance or commonness of them, one or two hundred of them may be had for *five pounds*.

It is not an abundance of money, but abundance of *Devil*, sin and vice, and all manner of villanies which makes all Commodities to be so dear at *London*, and in its adjacent Counties; our Cloth to be as dear again as it was but lately, and not half so honestly made; the binding or putting an Apprentice to a Draper or Grocer, which not long ago could be done for twenty or thirty pounds, cannot be now under an hundred, or an hundred and twenty pounds, and that many which do now come to buy any thing of a Tradesman, can hardly escape the temptation of a bribe, or some share in the bargain to permit him to sell his sophisticated or adulterated wares at as high a price as he can possibly get for them, or that makes house-rents (when the undone people in the Countries flock to *London* to see if they can find a better subsistence) one part in three dearer then it was twenty years ago.

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Nor an abundance of money in *Spain* and other Foreign kingdomes that makes as some ingenious Travellers have well observed, provisions of victuals to be much dearer in or under the chief City of a Nation or Country, then it is at a distance from it, or that makes an Hen Egge to be sold at *Madrid* for three pence, when as twelve may be had for a penny in *Gallicia* or places more remote.

Nor that in *Ireland*, whither too much of our money is transported, and many peices of *Eight* which our Merchants have imported into *England*, and being here afforded at three shillings three pence a peice, do there yeild the exporter five shillings a peice, and makes a greater plenty of money to be there then should be; there doth notwithstanding continue such a cheapness of victuals and household provisions, as it made a Maid-servant when she was lately sent to Market to come home with a complaint that she paid *five pence* for a Hen, and could have but *fourteen* Eggs for a penny.

For it is not scarcity of mony that makes victuals to be so cheap in *Yorkshire*, where many of the Gentry do many times want no money for Horse Races and other needless expences, but the far distance from *London*, and want of vent for their Commodities, And besides the causes above mentioned proceeding from frauds and the peoples oppressing one another: it will be *ubique & semper*, every where and at all times true that many times *sola universaque hominum libido non natura* Philippus *rebus omnibus pretium suum posuerit*, it is the unruliness of mens appetites which causeth things to be dear. Cæsus a Zesen in Leone Belgico §16.

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And whether our money or Bullion be more or less then it was heretofore, or more imported then exported, there would not be such a cry and complaint of the want of money, if the prudence of our more generous and hospitable Ancestors had not been as it is so much slighted and thought unworthy our imitation, and that our estates had been the rule and measure of our expences, of which if an account were taken but in some particulars, which since the flight and banishment of our *English* Hospitalities, hath more then formerly wasted the money and Revenues of *England*, it will be found that the laying aside or scorning, or seldom usage of the *grosses viandes* Butchers or course meat, as it is now disdainfully termed, and the substantial food & dyet of Beef and Brewesse, Mutton, Veal, Pork, Bacon, &c. and the introducing in stead of them many Foreign *quelque choses*, or fantasticaly made Dishes, *Oleos*, *Fricasses* and *Potages*, *haut gousts*, and provoking sauces in the steed of a more wholesom Diet, with rich Wines and many costly Confections, Banquets and perfumes at the *disert* or end of meals or repasts, have spent and cost more then the pious, more noble prudent and worthy custom of hospitality, building of Castles, and the building and endowing of stately Churches and Monasteries ever did, and that the money spent in some one vain and costly Dish, adorned and enriched with *Amber gris*, making a charge of ten or twelve pounds would in the later end of the Reign of King *Henry* the eighth have gone a great part of the way in the defraying of the expences of an Oxe or a Beef by a Gentleman or good Housekeeper (for in those dayes they were *synonimas* or *Termini convertibiles*) every day in the *Christmas* to enter-

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tain his friends and Tenants and feed the poor. And that if the charges of our delicacies, encouragements and incentives of the most mortal sins, heaping upon those that use them, the dangers of immortal punishments, with that which hath within these last century or hundred years been expended more then formerly in *Wine*, which in King *Henry* the eighths days was so little used to be drunk by Pints or Quarts, or great quantities in Taverns, as they were like some medicaments, or Cordials usually sold, and to be had at Apothecaries Shops.

And of all that hath been since vainly spent in Pictures, Coaches, Dice and Cards more then their forefathers, excess of Apparel building of stately houses, and laid out in Plate and the Furniture, and adorning of them when he is but a *Sonne of contempt*, and a Citizen of the lowest rank, that hath not his Country-house (which though it cost five or six thousand pound the building must scornfully be called a Wash house) with gallant Gardens, Fountains and Orchards, and as much or more Plate then the Nobility or Gentry were wont to have, with very costly Hangings of *threescore* or one hundred pounds a Suit.

Vast sums of mony yearly spent more then formerly in the purchase and taking of *Tobacco* and those smoaky delights and contemplations, twenty, thirty or forty times greater Portions given with Daughters in marriage, many of whom are so ill bred and habituated unto it, as they seldome fail to spend in a short time that and three times as much more of their Husbands Estates (which did not long agoe put the wise *Spaniards* and in mind by a Law or *Pragmatico* to cause a restraint and

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and limitations of Portions to be given in marriage with Daughters) and can in a month or night lose as much or more at Cards then the Portions of their Grandmothers, the Daughters of Knights & men of worship amounted unto, besides what is disbursed by some of our Ladies *African she-monsters* and high-flying Gentlewomen of the sinfull *mode* and fashion in artificiall beauties, black patches, extraordinary washings, and as they hope, invisible *Fucusses*: and perswading their Husbands not to trouble themselves with the dirty husbandry, and greasie Hospitalities, as they please to stile them, of their Fathers or Grandfathers, but to turn their care into Cards, Sedans and Coaches and their Chimneys to Tobacco-pipes.

And an Accompt were taken of all which hath been spent and paid more then formerly in the high rates and prizes more than needed of all that hath been worn or eaten since the beginning of the Reign of *Queen Elizabeth*, and extraordinarily paid in Servants and Workmens wages.

All the money which hath been spent more then formerly, in sugars, fruits, spices, and other forragin delicacies and superfluities, all the money which hath been made of the wood and timber more then ordinarily cut down and sold, (which yielded as much as the purchase of the Lands where it grew could come unto, and had been carefully planted and preserved by our forefathers for shipping, and better uses then to pay the debts or furnishing out the vanities and wickedness of their profuse generations; and all the money spent in *Watches*, worn by almost every Citizen of the better sort and their Apprentices, with a constant rent paid

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paid quarterly to keep them in order, more then 60000 pounds *per annum* vainly spent in the twelve penny jobs in Hackny Coaches, and in *Perruks* or *Periwigs*, when *Clarks* and some foolish Tradesmen must not be without them, though they cast 5 *l.* a peice. All that hath been spent in Jewels or Counterfeits of them, and in making the superfluous Trains or length of our Gentlewomans Gowns; all that hath been expended in the payment of interest and Brokage to keep up our pride and luxury, and *twenty Millions* sterling at the least lately thrown away in a direful and bloody sacrifice to a most wicked rebellion, were or could be recalled again and amassed, and put into a publick Treasury; it would be as much, if not greatly exceed that so famous, *Aerarium* or Storehouse of gold and silver, jewels and precious stones, of the City or Commonwealth of *Venice*, and more then enough to erect a Bank or Mont Piete which might have furnished the Nation with money at a less interest upon pawns then fifty or sixty *per cent.* and still our more then ordinary cries of want of Trade and money.

And when all that is spent, and not to be found at home in the circulation of Trade or Exchange, but for the most part disbursed and sent abroad in the acquests of pride and luxury: And that we are so mad and prodigall in the scattering and consumption of that little which remains when every *Ass* thinks it to be a good bargain to sell or pawn his skin and ears, that he may (which he will never be able to compass) look like a *Lyon*, every *Goose* would be a *Swan*, every *Owle* a *Nightingale*; and our Taylors (some whereof are grown so rich as to ride in their Coaches) and do make their

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their Bills accordingly, almost tyred with trimming up too many of our fantastick Gentry, cutting out their Lands and Estates into cloaths, and bestowing their money and credit in ribbands and apish garnishes; one hundred pounds or more can be spent in a Supper or Treatment at the *Beare* at *London-bridge*, and forty pounds at a Feast in a private House or Family, when it was more then any of their Ancestors had in Land or yearly rents, and many of our Merchants and Citizens in *London* are, as they think, but ill accounted unless as *Lucullus* the Luxurious *Roman* after his conquests and spoils of forreign Countries; they may keep their Coaches and support their unnecessary expences, with the spoils of a good conscience, and their ill gotten riches by tricks and contrivances of Trade, and at the time of the greatest complaints of want of Trade and money and the direfull and unwelcome news often assailing their ears of such or such a too gallant Tradesman broken all in pieces, can make a Wedding dinner for about eight and twenty persons with one hundred and fifty costly dishes of meat, and like some great *Eastern* Monarcks, continue their feasting for several dayes after, when not a few of our Citizens must ordinarily have their Wives and Daughters in the *Fashion*, and richest sort of Apparel of cloth of Silver, Plushes, Velvets and Satin, garnished with more costly pearls and jewels then our great and good, (because they were used to be as good as great) Ladies were wont to deck and adorn themselves upon high and solemn Festivals, with their Cloffets abundantly furnished with rarities, and their gold and silver Warches hanging by their sides, and too many of their Wives will

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will be out of Tune or sick, and in danger to miscarry, if a bed with the furniture of threescore or one hundred pounds price, and a Chamber better and better furnished for every child her husband thinks is lawfully begotten, may not be provided for her, and too many of them and their Daughters will by no means be left behind their neighbours in *Fashions* or *Folly*; and if any one of them by over-pampering themselves change to slip into the chambers of death, must have no lesse then *three hundred* pounds bestowed in a Funeral, her horse trimmed up as stately as the *Armes-painters* and *Abusers* can devise it with Tapers burning in great silver Candlesticks hired at the Goldsmiths, and four or six women in mourning sitting to attend it, to shew the beholders the unbecoming pride and vanity of it, and a Shop-keepers Wife whilst her husband complains of want of trade, must not want a *Velvet* Gown; every Servant must (as much as their wages will reach unto) imitate their Master and Mistresses in their clothes, and the fashion of them, which *Queen Elizabeth* did well prevent when she caused the *Taylors* to enter into Bonds or Recognizances, not to make clothes finer then the degree of such as were to wear them, every *Cotager* and *Day-labourer* will do what they can to eat of the best and live after the rate of a *Farmer*, every *Farmer* live and have his diet like a *Gentleman*, every *Gentleman* of the smallest estate whatsoever strives to live like a *Knight*, and some Gentlewomen taking themselves to be higher born then any of their kindred, or neere relations can remember, will not think their husbands do their duty unless they permit them like *Baronesses* to have Carpets & foot paces on the ground

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when the Madam so called shall have a mind to sit in her garnish of sin and foolery; to receive the visits of those which when the *Marmalet* is eaten, do most commonly appear to have come onely to view and censure her pride; every Knight will spend and live like a Lord or Baron; and the sons and daughters of too many of our Gentry, ready to tear them in peices to enforce them to make them an allowance proportionable to their pride and prodigalities; whilst the Gentlemen racking and raising their Rents beyond the yearly Income and value of the Tenants Lands, are too often the cause that the *Tenants* do put as high rates and prices as they can upon their commodities to be sold or sent to the Markets, and use as many Cheats as the *Country Devil* can invent for them, to abuse and cozen the buyers, the Citizens raise the price of their wares and commodities to maintain their delicacies, workmen their wages because victuals are so dear, & servants by a sinful necessity of pride, never think they have wages enough to the end that they may wear better Clothes then they should do, & King *William Rufus* Hose or Breeches of three shillings price or a Mark, as he was afterwards perswaded to believe it then thought to be magnificent & worthy enough for a mighty Kings wearing, is not now a rate or price enough for a Ploughmans ordinary wearing: And the improvements of our Lands and Estates, do seem to have served for no other purpose then to improve and multiply our sins and vices, whilst the hospitality and virtues of *England* like the brave *Brittish Caractacus* or *Catacratus* Prince of the *Silures*, following in his chains the triumphs of the *Romish* Conquerers, are made to be the attendants of the
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Triumphs of our vices and wickedness, and *Truth* and *Honesty* like the distressed *Naomi* and her daughter *Ruth* going their mournful Pilgrimages to finde a better entertainment.

So as there must needs be a want of Trade when there is so great a Trade driven of pride and vanity, and a dearness of all things when every one almost some poor and despised *Moralists* and men of Religion, and care in their ways and walkings onely excepted, makes what shift he can *per fas aut nefas* to save and get what he can for himself, and there is scarce a courtesie done for one another without a bribe or fellow-feeling, the sons are ready to betray their parents, and the parents to prostitute and deliver up their children to the slavery of sin for the support of their pride and luxuries; the most of our friendships and realities now turned into a lying, most dissembling and accursed complement, & the rich making it their *hoc age*, and onely business to oppress the poor, who since the fall and dissolution of our Abbies and Religious Houses are so impoverished and increased, as a Gentleman of the same and no more Land and Estate, then he had forty years ago, paying but *three shillings four pence per annum*, is now constrained to pay forty shillings *per annum*, and the rates and prices of workmens wages, victuals, and every thing else so increased, and beyond reason more then was formerly, as may appear by the difference betwixt what was in *Anno Domini*, one thousand four hundred thirty and seven, in the sixteenth year of the Reign of King *Henry* the sixth, now but two hundred thirty and two yeers ago, when *Chichely* Archbishop of *Canterbury*, built that famous Colledge of *All-Souls*

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Ex libro comput. Johannis Druel Supervisoris remanent in Collegio Omnium Animarum in Academia Oxon.

in Oxford, there was paid to a Stone-cutter, but two shillings ten pence a week, a Carpenter four pence a day, a Sawyer fourteen pence a hundred for sawing of boards a Joiner five pence half penny a day, and but sixteen pence for himself and his servant for two days, four pence a day to laborers, five pence a day to such as digged stones, four pence a day for a Cart & for a weeks Commons, for Mr. John Wraby (who was comptroller of the works, and an eminent man in those times) fourteen pence, for his servant ten pence for the meat of his horse for a week ten pence half penny, and for the expences of Mr. John Druel Surveyor of the works travailling with two servants and three horses from Maidstone to Lambeth, and their charges at Lambeth for two nights and two days seven shillings. And what is now paid to workmen, when a Carpenter will have three shillings a day, and eighteen pence, or two shillings a day for his man, and eighteen or twelve pence a day for a common laborer, as there is never like to be any more easie or reasonable rates for household provisions or workmens Wages, or any hospitality to be found in England, nor any thing else of vertue or goodness, unless the wisdom of the King and his great Council shall prevent that *Ultimam ruinam*, great and destroying ruine which *citato cursu*, as to the peoples Estates in this life, and sending their souls into the other world with a *Lord have mercy upon us*, is galloping upon the Nation, and will never be prevented either by preaching or Church Censures, or the King and his Nobilities own examples, without some severe and well observed *Sumptuary* Laws, now very much wanted by an unhappy repeal of all in that kind which we had

had before, and without which all that can be done to hinder and destroy an inundation of miseries, which by our pride and luxury far surmounting any of our forefathers is suddainly like to over-run us, will be to as little purpose as that which the King of Achen is said to do when he and all his nobility, do in the blindness of their Religion, upon a certain day in every year ride in great pompe and procession to the Church to look if the *Messias* be come, and not finding him, as they supposed to be come, the King returns riding upon that Elephant which he prepared for the *Messias* to ride upon. And untill those daily growing and dangerous Evils, and sins of pride and luxury which have undone the greatest of Empires and Kingdoms, ruined the Brittaines by the Saxons, and the Saxons by the Danes and Normans, shall be curbed and redressed, there needs no petition to be made for an assent or subscription to this known and sadly experimented truth. That there is a great want of money, and it is not any plenty of money which makes such an enhance of the rates and prices of household provisions, and of all other things to be bought or sold, but our pride begetting an ungodly selfishness, and pride and self interest begetting all manner of cheating to maintain them, which have brought those evils of evils upon us, and made those miseries & wants, are so every where complained of and have destroyed all honesty, friendship & obedience, and taught the people by such wicked necessities, and imitating one anothers good success, by their evil actions, to run over all Laws and penalties that can be threatned or laid in the way, and that the King having no *Elixir* or means to transmute all the mettals in this Kingdom

Hackluis Voiajes lib. 3

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to furnish the variety of the peoples expences, there must in so universal a prodigality and profusion as is in the Nation, beyond the reach and compass of the peoples means and estates, when a Bricklayer must wear silk Stockings, and his wife a Whisk of four pounds p.ice, and an Alewoman if she hath turned up the Diver Trump, and be but a little beforehand, will think her self not well apparelled if her Gowns be not of silk or bedaubed with Gold or Silver Lace; every ordinary mans house must be furnished with one peece of plate, if not many more; the weighty Silver money be melted down into Plate, and all or a great part of the Bullion and Foreign coyns exported as soon as they are imported, needs be a want of money; and that when *Kil* or *Christopher Woodrooffe* a rich Citizens (on in the later end of the Reign of *Queen Elizabeth*, marrying the daughter of a great Lord of this Kingdom, which wore a *Silver Legg* in stead of a better, which had been cut off to prevent a greater mischief by a Gangreen, had a mad and strange custome to throw his *shillings* upon the *Thames* to make them in the language of the Boys to dive and leap as *Ducks* and *Draks*; it was no marvail that he was many times when he wanted money, necessitated to steal his wifes *silver Legg* in a morning before she was up and pawn it.

And that the Tyranny and Tricks of Trade, oppression of the Markers, and the arbitrary power which the people take to impose high and unreasonable rates and prices one upon another (which exceeds most of the evils imaginable in a time of peace) do make a great addition to the poverty of the Nation,

too many of whom do make their own burdens, and complain of them when they have done, and may be eased themselves if they would but ease others.

And that as the people of *Florence* do more cheerfully endure those many great Taxes and Burdens which the grand Duke imposeth upon them, because by a *Bando* or rule for the rates and prices of victuals and household provisions, so as those which are sent to buy cannot be cheated or injured they enjoy such a cheapness as makes them a recompence, the people of *England* would not take their Taxes and Assesments for the publike to be much or any great burden, if by reducing the Market prices and rates to a regulation intended by our Laws, they might not so much cozen and oppress one another, but be the better enabled to live cheapely and to pay them.

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has, and his own right, which is common to all men, and is not to be taken away from any man, without his consent, and the consent of the people, and the consent of the King, and the consent of the Lords, and the consent of the Commons.

CHAPTER VIII.

That it is the interest of the people of England, to require again the Ancient and legal usage of his Majesty's rights of Præemption and Pourveyance, or Compositions for them.

And now that the limits from all the parts of the Circumference of this discourse concerning the lawfulness and necessity of the Royal Præemption and Pourveyance, or Compositions for them, are met in the center or conclusion of it, every man that is not over Byassed by his own conceit or prejudice, or carried into an obstinacy or uningenious resolution not to alter his opinion or obey so great a truth, because he once thought or said, or declared otherwise, will I hope be so far perswaded by the light and rules of right reason, as to understand that Præemption which is founded upon the Laws of Nature and Nations, hath been as ancient a custome in the world as that of Civility and good manners, and lived here in England, the age of Methuselah is an ancient and undoubted right of the Kings, and that the Royal Pourveyance or respects to be paid in that particular from subjects to their Kings, and Princes for the supportation of their honor may well deserve an approbation when the Laws of God and the Laws of men, and the Civil, Com-

Common and Canon Laws have not denied it. And the Laws and customs of Nations have made it, as common and necessary as the use of houses, fire, and water, and Arms for offence and defence, uncovering or bowing of the head in sign of reverence, wearing of Shoos or Sandals for the defence or safe-guard of the Feet, or any thing else which hath met with a customary and universal approbation, and have so prevailed with most of the rational inhabitants of the world, as the people of Japan, who howsoever they be averse to many of the customes of other Nations, as to delight to have their Teeth black when others do desire to have them white, mount their horses on the right side, when as we and many other Nations do on the left, do not as we do uncover their heads in saluting each other, but only untie some part of their Shoos or Sandals, nor do arise to any which do come to salute them but sit down, are notwithstanding unwilling to come behind other Nations in the duty of Pourveyance and honor of their Prince, which may induce us to subscribe to that common principle of Nature and Nations, that there is and will be a necessity of the Royal Præemption and Pourveyance or Compositions for them, and that there is a noble use of them.

Varenius de regno Japan.

Nor to think it burdensome, when as what the Country looseth by their Compositions or serving in the Kings provisions after his rates, or by his Cart takings, do not every yeer one with another amount unto so much as the Papal impositions which before the reign of King Edward the sixth, were Annually laid upon their fortunes and estates, or drawn beyond the Alpes by Romes artifices.

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Or that it is the duty which every man owes to God and his King and Country, and the good of himself and his own posterity to further and advance the peoples cheating and oppressing of one another, or to cause the King to pay the dearer, or incur so great a damage as now it plainly appears he doth in his house-keeping for want of his Pourveyance, when as all the Landed and rich men in *England*, all the *Farmers*, and all the Citizens and Tradesmen of the Nation, the later of whom like *aqua fortis* can eat and make their way to be fauers thorough the dearest or highest rates, or prices of household provisions, by adulterating or raising their Commodities, or as a *London Brewer* lately said concerning the Excise upon Ale and Beer, that it should never hurt him whilst there was water enough in the *Thames*, those of that profession being not contented to be repaid by the house keeper, the *six pence* rated for the Excise upon every Barrel of *six shillings* Beer, unless they may leave out of such a Barrel of Beer *six penny worth* of Malt, and make it by an half Boiling of it to save the expence of fire, little better then so much half foddren water, and are not satisfied also with such an unchristian cozening of the people, and making their drink by such their doings, and putting in Broom and other noxious ingredients in stead of Hopps, to be as unwholsome as it is weak and naughty, unless they may likewise cozen the King of his Dues upon the Excise, and put as many tricks as they can upon him and his Laws and Officers, and when by these and many other devices they make themselves very great gainers by the Excise in abusing both the King and his people are as busie as any in raising the cry
against

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against the Excise as a very great grievance; and when all the Mechanick and Rustick part of the Nation, workmen, day-laborers, maid-servants and men-servants shall not onely be savers but gainers by the enhance of rates and prices, and the King onely and the poor of the Kingdom be the very great loosers and sufferers by it.

Or for the interest of the body Politick, that the pinch and hardship should lye all on the Princes part, and he onely be the greatest looser by his want of Præemption, Pourveyance or Compositions of the Counties as he had formerly, be as an *Amorite* or *stranger* in our *Israel*, and pay *usury* for his *vittuals*, by being constrained to give two parts in three, or more sometimes then *fourty per cent.* for the household provisions which his officers and servants do buy or provide for him, four parts in five in many things, & *six* parts in *seven* in some other more then the Market rates and prices were in the beginning of the Raigh of Queen *Elizabeth* when the Compositions were made by the Counties and willingly assented unto, or that now there is a greater plenty of Food and household provisions, Trade and Manufacture then were in the former ages, and all things may be afforded to be sold as cheap as they were *retroactis seculis*, or some hundred years ago, or as they were in the four and twentieth year of the Raigh of King *Henry* the eight, and cheaper then they were in the beginning of the Raigh of Queen *Elizabeth*, every thing should be dearer to him then to others, or that so great an increase of Rates and Prices, as have been within this last hundred years, and all the mischiefs and inconveniences of them which have been brought upon the King and his
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people by private and particular interests the non execution of good Laws, and the neglect and carelessness of the subordinate Magistrates, Justices of Peace, and Clerks of the Markets, should with an addition be continued and fixt upon the King, who if he should resume but his Tolles in Fairs and Markets, which the Civilians do rightly enough derive a *tollendo* from taking, many of which are now accompted to be as the properties & inheritance of private men or Lords of Mannors, & are in some cases more by the indulgence of the Kings Royal Progenitors, and a prescription claimed by long enjoyments or continuance of favors then *de jure*, or were by grants or confirmations, allowed where they were before but usurped and with-held from him, and a Royalty and prerogative so antiently allowed in the Roman Empire as *Valens* and *Valentinian* the Emperors *a mercatoribus seu negotiatoribus qua ad domum imperialem pertinent exegerunt necessitatem debitam pensionum ex emolumentis negotiationum*, did raise a good part of their Pourveyance or provisions for their household out of the Tolles or profits made by Fairs and Markets, those of the people of *England* who do claim an exemption from the payment of them and those very many proprietors of Lands or Mannors, who by many Royal grants and favors do claim and enjoy the profit of the Tolles, would finde to be a greater damage and prejudice unto them then that which the *Olivarian* party, and the troublers of our *Israel* pretended to be by the Royal Pourveyance or Compositions for them, or should as he never doth let his Lands to the uttermost penny, measure his gifts or bounties by that of private men and proportion his favors according to his wants or

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occasions of keeping or saving what he can for himself, or the ingratitude or forgetfulness of those which receive them, and be as unwilling to answer & acknowledge benefits, as too many are un-*o* him, or take his Reliefs, Herriots First fruits, Fee Farms, Quit-Rents, Customes, Fines for alienation Fines certain or incertain of his Copyhold estates at the full and present value, and the Fees for his Seals in *Chancery*, and the other Courts and all his Subsidies according to the alteration of monys, & the disproportion betwixt the present and the former rates, there would be cause enough for them to acknowledge his favours already received, and believe that those small retributions in his Pourveyance or Compositions for them, will bear so small a part in the Ballance, as they should rather lay their hands upon their mouths, and rest assured that they which are daily craving and gaining by the King, and blest with a peace and plenty under his government, cares and protection should be ashamed to make him to be so great a looser, and themselves such gainers by his loss and damages.

And that it can no way become them to suffer him, that granted or confirmed their Fairs and Markets to be oppressed by them, pay a shilling and many times more for every groat he disburses for his necessary occasions, and at the same time in the distribution of his bounties and rewards give a shilling & more for every groat which he intended to give, shall be kind to every body, and receive in acknowledgement thereof no more then to get & keep all they can from him, which in their own particular estates would bring no less then ruine to all the people of *England*, and those that so very much enrich themselves by putting him to more expences then should be.

And

And that it was and will be for the good of the people unless the oppressing and cheating one another, shall be understood to be for their good, that the King and his subordinate Magistrates should correct and regulate the deceits and excess of rates and prices in Markets, as those of the Fishmongers of London were by King Edward the first when they were fined five hundred Marks

Pat. 18. E. 1. m. 15. pro illicitis negotiis & Forstallamentis & aliis transgressionibus in officio suo Piscatorum, for Forstallings and other unlawful practises in their Trades, or as King E. 3. did when upon a Complaint made by the Commonalty of the City of London, that the Butchers (such a watchful eye was then kept, more then now upon, the deceits of Trade) did stick and fasten the fat of great or fat Oxen upon the flesh of the lean, whereby to promote the sale and price in *deceptionem populi*, to the damage and deceit of the people, he commanded the Maior to provide a remedy, or as an Assise of Bread and good and needful Ordinances for Bakers, Brewers, Inholders, Vintners and Butchers, was set and made (there being an old Assise book made and Ordained in Anno 12 H. 7.) by the Lords of the Privy Councel to Queen Elizabeth, viz. John Archbishop of Canterbury, Sir Christopher Hatton, William Lord Burghley, Henry Earl of Derby, Charles Lord Howard, Henry Lord Hunsdon, Thomas Lord Buckhurst, Sir Francis Knowles, Sir Thomas Heneage, Sir John Fortescue, and Sir John Wolley, or the Decree (if had been observed) which was made in the Star Chamber the thirteenth day of November, Anno 11. of the Raigh of King Charles the Martyr, after consultation had with diverse Justices of the Peace, and the

Pat. 18. E. 1. m. 15.

Claus. 14. E. 3. m. 28.

the Certificate of all the Judges of England, viz. Sir Thomas Richardson Knight, Sir Robert Henb Knight, Sir Humphrey Davenport Knight, Sir John Denham Kt, Sir Richard Hutton Knight, Sir William Jones Knight, Sir George Croke Knight, Sir Thomas Trevor Knight, Sir George Vernon Knight, Sir Robert Barkley Knight, and Sir Francis Crawley Knight, and confirmed by the Kings Letters Patents under the great Seal of England the 14 day of December then next following, that No Inkeeper or Ostler within the Cities of London and Westminster, or ten miles distant (who have since made such excessive rates, as have affrighted many of their Customers away who finde it less chargeable, to come to London in passage Coaches, or send their horses back into the Country to finde out more honest Inkeepers) should take above six pence for Hay for a horse standing night or day, nor more then six pence for a peck of Oats of the measure called Winchester measure, No Tavernor or Victualler selling Wine by Retail, should sell or make ready for sale any sort of Flesh, Fish, or other victual save bread, nor procure to be set up the Trade of a Cook within the same house, or in any Shop or Room thereunto belonging, or in any house near adjacent, nor permit or suffer any Flesh, Fish or other Victual, except bread to be brought into the house to be there eaten by any of his Guests. And did likewise upon hearing of diverse inkeepers, who could not deny but that the rates before specified were competent, further ordain that where Grain and Hay should (at a further distance from London) be sold at lesser prices, there the rates & prices should be accordingly, And that that Ordinance should continue in the Countrey of Middlesex, until it should be made to appear to the

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the Justices of the Kings Bench, and in other Counties and places to the Justices of peace, that because of the increase of prices in the parts adjoining, greater rates should be necessary to be permitted, and that thereupon other rates should from time to time be set, and being set were commanded and enjoyned to be strictly and duely observed until by the like authority they should be altered.

And cannot deny but that if the King and his Royal Progenitors, if they could *ex praevisione* by some foresight of things to come (of which supernatural eminencies there is a *non datur* or denyall even to Kings and Princes) have understood that their ancient and lawful rights of Pourveyance and Prae-emption, would in return of all their benefits daily and yearly heaped upon their subjects, have been ever thought to have been a grievance or oppression, or endeavored to be withheld from them, they might have saved as much and more, as that would have come unto by reserving upon all their bounties, and grants or Leases of their Mannors, or Lands, their Pourveyance or household provisions, or when they gave Lands of inheritance, rendering small or disproportionate Rents or Fee Farms, to the greater yearly value which they now appear to be might have added so much of Pourveyance or provisions as might have taken away that causeless murmur against the Pourveyance, which our old Saxon King *Aethelstane*, who reigned here in *Anno Dom. 938.* understood to be so necessary for his housekeeping, as when he had subdued the *Welsh* Princes, & made them his Tributaries, he caused them to Covenant with him at *Hereford*, not onely to pay him yearly *twenty pounds weight of Gold, and three*

three hundred of Silver, but five hundred head of Cattle, with Hawks and Hounds to a certain number, towards which payment by the Statutes of *Howel Dda*, faith our Industrious *Speed*, the King of *Aberffraw* was charged at sixty six pounds. (an Early Composition rate for Pourveyance) the Prince *Dinemore*, and the Prince of *Powys* being to pay the like sums of money.

And that now to deny it unto the Crown, is a greater injustice and injury, then to have denyed it to *Queen Elizabeth*, King *James* or his son King *Charles the Martyr*, or in some hundred years before, for that then our Kings and Princes might have preserved themselves and their successors from the rapines and unconscionable rates and prices of household provisions which some of his subjects might have forbore to impose upon their King though they do it upon others.

That if in the Raign of King *Henry the seventh*, a Law or Act of Parliament had been made, that for one hundred and fifty years after to the end to make a Treasury or provision of money (which Commonwealths and many Kingdoms are not without) for the protection and defence of the people against invasions or emergent evils, the prices taken in the Markets more then formerly over and above the genuine and real worth of the Commodities, should be collected and laid up for the good of the Publike, or that all that took Lands to Farm should pay ten times the former yearly value, and all things bought in the Market, should like the King of *France* his Salt, be for some things at three or four times, or for others at ten, fifteen, or 20. times beyond the true value, it would not be imaginable how near the peoples murmuring would

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Speed. Hist. of England & Chronicle. Vallense.

have arrived to that of the Children of *Israel* in the Desert, when they forgot the mercies and wonders of the Almighty; or that they would have been brought to any manner of believe that ever they should have been able to bear so great and so intollerable (as they would have called it) a burden.

And yet now that time and custome like *Milo's Calf* carryed untill he be a Bull, and being a Bull found to be no heavyer then when he was a Calf, the burthen is not so heavy at the last, as they would have believed it would have been at the first, because the people have hitherto made shift to bear it, by cheating or impoverishing one another, and by laying the burthen one upon another, will *dispendio reipublice*, to the not to be avoyded loss and ruine of the Commonwealth, be for some time longer able to endure it, if the rich may grinde and devour the poor, and the King now his Pourveyance is taken away must bear the greater part of the burden.

That if the King before he had granted the greatest Act of Pardon, Bounty and Indempnity that ever any, or all the Kings of *England* had done before him to a company of Factious and Rebellious people, who had out done either *Sheba* or *Shimei*, or any of the sons of *Zeruiab*, and deserved less then any of their forefathers unless the murder of his Royal Father, and all the groundless obloquies and reproaches which they could cast upon him, the banishing & persecuting of himself & his brethren, murder and ruine of his loyal subjects, and disposseffing him of his Estate, Kingdoms and Revenues for twelve years together, and all things endeavoured which might load him or them with scorn and indignities,



ties, can by any Fanaticks or Factious people, be proved (which it never can) to have been by *dispensations* or *communication with God*, and a *living and walking in the spirit*, had taken in again to the Crown all those forfeited Rights, Franchises and priviledges which had been heretofore too liberally given or granted from it, and reserved a ten times greater Pourveyance then is by any now complained of, the people of *England*, would have been so glad with their *Quails*, as they would have blamed themselves for murmuring without a cause either before or after they had them.

And that those who could adventure to transgress the Laws which by their Idolized Covenant they bound themselves to observe, and buy Places and Offices in the Kings household, the greatest part of the profits whereof were made by the Kings allowance of Dyet, may now that many of those Dyets and Tables are taken away, come to a better understanding of the necessity and right use of Pourveyance and Compositions for them.

That the allowance of *fifty thousand pounds per annum* proposed as a recompence for his losses in the want of his Pourveyance, is not to be found in the moyety of the Excise of Ale and Beer settled upon him and his heirs and successors, for that the benefit thereof will not make amends for what he lost by his Tenures in the yearly Revenue thereof (for as to the honor, regality and right use of it, that and Ten times more and all that could be given in money or an yearly rent, would not have been enough for the purchase.)

That thrice the sum of *fifty thousand pound per annum*, cannot ballance so great a loss and damage as the

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King sustains by his remitting of the Royal Pourveyance or Compositions for them.

That the splendor and magnificence of the Kings house cannot be so well supported by any certain yearly allowance in money, nor the Squeeze and enhance of the Markets be so well escaped as they will be by that most easie, laudable, and accustomed way and establishment of the Royal Pourveyance or Compositions for them, and that it can be no less then an undeniable truth and reason that it is the duty and should be the care of every good subject to further rather then hinder the Royal Pourveyance or Compositions for them.

That the mischiefs and inconveniences of taking away the Royal Pourveyances or Compositions for them have so visibly and often appeared to every unprejudiced eye or judgement, as there is scarce an Englishman, unless it be Cornelius Holland, one of those that helped to kill the bear for his inheritance, and would rather have Pourveyance to be a grievance, then that he should fail of getting to him and his heirs Cresslow Pastures in Buckinghamshire, which were appropriate to the fattening of the Kings lean Cattle for the provision of his household as every man may well conclude that it will be more for the good and ease of the people who can never be rich or happy when their Prince is poor or necessitous, and if they love themselves are to love and support him, that the King should have his Præemption and Pourveyance, or Compositions for them, then that he should be so much dishonored or oppressed as he is already and like to be more and more for want of it.

Which should be numbred amongst those ancient and

and legal priviledges and rights belonging to sovereignty, purchased by the cares and labors of our many English Kings and Monarchs, with the hazard of their lives, fortunes and estates in the preservation of the welfare of the people, and a Monarchy which is of more then one thousand years continuance, and being a duty ought to be more cheerfully submitte unto, then any Ordinances, By Laws, or Customes of any Cities, Borough, Towns, or Corporations, or those of the Lords of Mannors, by Grant, Allowance or permission of Royal Indulgenes, or those of the City of London, that great ingrosser of Liberties and priviledges, who besides their Court of Wards and Orphans, which yeildeth them very great yearly profits and advantages do receive & take amongst many other things not here particularly mentioned by a Grant of King Henry the third of his Tolles at Queen Hithe, Belines Gate and Downgate, and else where in the City of London, for a small Fee Farm Rent of fifty pounds per annum (it enjoyed by so good a title) which were formerly taken for the Kings use, For every Tun of Beer carryed from Billingsgate by Merchant Strangers beyond the Seas four pence, out of every hundred of Salmons brought to Queen Hithe by foreigners, or such as are not free of the City two Salmons, for every thousand of Herrings bought in Shops an halpenny, twenty six Mackarels out of every Mackarel Boat, one Fish out of every Doffer of Fish not having in it Mullet Ray Congre Turbut, &c. Two Salmons out of every Bark which bringeth Salmons out of Scotland; some Sprats out of every Boat or Barke with Sprats two pence of every Oyster Boat; out of every Bark or Boat of Haddockes twenty six Haddockes; out of every Ship or Bark laden

Ex antiquo Codice M.S. de custumes de London in Bibliotheca Cl. viri Galfridi Palmer Baronetti Attorn. General. Regis Caroli Secundi.

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laden with Herrings from Yarmouth two hundred Herrings; for all kind of Fish brought to London after the same rate as was paid to the King at London Bridge; for every Ship, Bark or Vessel not belonging to London, or the Cinque Ports which cometh within the Orlokes two pence, five Eggs in every hundred brought to London; for Poultry brought thither on horseback three Farthings, and on foot an half penny; for every load of Cheese two pence, for every dozen of Sheep brought to Smithfield to be sold an half penny; for every Cow or Beast bought out of the Franchise a penny; and of every foraigner bringing Cows, Beeves, Sheep, Swine or Porks to Smithfield to be sold betwixt the Feast of St. Martin and Christmas, the third best Beast, Sheep, Swine or Pork after the two first best (or some Composition for them) and if the Beast be of the value of a Mark, the Bailiff was to restore fourty pence for his skin, and might take for lean Hogs or Porks brought thither to be sold betwixt Hocktyde and Michaelmas, the third best next after the first best, or twelve, or six pence in lieu thereof; which with their other Tolles and Perquisites, and the yearly Scavage or Shewage, & the profit of Tronage and Pesage at the Balance together with their yearly income by the ColeMeters places, would if the King for the better supply of his Pourveyance should take into his own hands as they are now Collected and taken, either in money or in specie, the above mentioned Tolles and Customes (which are but the Irradiations and participations of the power and authority of the King imparted unto them for the better order and management of the peace and affairs of the people in those lesser Orbes) and as was covenanted in a confirmation of the Fee Farm of
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three hundred pounds per annum for the Shirivalties of London and Middlesex by King John in case of taking away or granting any of the profits thereof) release and discharge the said Fee Farm Rent of fifty pounds per annum, bring a good assistance to his charge of Pourveyance and household provisions, and make him some amends and recompence for his daily great damages sustained in his more then formerly expences for his household provisions by making his so constant abroad in that his Imperial Chamber.

Being priviledges better to be liked and approved then many of those which are not discommended, in Military affairs where a Colonel of horse hath liberty besides his pay of a Colonel to reckon a pay for a Captain, though he hath none, and to be allowed for a certain number of spare Horses, and to Muster and take pay for six of his own servants, and the like for one in every of the six Troops of his Regiment.

And may be allowed a sovereign as well as those daily and frequently practised, given, received and taken acknowledgments of Favors, Reciprocatons and discharges of obligations which are in and thorough the Kingdom performed as well as expected by all the people of the Nation one unto another, and by all mankind in their several actions and affairs one with another, and their dependencies and relations one unto another.

And as little to be omitted as the duty and privilege of the Præ-emption of the Tyn at a reasonable rate, with many other allowances and liberties in the Counties of Cornwall and Devon, not to be denied to the King or his Royal Predecessors Kings of England, who before they had granted them away, had all or the
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greatest part of the Lands or soyle where the Tyne Mines are.

For it cannot be any injustice, or have so much as any aspect of wrong or oppression that he whose Royal Ancestors have granted & confirmed to all his people their liberties and priviledges, should seek to preserve his own which helps to preserve theirs, and be unwilling to part with them and his *prestaciones Angariarum & Parangariarum Plaustrorum & navium, &c.* his Pourveyance, Cart taking and impressing of Ships, which as

Zecchius de Bossius cited by *Zecchius*, saith, *Regi competunt ratione principat. ad Excellentie ejus dignitatis que Regalia dicuntur, for ministracione* that as *Zecchius* alleadgeth, *multa adjumenta sunt ei necessaria ut dominium intrus & externe Tueri valeat*, many things are necessary for a Prince to defend his Dominions at home as well as abroad.

Or if any should be willing to have it to be no duty, & would be such strangers to the Scriptures, & the right interpretation and meaning thereof, as to think that the fifth Commandement extendeth onely to parents natural when any shall have a minde to respect them, or to let their Fancies run as wild as the zealous reformer did at *Croydon* in the beginning of the grand Rebellion, when he would have prohibited the reading of that and the other Commandments in the Decalogue, by alleging that they were made by the *Bishops*, they cannot; if they will not throw away their Reason and understandings, but acknowledge that if *Uriah* could rationally conclude it to be unfit for him to go to his own house and take the comfort of it, when his Lord *Joab* and the servants of his Lord the King were incamped in the field, and hath been ever since applauded for it: It can-

2Sam. 11. 12.

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cannot be thought to be correspondent to the greatness and Majesty of a King, or the duty of his subjects that he should want those ordinary and no very chargeable respects and conveniencies of Pourveyance or Compositions for them, and the priviledge to have his goods in progress or upon removals carryed for him at easie rates by his subjects, and such as hold of him or have been raised and brought to what they have by the bounties and Royal influences of him and his Princely Progenitors, and protected and defended by them, when as many of the Nobility and Gentry of *England*, do enjoy those or the like services from their Tenants, for letting them heretofore have good penniworths of them, or in hope that they may hereafter be good unto them, and should not at all grumble or grudge to perform those duties and remunerations to their King, whose honor and jurisdictions they are sworn to defend and maintain, when they can do it willingly to others upon lesser hopes or gratifications, and that he hath already, and may as well deserve it, as that great and honorable family of the *Cliffords* late Earles of *Cumberland*, whose heir the Lady *Anne Clifford* Countess of *Pembroke*, *Dorset* and *Mountgomery*, doth at this day of her obliged Tenants in the North, whose Carts are not to be denyed at any removal from her Castle of *Skipton* in *Craven* in *Yorkshire*, by certain proportioned journeys to her Castle of *Appleby* in *Westmerland*, where her Tenants in that County are to furnish yearly *six hundred Hens*, or a groat for every Hen, and *six hundred Bushels of Oats* distinguished or called by the name of *Sergeant Oats*, and those in *Craven* as many Hens or *six pence* for every Hen, or as others who take

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benefit by such or the like retributions, Customs and usages in other parts of England, or the North thereof as Boon Hens, &c. at Sheffeld in the County of York, once the inheritance of the great Talbors, or as the Prior of Canterbury did of his Tenants who in every Manor were bound *ex antiqua consuetudine providere Priori ibidem de quodam Palifrido. competenti tempore nova creationis suae*, by ancient custome to present the Prior at his election or first admittance, a Palfrey fitting for him.

Pat. 3 E. 39. parte 1. m. 6.

18 E. 3. inter consuetudines de Haddenham in Com. Buck

Or which the Prior of Rochester did of his Tenants of the Mannor of Haddenham in the County of Buckingham, who by ancient custome in the eighteenth year of the reign of King Edward the third, were to Mow and make the Lords Hey, Weed his grain in his demesnes, pay certain Rent Corn called Booting Corn, and five hundred threescore and three Eggs at Easter, which in Anno 18 H. 6. were by an agreement made with the Prior of Rochester, released for the sum of three pounds, and an increase of Rent from thence forward, viz. for every Yard land twelve pence, every half yard land six pence, every Cotland eight pence, and every worthy (some Tenants so called) four pence, which is to this day paid and continued.

And being besides obliged by their customes to the works and services following, viz. That every Tenant holding a yard land, and the Tenants of two half yard lands ought to plough the Demesne lands of the Lord two days in the year, viz. in Winter and in Lent, for which they were to have their dinner allowed by the Lord, every Tenant holding a yardland, ought in harvest upon a flesh day, as also upon a Fish day to be assigned by the Reeve or Bailiff to find two able persons, every holder of a half yard,

yard, every Cotland or Cottage, and every worthy ought to finde the same day one able and lawful person with Hooks or Sickles to reap the Lords Grain in his Demesnes for which they were to have their dinner allowed them at the charge of the Lord or his Farmer, every yard land ought to carry half a quarter of the Lords grain to Oxford (being about twelve miles distant) to Wallingford (near as much) or to Wickham (being about ten miles distant) being Market Towns near adjoyning to Haddenham, and all the Carriers were to have one penny in common to drink the morrow they ought not to work, every yard land, ought to carry to Marlow eleven quarter of Grain of antient measure at three tearms of the year, to be quit from all things by six weeks after, and to carry the Lords grain from his demesnes into his Barn from the furthest field four loads, from Dillicot field six loads, and if they carry nearer, then all the day if it please the Lord, also if the Lord shall buy Wood, every Yard land ought to carry two loads of Wood from the place into the Lords Yard, so it be ready to carry before the Feast of St. Michael, otherwise each Yard land should onely carry a horse load, so as they may in one day go and return, and all that week they should remain quiet, likewise if the Lord should build houses he ought to buy Tymber, and the men, viz. his Coppingholders ought to bring it home, viz. each hide every day one Load, untill the whole be carryed, so as they may in one day go and return, also if it please the Lord to send for fish four hides ought to be summoned, and two shall go for fish to Gloucester, which is about six and thirty miles from thence, and other two shall carry it to Rochester upon their own cost, and they should remain quiet until they return, all the Cotterels and worthy Tenants ought to

wash the Sheep of the Lord and to shear them, and fully to perform all thereunto belonging, and have nothing therefore; and if a thief should be taken in the liberty of the Lord, the Cotterel Tenants should keep him.

And were so due, and of so long a continuance as though the Tenants (some few onely excepted which would not partake of the Composition, and are still contented to do their work and carriage services) did upon a reference made by King James to Henry Earl of Manchester Lord President of his Council in Anno 1624. to hear and determine the differences betwixt Sir Henry Spiller then Lord of the said Mannor, and the Tenants concerning that and other matters within a short time after, viz. in the first year of the reign of King Charles the Martyr, agree for a Release of the said services not acquitted in Anno 18 H. 6. to pay yearly unto the Lord of the Mannor and his heirs after the rate of three pence for every Acre and a penny for every Messuage or Corage which had no land belonging unto it.

Or as many the like beneficial customes and priviledges at this day enjoyed by the Lords of some thousands, or more of Mannors in England, which belonged unto the Abbies and Religious houses for which they have quit Rents or other payments not unlike the Compositions for the Royal Pourveyance.

Or that the Steward of the Kings house should not if the Kings Pourveyance and Præ-emption had not been remitted by Act of Parliament, have authority to do as much as the Steward of the Kings house did about the eighteenth year of the Reign of King Edward the second, notwithstanding so great priviledges.

priviledges, immunities and exemptions granted and confirmed to the City of London, command that no Fishmonger upon pain of imprisonment and forfeiture of his goods and chattels should go out of the City to forestall any Sea or fresh fish, or send them to any great Lord or Religious house, or any person whatsoever, nor keep from coming to Town untill the hour appointed for selling be past, untill the Kings Achators or Fourveyers should have made their Pourveyance to the use of the King.

Or that the King of England whose Royal Ancestor King Richard the first, did not onely give to many Religious houses, as to the Priory of Royston in Cambridgeshire, divers exemptions and priviledges, to be free from Carriages, &c. but de Regalium domorum edificatione ac omnimoda operatione of works towards the repair or building of the Kings houses, Ac ut silva eorum ad predicta opera aut ad aliqua alia nullo modo captantur, & that their Woods or Timber should not be cut or taken for that or any other purpose, and whose other Royal Progenitors have abundantly furnished diverse Abbies & Religious houses with priviledges to be free of Carriage by Carts, Summage upon horses de Thesauro ducendo, Convoy of the Kings Treasure, de operationibus Castellorum Pontium Parcorum & Murorum, work to be done in the building or repairs of Castles, Bridges or Walls, & de vassarum solutione qua dari solebant pro Capitibus utlagatorum, and the payment of certain Cows or Cattel to redeem the forfeitures of Outlaws, and exemptions from payment of Fumage, or Chimny money, Lestage or licence to carry away from Markets what they had bought, or in release or discharge of customes such as at Beleshale in Warwickshire belonging to some Re-

Ex antiquo Codice M.S. des. Customes de Londres.

Carta Abbatie Sancti Salvatoris confirm. per H. 3.

Cart. 17. H. 3. m. 6. in 2. parte Dugdals Monastic. Anglic.

Dugdales
2 parte Mo-
nastic Ang-
lic. 528.

Religious house where they were to Mow three dayes at the charge of the house, three dayes to Plow, and at the charge of the house to reap one day, and to have a Wether Sheep or eight pence or twenty five loaves or peices of bread, one of the best Cheeses in the house, and a measure of Salt, and if any horse Colts were soled upon the lands, he was not to be sold without licence, nor were any of the Tenants to marry a daughter without licence, and by the custome of the Township of Berkanestone in Warwickshire, horse Colts soled upon the land, were not to be sold without licence, for which a penny was to be paid, nor any of their daughters to be married without licence, &c. which in divers old Charters, and confirmations of our Kings and Princes, do frequently occur, may evidence that such or the like were once undeniable duties to their Kings and Benefactors, and onely released in favor of those which were the owners and proprietors of the lands and priviledges, and being now enjoyed, were formerly regalities and rights inherent and vested in the Crown of England, should retain no liberties or priviledges for himself.

2 parte Mo-
nastic Ang-
lic. 264.

And that the Quit Rents as they are now called & taken by the owners and proprietors of some of the Abby and Religious Lands for *Elemosina's*, or Alms-money given by Founders or other charitable persons, & many a sum of money formerly paid for Mortuaries, Pardons, Indulgences, Pitances or Pourveyances and Oblations which are at this time kept on foot and received under the name and notion of Quit Rents, might put them in mind how necessary it is for them to perform the duty of Pourveyance to the King being the heir and successor of many of those which gave them.

And

Dugdales
2 parte Mo-
nastic Anglic.
187. 206.
297.

And how unbecoming the duty of subjects partaking the benefits thereof, it would be that the King whose Royal Ancestors, Saint Edward the King gave for ever to the Abby of St. Edmunds Bury the Mannor of Mildenhall in Suffolk to buy wheaten bread for the Monks to prevent their necessities of eating Barly bread, which he perceived them to do when he came once to visit them; King John gave for ever to the Abby of St. Albans, and King Edward the first (as many other Kings of England have done to other Monasteries and Religious houses) gave and confirmed for ever to the Abby of St. Edmunds Bury divers Mannors, Lands, Tyths, and yeerly Revenues of a very great yeerly Revenue to maintain their Hospitalities, Pitances and Liurees of servants and for the relief of strangers and poer people coming thither, should now have his own Hospitality and the means to support it taken from him.

And that if all the customes, priviledges, and Royalties as they are called which are now performed and willingly assented unto by Tenants, and enjoyed by the Lords of other Mannors by the power and priviledges derived unto them from the King & his Royal Progenitors were truely represented and brought to a publike view, together with all the priviledges, liberties, exemptions and immunities granted unto the Cities, Boroughs and Towns Corporate of England; it might be wondered how they that enjoy so much & so many liberties & favours from the King & his Royal Progenitors by grants or preferibed Indulgences should think there could be any reason to deny him those his most just, necessary and ancient rights and liberties of Pourveyances or Compositions

positions for them, when at the same time they are so carefull to preserve and keep their own.

And it would be something more then unfitting that the King whose Royal Ancestors have allowed so many of his subjects those priviledges and liberties, should be debarred from a greater right and legal liberty in his own case; or when he should make his progress to *Chester* should be refused that priviledge more ancient then the *Conquest* of having of every Yard land two hundred *Capons*, or *Caponets*, a fat or stand of Beer, and a

Lib. Domes- certain quantity of Butter, which as appears by the book *day tit. Cestre* of *Domesday* were by custome or Tenure to be provided for him, and not enjoy as much liberty as *Hugh Earl of Chester* did when he could priviledge *Nigell de haulton*, his Constable and his heirs, *Quod omnia que ad predicti Nigelli opus erant necessaria emanant ministri sui ante omnes alios in Civitate Cestrie nisi preanominati Comitis ministri preaverint sine cuiuscunque contradictione*, that his servants should in the City of *Chester* without contradiction have a *Præ-emption* before any but the Earles servants and Officers; or as the Abbot of *Burgh* who had a *Præ-emption* in all necessaries concerning the Abby, & a priviledge to pay an half penny cheaper then others in every hundred of Herring; or the Abbot of *St. Albans*, who was by the Charter of King *Fohn* to have a *præ-emption* for any of his provisions to be bought in *London*, as well as any of the Kings Officers, the Abbot of *St. Edmondsbury* having a like priviledge for his Fodder Corn.

Dugdales
2 parte *Mon-*
astic Anglic.

That the King of *England*, whose Royal Ancestor King *Ethelstane* was able to give to the Church of *Beverlge*, *quasdam avenas vulgariet dictas Hestcorn percipiendas de Dominis & Ecclesiis in illis partibus*, certain Oats com-

commonly called *Hestcorne*, to be taken out of his *Demeasnes*, and the Churches in those parts which by the dissolution of the Religious houses are now probably claimed and enjoyed by Laymen, and did in *Anno Dom. 936. ex sua Regalitate*, by his Kingly authority, saith the History of that Foundation, gave towards the Hospitality and relief of the poor coming to the Hospital of *St. Peters* or *St. Leonards* in *York*, *de qual. bet Caruca Arante in Episcopatu Eboraci unam Travam bladi* out of every yard land of errable in the Bishoprick of *York* one *Thrave* (which is four and twenty sheaves) of Corn, *Et ex consensu Incolarum Episcopatus Eboraci Rex habuit*, saith that Historian, *Travas predictas sibi & successoribus suis sic quod exterminaret lupos patriam devastantes*, and was afterwards granted by the consent of the inhabitants upon condition that he would destroy the Wolves which wasted that Country, *erat siquidem in Diocesi Eboracensi tanta ad tunc multitudo luporum quod omnes fere villanorum bestias devorarent*, for there were in that Diocess such a multitude of Wolves (which King *Ethelstane* thereupon destroyed) as they almost devoured all the Beastes and Cattel belonging to the Countymen, should now that the County and Bishoprick of *York* have in all the after ages and successions of our Kings not only received of them many and greater benefits, but have been by their many good Laws and Governments protected and defended from all manner of Wolves be denyed so small an observance or retribution as the *Pourveyance* or *Compositions* for them which were charged upon that County or Bishoprick did amount unto, and at the same time do either not pay those *Thraves* of Corn,

2 parte *Dug-*
dales Mona-
stic Anglic.
367. & 368.

which

which would far exceed the Pourveyance charged upon that County, or have compounded for them, or do pay them to such as have obtained Grants of the Lands and Revenues belonging to that Hospital.

Or that he whose Royal Ancestor King Henry the second took a care as appears by the black book in the Exchequer, that the Barons of the Exchequer (who were then taken to be a part of the Kings household) should have their provisions at easier rates then others,

Ex nigro lib. Et de victualibus sue domus in urbibus & Castellis & apud Recept. maritimis nomine consuetudinis nihil solvunt: Quod si Scaccarii. minister vectigalium de his quicquam solvere compulerit, dummodo presens sit serviens ejus qui suis usibus empti fuisse oblata fide probare voluerit. Baroni quidem exacta pecunia restituetur inde in integro & improbus exactor pro qualitate personae pecuniarum poenam luet, and pay nothing for custom for the victuals or provisions for their houses in Cities, Castles and Maritime places; and if any Officer should compell them to pay any thing for them whilst their servants were ready to testifie and prove that they were bought to their use, the money was to be again restored, and the party so wickedly exacting it, amerced or fined according to the quality of his person.

And that our succeeding Kings and Princes causing a Pourveyance and provision of Diet to be made for the Justices of Assize & Justices of the Peace at the Assizes, & Sessions by the Sheriffs in every County, & making an allowance for the same out of the Exchequer; & Q. Elizabeth in Anno 1573. finding that to be troublesome & inconvenient for the Sheriffs, ordained that charge to be de-

defrayed out of her Coffers, as may appear by a Copy of a letter from the Lords of her Privy Council, communicated unto me by my worthy and learned friend Mr. William Dugdale and here inserted,

After our hearty commendations, whereas of long time many Gentlemen, some eligible to be Sheriffs, some that have been in Office in some of the Counties of this Realm, have both in Parliament and other places complained of the great burden and charge sustained in the said office of Sheriffwick, by reason as they have alleadged of the large Dyets and other charges of the Justices of Assize and Gaol delivery, yearly increasing in such sort as many Gentlemen, very meet for that office in respect of their wisdom and dexterity to execute the same, though not so meet for wealth to bear the charge of expences, have of late years made most earnest suits to be forborn, onely for want of wealth to bear that burden, the Queens Majesty calling this cause now of late into her remembrance, hath thought it very necessary to cause the same to be considered by her Council, and remedy to be provided therefore as the cause may bear it: And in consideration thereof it is by her Majesty and us of her Council well perceived that by the petitions of divers of the Sheriffs in sundry Counties appearing in the Exchequer for the allowances for the Dyets and other charges of the said Justices, the same are yearly grown more and more in charge to the said Sheriffs, and consequently her Majesty thereby more charged then in reason ought to be allowed. And therefore to remedy this matter it is determined by her Majesty with the advice of us of her Privy Council, That the Sheriffs shall not after this Lent Assizes defray the charges of the Justices of Assizes

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sizes Diets, but that the said Justices shall have of her Majesty several sums of money out of her Coffers for their daily Diets, during the time that heretofore the Sheriffs have been chargeable withal within their Counties; with which determinations the more part of the said Justices have been by diverse of us of her Majesties Council made acquainted, and thereof we have thought good to give you knowledge, as we do the like to all other Sheriffs in the Realm, to the intent you may after this Lent Assizes forbear to enter into such further charges; and yet it is meant that you shall against the Summer Assizes by the authority of your office, aid and assist the servants of the said Justices that shall require your advice or help to make provisions for their Masters Diets, and for lodgings and house-room at as reasonable charges as may, and ought to be for the Queens Majesties service, and as reason also requireth, that the said Justices in respect of their painful and careful services for administration of Justice should be both honorably and favourably used in all things requisite for their own persons and train, whereof we trust both you as Sheriffs now being, and all other succeeding you will have a care and due regard. Finally, we also warn you, that now, when you shall be unburdened hereof, as of a matter long time complained, you do not for your private respect enter into any such an unnecessary charge, as hath not in former times of the King her Majesties father, or other her Progenitors been used nor allowed; for it is not meant to give you allowance hereafter of any thing upon your account, that shall not be well warranted to be allowed unto you, we also have given notice unto the Justices that it shall be very convenient that at the first coming to the place appointed for the Sessions, they do begin to hear and deter-

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determine the causes of the prisoners in your charge, and so far forth as it conveniently may be done proceed to the delivery of the Goal, before they proceed to the Assizes, whereby the attendance of the multitude of the Justices of Peace shall not need to be so long as if the Goal delivery should be last. And therefore we will that you do so make ready your Goal and prisoners, that the Justices may first finish that service, being the principal cause of their Sessions, and so we bid you right heartily farewell, from Hampton Court the 21. day of February 1573.

For these next Assizes it shall suffice that you make provision for two Messes of meat well furnished, and in case over and besides that you shall demand any further allowance of the Justices Diets, it is not meant you shall have any allowance for the same afterwards, you see what order it hath pleased her Majesty to take herein.

Your loving friends

W. Burghley	E. Lincoln	T. Sussex.
A. Warwick	F. Bedford	R. Leicester.
F. Knollis	T. Smith	Fr. Walsingham
R. S. dleir	Wa. Mildmay.	

and that expence being since ordered to be defrayed out of the Fines and profits of the Counties after the rate of four shillings per diem, at the Assizes & Sessions to every Justice of the peace, and two shillings per diem to the Clerk of the Peace, and the King being at more then 10000 l. per annum, charges to the Judges of the superior Courts at Westminster, who by their Circuits do to save his people a great deal more charges cause a cheap

cheap and impartial Justice to be twice in every year brought into every County, and is at many other yearly expences to others in the administration of Justice (for which *Cromwell* and his fancied Parliaments thought a large yearly allowance to be little enough) makes an yearly allowance of *one thousand one hundred and six pounds thirteen shillings and four pence per annum* to the Lord President of *Wales* and the Justices attending that Court for the provisions of their Diet with an allowance of Dyet to the Justices of *Wales* in their great Sessions, *twenty four shillings per diem* to the Domestick Clerks or servants of the Lord Chancellor, an allowance of *Forty Marks per annum* to the Kings Remembrancer in the Exchequer (which may shew what cheapness was formerly) for the diet of himself and of his eight Clerks who ought to table with him; the like for the *Treasurers Remembrancer* and his twelve Clerks, and to the Clark of the *Pipe* five pence per diem for his diet every day when he sitteth in Court; and the like to the *Comptroller of the Pipe*, should be now put to seek his own Provisions or Pourveyance at the dearest & most disrespectful rates; or that the Kings servants and Officers of his household in whose honor or dishonor the Majesty whom they serve (as that of *David* was in the reproach of his servants or Embassadors sent to the King of *Ammon*) is not a little concerned, should now for want of the Pourveyance or Compositions for them, complain that the beauty is departed from the Kings house, his servants are become like Harts that finde no Pasture, and they that did feed plentifully are desolate in the streets.

And

And that the servants of the Abbot of *St. Edmunds Bury* were in a better condition when as he could allow *John de Hastings* the Steward of the Courts of his Mannors who claimed the said Office by inheritance a Provision when he came at night unto him, for eight horses and thirteen men with an horse load of Provender, and Hys sufficient, Wine and Beer, twenty four Wax Candles in the Winter time and twelve in the Summer, eight loaves of Bread for his Greyhounds, two Hens for his Hawks, & pro se & hominibus suis honorabilem sustentationem in Cibo & potu, and an honorable provision for himself and his servants in meat and drink. And as those of the children of *Israel* which returned from the Captivity, lamented the difference betwixt the glory of the first and second Temple, bewail the desolation of the house wherein the Kings honor dwelled, and the alteration & reducing of it to what it is now from that which it was in the raings of *Queen Elizabeth*, King *James*, or King *Charles* the Martyr.

And that Foraigners and Strangers who were wont so to magnifie and extoll the Hospitality, state and magnificence of the King of *Englands* Court and house-keeping, as that *Philip Honorius*, after an exact survey of many other Kingdoms and their Policies hath publikely declared that no Nation in the world goeth beyond our *Brittain* in the honor of the Kings Court and household, in maggior numero di servitori con maggior distinctioni d' officii e gradi; multitude of servants, Officers and distinction of degrees, and cannot be ignorant of the respects and honor done by all Nations to Foraign Princes though no Monarchs or their superiors in their passages and journeys through any Towns.

Inquis de Statu Senescalli Abbatis de Burgo sancti Edmundi in Escaet 30 E. 1. n. 13.

Philip Honorius Thesaur Politic.

Towns or Cities beyond the Seas, by making them presents of Wine, Fish, Oats, and the best of household provisions which those places afforded, and that even those mechanick souls of *Hamborough* and *Amsterdam*, can think it worthy their imitation, shall finde the King of *England*, whose Ancestor *Offa* King of the *Mercians* in *Anno Dom. 760.* would be to little wanting to himself and his posterity in the preserving the honor and rights of Majesty, as he ordained that even in times of peace himself and his successors in the Crown, should as they passed thorough any City, have Trumpets sounding before them to shew that the person of the King (saith the *Leiger* book of *St. Albans*) should breed both fear and honor in all which either see him or hear of him, to be so scanted *de ea sublimitate & amplitudine augustaque illa Majestate*, in that honor and reverence which his predeceffors would never abate any thing of as his Officers and servants, like some Beggars who are not used to be trusted with a *Mess* of *Pottage* to be put into their hands when they buy it at the *Cooks* stall, unless they shall first lay down their little peice of *Coyn* for it, shall like some *Mounseur Mal-regard*, be inforced to pay for a Cart or horses before hand, as if there were no other way to deal with them.

Speed Hist. of England & Leiger Book of St. Albans.

And in stead of being as the children of the servants of *Solomon* when *Nehemiah* long after returned with the children of *Israel* from Captivity found in the Registers in order to a preferment (there being then no selling of Places in fashion) be afterwards no where to be found, unless it be in the *Role of the Beggars*, or that they who have spent their times and industry in the hopes and expectation of their Princes favour, should (when the *Jews* who as the learned *Grotius* hath recorded, would

would not suffer any, *Qui ministeria fuerant Regio alterius se quam Regis successoris ministerio addicere*, who had once served the King to serve any but his successors (which our Kings of *England* have frequently observed) be constrained to betake themselves to the services of subjects, or such as they can finde have a mind to entertain them.

Gratius Annotat. in lib. 3. Regum c. 2

And not onely his servants who are or should be well wishers to the return of *Pourveyance* or *Compositions* for them, some of whom as the *Treasurer* and *Comptroller* are by the orders of the house to be sworn *That all things in the Kings house be guided to the Kings most worship, and that they search the good old rule, worshipful and profitable of the Kings Court used before time, and them to keep and better if they can.*

Vide the Oaths of the Treasurer and Comptroller of the Kings house.

But all the people of the Nation should remember that the honor and magnificence of *David*, and that Royalty of *Solomon* which amazed the Eastern world in the distribution of their Officers and servants in their houses, and order the *cof* were justly numbered amongst the greatest Actions of their might and Majesty.

And that the wisdom of our King *Henry* the seventh was not a little conspicuous in the happy effects which it produced, when after a return from his troubles and afflictions in his great care and wisdom to prevent & avoid the like, and make such an establishment of the Crown for himself and his posterity (which he had as happily as unexpectedly attained unto) as might continue to as long a duration as the world was capable of, he did so order his Court and household, as it was a composure and assembly of men of the best birth, education, fortunes

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and estates, qualities, endowments and reputation in every County of the Kingdom, were most popular best allied and beloved therein and had no small influences upon their Tenants, Allies and dependencies, some of whom he made to be the *Gentlemen* of his Privy Chamber, *Esquires* of the body, *Pensioners*, *Carriers*, *Cupbearers*, *Sewers*, *Ushers* and *Walters*, and made the *Yeomen of his guard* out of the best of the *Yeomanry*, or such as were recommended by the *Gentlemen* of his Privy Chamber, or other of his servants of the higher ranks, which together with other carefully pickt and well chosen servants not introduced by money or the avarice of such as were about him, disguises, partialities, or false recommendations were as so many *Intelligencers* Eyes and Ears to the better ordering of his Government and affairs which were then in a nice and perplexed condition, or as the *Wheels* in *Exekiels* vision and the eyes in them, to inform as well as Act, served as a glass in the absence of Parliaments to represent unto him from time to time the symptoms and indications of the peoples contents or discontents, and if any thing were to be rectified for the good of his subjects, or done by him were by the great obligations which the people and such as were not his servants had and owed unto them which were his servants (and were sure to have them reciprocally to be their Advocates and Intercessors to the King for favors to be granted or done unto them) the most sure, silent, and never failing engines and contrivances to accomplish their sovereigns just and reasonable ends, by which excellent and ever to be imitated order, and very easie to be put in practice in the choice and election

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on of such as were to serve and stand before him (which is and ever hath been one of the greatest parts of prudence, either in the manage of smaller affairs in every mans private Family, or that of a Kingdom which is the *Complexum* or comprehension of all of them.)

And such an happy as well as wise and successful constitution (which many of the Heathen Princes, and those that live in the dark of understanding do not omit for their own security, by making the children of their subjects to be their servants, and bred up in their Courts as Hostages and Sureties for their parents good behaviours) made and observed in his Court, and within doors conjoynd with that without doors, by agreement and good accord with the then potent Barons and great men of the Kingdom (who by their hospitalities and letting of their lands at small Rents, which were as Loadstones to attract the hearts and affections of the common people, did not onely augment their own grandeur, but like *Solomons Lyons* upholding his Throne, imployed it in the support of the honor and magnificence of their King and Sovereign) did to the universal content both of Prince and people *Domus fortis que*, achieve and bring to pass his many great and difficult affairs, by imitation whereof and continuing that or the like course King *Henry* the eighth his son did deliver his people and Kingdom from the impositions of *Rome*, wherewith it had formerly been much troubled. And Queen *Elizabeth* likewise waded through those many difficulties which had beleagured her Crown and Scepter, and did those other great actions in defence of her self and her people

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which have laid her up in glory, and made her remembrance to be as precious as the Spikenard, or the *sweet smelling Mirrhe*, and the most precious of Odors.

The consideration whereof and what will necessarily follow by any contrary course to be held, and the lessening of Officers and servants by the want of Poutveyance or Compositions for them, upon pretences of thrift and good husbandry, or being supernumerary may inform us that it will not onely diminish and cloud the Majesty and splendor which is necessary to be in the Courts of Princes, where the people should behold as well as rejoyce in the State and honor of their Kings, which in *England* did outgo and surpass all that of our neighbour Princes, but break the Links of that golden chain of order in the English Court, when it will be apparent that such as otherwise may seem to be supernumeraries are not to be judged or looked upon as they would be in private families (where their concerns are most commonly with a respect unto profit more then Worship or Honor) that Princes are to have and keep a greater State then any of their subjects, and that such a State which is some times made up of Supernumeraries, cannot be lessened where the high State and Honor of a King is to be maintained, which (some great or publike occasions, as at *Coronations, Funerals, Triumphs, &c.* onely excepted) is principally to reside in his house or fixed Station, and therefore it cannot be for the good of the people, or be correspondent to the Majesty of a great King, that a lesser number of *Maces* should be born before him, or that there should not be so many servants of one & the same

little

employment, but if the grandeur and magnificence of the King could be served with a lesser number of servants, the pretended surplusage would be necessary enough in order to the preferring and pleasing of his people, and to give them encouragement to love and honor him which is their head, and to make it their business to preserve and keep up the honor and greatness of the King and his Court, which *David* in the order and placing of Officers and servants in the house and Temple of the God of *Israel*, as well as in his own, did not think impertinent as the several distributions and pluralities of Officers to places of one and the same nature will sufficiently evidence, and to do otherwise, would as little conduce to that Decorum which ought to be in a Kings Family, as some indigest-ed advice would do in the propounding, that there might be a sparing of a great yearly charge of the Band of *Gentlemen Pensioners*, who were anciently those that served in War, and *ad latus principis*, in a pitched field or Battel, and were by Covenant and Indenture, which are frequently mentioned, and to be found in the Records and ancient memorials of the Kingdom, his *Pensioners* onely for that purpose, because that the King is at a charge of a Life Guard, which cannot comprehend and take in the uses for the *Gentlemen Pensioners* in their guarding the King within doors, where there is a greater decency and honor in them and their service, then can be in the *Esau's* or men of the Field, and such as are onely useful in the direful Sacrifices to *Bellona*, where the Majesty of a King is laid aside and by a present necessity exchanged for a sword, and the bloody and unmajestick business of it, and would be as little

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little for the profit of a King within the Virge of that honor which should encompass and attend him and his affairs, as to suppose that the Master of the *household* (which certainly hath been as ancient as the household it self, and never but once for ought appears to the contrary intermitted, and then by the cunning insinuation and self ends of one that was too instrumental in the introducing of our *Trojan Horse*) is useless and supernumerary, for that the *Treasurer, Comptroller, Cofferer, Clerks of the Greencloth, and Clerks Comptrollers*, may amongst them and altogether discharge and supply the care and business of it, which will appear to be no more then suppositions and pretences, when as the Office of *Master of the household*, which if well executed and as it ought to be, is of most necessary use and of a greater *Fatigue* and trouble then any other of the household; is not at all comprehended in the Lord Steward or great Master of the households place, nor within the Offices of *Treasurer, Comptroller, Cofferer, Clerks of the Greencloth, or Clerks Comptrollers*, but hath as all the rest of the Officers of the *Greencloth* have his peculiar and particular charge, which is to inspect all the under Offices of the household, and to be as a *Corrigidor* or Surveyor of those numerous Officers and servants which are therein (unto which the other great employments and high honor of the Lord Steward, and the *Treasurer* and *Comptroller*, who are of his Majesties *Privy Council*, will not permit them always to attend) to call in question and prosecute the punishment of such under Officers and Servants and their irregularities as deserve it, and keep a constant watch & eye upon their actions, and

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and cause the daily orders and commands of the great Officers to be obeyed and executed by the inferior as well as the set and known Rules of the house, which is now more then ever necessary, and not to be wanted when there are so very great and many disorders which are heightened, and more and more increased by the want of the Royal *Pourveyances* or *Compositions* for them, and by the enhance of rates and prices of household provisions (which do more infect the Purse and profit of the King then any supernumerary Officers and servants have as yet done) and hinder him from regulating these unallowable *improvements*, and (as they are called) *Fees and perquisites* of some Offices and Places in his Court by an *Augmentation* of the ancient *Wages* and *Salaries* of his servants now far too little and unable to support them in his service, which the monys wasted in the damages and loss sustained for want of his *Præ-emption* and *Pourveyances*, and by those otherwise remediless *irregularities* would have easily accomplished.

And all the people of *England* and their after generations may take it to be no less then their duty as well as their interest, and (if the irrational creatures were but to be Judges of it) a common gratitude to endeavour all they can, and to be willing that those ancient Rights should be continued and preserved to the King and his successors.

And having no small concernment in the honor of their Kings, which by its Rays and Reflexions communicated unto them was, and ever is, and will be as necessary for the good and welfare of the King and his people, as either *Credit, Cloths, Jewels*, or any thing else they can have or adorn themselves withall; when
as

as their own interest or well or ill being, is involved in the Kings.

May understand it to be no less their interest to uphold the honor of the King and his house, then it was the interest of their forefathers, who if they had not found it to be a more then ordinary concernment of themselves and every good subject to be assistant thereunto, would not so often have been petitioners in several Parliaments and several Kings Raigns for the well ordering of the Kings house.

And being not ignorant how much all people are won and kept by hospitalities and benefits, or lost for want of them, should not be instrumental to mudd or stop the fountain, but cherish rather & keep the hospitality of the Kings house as carefully as the Romans did their Vestal fire, and the Ancilia or sacred Shields, as some special part of the *salus populi*, and believe that it was for the interest of the Nation that some Lords of the Kings Privy Council in the 21. year of the Raig of Henry the eighth, even in the decay and expiring of Hospitality, and almost all other the English vertues, did amongst other Articles of Impeachment exhibited to the King against Cardinal Woolsey (who kept a very large and ample Hospitality in his own house) charge him, that where good hospitality hath been used to be kept in houses and places of Religion in this Realm, and many poor people relieved thereby the said hospitality and relief is now decayed and not used. And it is commonly reported that the occasion thereof is because the said Lord Cardinal hath taken such Impositions upon the Rulers of the said houses, as well for his favor in the making of Abbots and Priors, as for his visitation by his authority Legatine.

And

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Institutes
91. & Hist.
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Lord Her-
bert of Cher-
bury.

And yet nevertheless takeh of such Religious houses such yearly and continual charges as they be not able to keep hospitality as they were used to do, which is a great cause that there be so many Vagabonds, Beggars and Theeves. And where the same Lord Cardinal hath said before the suppression of the Religious houses which he suppressed, that the possessions of them should be set to Farm amongst your Lay Subjects, after such reasonable yearly Rent as they should well thereupon live and keep good hospitality, now the demesne possession of the said houses since the suppression of them have been surveyed, met, and measured by the Acre and set above the value of the old Rent, &c.

That Judge Walmsley, one of the Judges of the Court of Common Pleas at Westminster, did not appear to be an ill Commonwealths man, when upon his death bed (as some few other old fashioned English Gentry have lately done) charge his heir to continue his custome of good house-keeping and using his Tenants well.

That when King James in the thirteenth year of his Raig, being perswaded that it did greatly conduce to the welfare of his people, did by his Proclamation or Edict command all the Gentry of the Kingdom to repair at the Feast of Christmas then next ensuing unto their several Countries and habitations for the onely ends of hospitality and housekeeping, and that such as were Justices of the Peace and did not, should be put out of the Commission of the Peace, he did not think his own heirs and successors should ever be streightned in the means that should maintain their own Hospitalities.

And that we have had of late the happy effects

Ro. pat. 13.
Jacobi.

experiments & fruits of good house-keeping & usage of Tenants by what was done by the late Loyal & Noble *Marquess of Worcester*, when as he could by that, and the love of his Tenants and dependencies in the beginning of the late unparalleled Rebellion, assist his distressed King with great supplies of men and money, and help him that was then almost helpless to form an Army to defend our Religion, Laws, and Liberties, as well as his own Rights, & by the late *Marquess of Hertfords* bringing to his rescue great numbers of his Tenants, and have nothing to hinder our belief, that *Sir George Booth* could never so gallantly as he did have engaged almost two thousand of his friends and Tenants to open the passage to his now Majesties happy restoration of himself to his Rights, and us to our Religion, Laws, and Liberties, if it had not been for his and his Fathers small Rents and great hospitalities.

And that we shall but destroy our own interest, and appear to be ill affected to our own as well as the weal publike if we shall contribute any thing to the burdening of his now Majesty with an enhance of Rates & prices most unconscionably put upon household provisions, and so beleaguer him with necessities for want of his Pourveyance or Compositions for them as he shall not be able himself to do that which for reason of State and the care of the welfare of his people, he would command others to do.

For it will be obvious to every mans understanding that our so famous Universities of *Oxford* and *Cambridge* and the glorious structures of their Colledges Halls and habitations of the *Muses* with their prudent foundations and statutes, and great endowments

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of Lands and Revenues thereunto belonging, causing those Universities as much to excell all other the Universities of the world, as the Sun that grand *Flambeau* and most Illustrious Torch and light of the Firmament doth the lesser, and communicated Lights would by the rise of prices for victuals and household provisions neither then suspected or expected to have ever been able to come to such immoderate rates as they have since arrived unto, have notwithstanding all the care and forecast of their Founders, and the great yeerly Revenues thereunto belonging, sunk into the Rubbidge of those goodly buildings, and lost the intentions of their most noble and pious Founders, if it had not been for the care and prevention of the Statute of 18. *Eliz.* (justly accompted by *Mr. Camden*, to be a principal means of the support of those Universities) which provided that the third part of the Colledges yearly Rents and Revenues should be for ever paid and reserved in Corn, Malt, and other provisions for house-keeping.

That it cannot be for the good or honor of the Nation to hinder the King from being a *Trajan*, or *herba parietaria*, a sweet smelling Wall Flower, or *delicia hominum*, by taking away or obstructing the Magnetick virtue of his Hospitality or attraction of the love of his people.

And that to overburden our head, or heap necessities upon the King, would bring us within the blame and censure of the judicious *Bodin*, a man not meanly learned in Politicks, who decrying all unbecoming Parsimonies in a King, or his Family, delivers his opinion, that *sine Majestatis ipsius contemptu fieri non potest*

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Bodin de Re- pub. lib. 6. *cares enim Peregrinos ad principem aspernamum & subditos ad deficiendum excitare consuevit.* That to lessen the number of a Kings servants or attendants, cannot be done without a contempt or diminution of Majesty it self, and that it may cause strangers to despise him, and his own subjects to Rebell against him, and gives us the example and ill consequences which may thereby happen by the misguided frugality of *Lewis* the 11. King of *France*, who when he had put out of his household those that were of the Nobility and Gentry, made a Physician his *Chancellor*, and his Barber his Herald and Ambassador, and how little good the people of *France* and their posterity have gained by his dishonorable and unkingly Parsimony, when he did usually wear a *course cloth suit and greasie old hat*, and at the same time was but busie to load them with Taxes, and lay the foundation for as many more in perpetuity; and may now remember with grief how little was saved by sending his Barber as an Ambassador to propound a marriage with *Mary* Dutches of *Burgundy*, then the greatest heir of *Christendom*, and that the *Burgundian* scorn of such a simple Messenger, lost him and all *France* the advantage of having her and those seventeen great and rich Provinces which have since been the cause of so much War and trouble to the Christian world to be united and incorporate to the Crown of *France*, and that thirty years late wars and expence of blood and many millions of money raised by Taxes, have but enforced a Conquest of less then a sixteenth part of those great and rich Territories, which might once have been had at a cheaper rate.

Philip. de Comines hist.

And if we would but regard the honor of the *Eng-lish*

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lish Nation, and the gratitude which like the blood was wont to circulate and attend their hearts, should blush to take a lesser care of the Kings rights and pre-eminences then our ancestors were accustomed to do, who in a Parliament of King *Edward* the third in the 42. year of his Raigh, declared, That they could not assent to any thing which tended to the disherison of the King and his Crown to which they were sworn. And in a Parliament in the fourteenth yeer of the Raigh of King *Richard* the second, did pray the King, That the prerogative of him and his Crown might be kept, that all things done or attempted to the contrary might be redressed, and that the King might be as free as any of his progenitors were.

Or to deny those ancient rights of *Præ-emption* and *Pourveyance*, or the former Compositions for them, to a King who hath rescued us from a slavery from which we could not redeem our selves, and restored all the Factious and Rebellious parties to their forfeited Laws and Liberties.

Or that he should meet with no better acknowledgements then that those who professed that their lives, estates and fortunes should be at his dispose in order to his service, and that they would be Tenants *in Corde*, should by denying his *Præ-emption* and *Pourveyance*, or Composition for them, but be Tenants *in Ore*, and by their high rates and impositions upon his household provisions, make it their business to take *ex Ore suo* that which should maintain him & his household.

And that the King who publickly professed that he was much troubled that his people should come flocking as they did to *Whitehal*, to see him where he had nothing to

to feed them, should now be so much necessitated, or imposed upon as he is by his want of Pourveyance and the former way of Compositions for them; or that the maligners of our English honor and prosperity should publish it in Gath or Askelon; or have cause to upbraid us with,

*Hic clara virtutis honos: hac gloria sceptri
Hoc magni Decus Imperii tales ve Triumphos.*

Are these the promises? This the high renown,
Great Empires Honor: Glory of a Crown.

Or that our Returns should be no more to a King, who doth not as the Commonwealths of Greece, the spawn and Nursery of Republikes, fill their Treasuries with Taxes, & impose, ten Drachmas upon every house, Assesments upon every payment of Silver money and Taxes upon Beggars & Whores, and such as were made Free, upon Cattle, Dung, Horses, Mules, Asses, Oxen, and 3. pence upon every Dog, or the *Fumaria Tributa*, Chimney money leavyed by *Nicephorus* the Emperor (the Chimney money which is now taken in England, being of late onely granted by Act of Parliament and consent of the people to supply the decayed revenues of the Crown) with a Tax likewise upon every man that grew suddainly rich upon a presumption that he had found some Treasure, which by Prerogative belonged to the Emperor, a *Canon* or *Canonicum Tributum*, ordinary or constant yearly Tribute amounting in the whole to as much as 17 s. six pence, besides a Sheep, six Bushels of Barley, six Bushels of Bran, six mea-

Greece.
*Cedrenus lib.
3. ca. 39. &
Zonaras.*

*Lib. 1. Paris
Oriental.*

measures of Wine, and thirty Hens imposed upon every village, having thirty Chimneys imposed by *Isaacus Commenius* the Emperor, or a Tax upon the rich to excuse the poor.

Nor as the Romans did whilst they were a Commonwealth impose a Tax or Imposition (but in case of present great necessity, and by the peoples consent in Parliament) *de agris & Pascuis*, or a Land Assesment to make an *Erarium* or Treasury to supply future emergencies, or Collect *Aurum vicefimarium*, a twentieth peuy of every mans estate, *ad ultimos Casus*, to support the Commonwealth when it should happen to be distressed, or a Tax before hand to defray the charge of a war in *Gaule*, when there should be any, or Poll-money (without common assent) and an imposition or Tax upon salt, nor raise Taxes and Tributes as they did *Tributum a singulis ad Tributum solvendum arario bellis exinanito*, to fill again their Treasuries exhausted by War, a Tax or rate upon Wine, a tenth of all Corn, Oyl, and fruits of the earth, and a twentieth penny of the estates of such as were made free, a *vestigal* or tribute for Fish in Lakes and Fish ponds, a yearly pension for every house in Rome, their *Adilitia vestigalia*, a tribute to maintain their Theaters or Play-houses, *Siliquaticum*, a certain Toll in Markets and Fairs, *Vestigal macelli* an Excise upon all flesh and Viſuals, a Tenth of Legacies, the *Decuma* or Tenths of the profits of Lands given by a Husband to a Wife, or a Wife to a Husband if they had no children, and a *Portorium* or custom for exportation or importation of Commodities.

Did not make his *Census* or Assesments so penal

*Julius Caesar
Bullinger de
Vestigalibus.*

*Roman Em-
pire.*

*Zecchius de
principat. ad-
ministrat.*

*Appian lib.
2. de bellis
Civil.*

*Cicero pro
leg. Manilia.*

*Suetonius in
vita Julii
Caesaris.*

*Cicero lib. E-
pist. ad Q.
fratrem.*

Legia Papi.

Livius Hist. Roman.

Dio. Cass. lib. 50.

Plutarch in vita Antonii Strabo in lib. ult. & Dio. Cass. in Augusto.

in the not due discovery of the peoples estates, as the Romans those great pretenders to love and liberty, did in theirs wherein wives, servants, and children were not exempted sub pena publicationis inflicta his qui nolent bona sua aestimari vel mala fide minoris quam valerent aestimari paterentur, under the penalty of a forfeiture of their goods if they should refuse to have their estates Assessed, or suffer them to be undervalued, and exact a rate to be paid for the burial of such as died extra patriam, and were brought home to be buried, or such taxes as were afterwards imposed by the Emperors of Rome, when that grand and universal Commonwealth revolved into its first constitution and a Monarchy, as a third part of the revenues of all men made Free in Italy, and a fourth of the Natives or Free-holders imposed by Lepidus and Antonius in their Triumvirate with Augustus, or as Augustus Caesar the best of their Emperors or Monarches did, who exacted the fourth part of every mans revenue, and the eighth of every mans goods which were made free, to furnish an Ararium militare, or Magazin of money for the souldery, a Centesima pars, or hundred penny of all things sold; a twentieth part or penny of all Legacies and grants of inheritance, the Vicesima quinta or twenty fifth part of all things sold in the Country Market Towns, the Quinquagesima or fiftieth part of wild Beasts brought to be sold, and fifteen pence sterling (for the peice of money taken out of the Fishes mouth which paid the Poll-money for our Saviour Christ and Peter, is by good authors reckoned to be two shillings and six pence sterling) for Poll money the hundred part of all things bought or sold within the

the Empire, taxed before the Civil Wars, and continued by Tiberius (though the people after their Civil Wars ended, petitioned to have it abolished) towards the supply of his Ararium militare, Treasury for the Army, and Exacted a fourth part of the value of every thing sued for at Law; a great penalty upon every one which compounded without licence; a certain number of Sesterties upon every marriage contracted, an eighth part of all wares and commodities sold imposed by Caligula, and a part of every poor Laborers Wages and of every Beggars Alms; an Impost upon Urine by Vespasian, and the Stews by Severus the Emperor, and a part of Artificers, and Waggoners gains; some impositions set upon the heads of Beasts, and Tiles of houses, and a Vectigal umbra & aeris, a Tax for the shade of the Plantane Tree by some of the ancient Emperors, and when they had the Revenue of a great part of the world at their command, and had the spoils and treasures thereof, and might the better have spared their own people, for that two Legions or twelve thousand men were enough to Conquer and awe a Kingdom, and a Foot souldiers pay was in those days of so great a cheapness (as a fat Kid was sold in Portugal for an obolus then passing for about a penny farthing, which was the price of four mens Dianers in Lombardy, and a Medimni or three Bushels of Barley was commonly sold for four Oboli being in the beginning of the third Punick war but two Oboli, would not forbear to leavy the fiftieth part of the peoples Corn, a fourtieth of their Barley, and a twentieth of their Wine and Bacon; Praestatio Tyronum, when they took money to free souldiers and young men from warfare, which was causa exitii, a cause of the ruine

Lampridius in Alexandro Severo.

Polibius.

Valen. in l. modios 9. suscept. lib. 10. C. 70.

Symmachus lib. 9. Epist. 10.

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Paulus Diaconus lib. 2.

of Rome, and that of Valens the Emperor, taking money of the people of every Province which *per vices*, or by turns were bound to furnish a soldier, *quod cladem attulit Romano Imperio cum nemo militaret*, which destroyed the Roman Empire, when as men had rather pay money then serve their Country as souldiers, *Præstatio Lubralis*, which was paid to the Emperor every five yeers for every thing bought or sold, which was not *in proprio rure*, of the proceed or growth of their own lands;

Bullinger de Væctigalibus.

Væctigal Allelengjum, a Tax when the poor were listed or Mustered for war, and the rich ordered to pay a certain rate to buy Arms and Provision for them, *væctigal Chartiaticum*, an Assessement upon Cards, *Væctigalia de fluminibus*, a Tax upon Rivers and Lakes, *Aurum glebale*, or *Coronarum*, an yeerly oblation (so called) to the Treasury, *Solarium* an yeerly rent upon houses built upon the waste, a Tax upon all Miners or Metall men, paid upon their first admission, a certain rate or imposition set upon Brass, Iron, Brimstom, Chalk, Alum, Pitch, Whetstones or Quarries of Stone, and *Væctigal pro mortuis*, a Tax upon the dead or upon their Burials, of which *Boundicia* or *Boadicia* our warlike British Princels complains, that amongst the Romans, *mori non licet sine tributo & multa*, they could not dye without a Tax paid for it.

D. de Publican.

Xiphilinus in Nerone & Lampridius.

Nor (not to mention the *merum imperium* almost unlimited despotical or arbitrary power of the great Turk, Emperors of *Russia*, *Industan* and *Persia*, and other Eastern, *Asian* or *African* Princes over the estates and fortunes of their subjects) doth not do as the Bishop of Rome doth, who besides his large Demeasnes great Dukedomes and Territories now called the *Church Land*, taking up a fifth or sixth part of *Italy*, and the Tributes and

Rome.

and Donatives flowing from all the Clergy and people of the Kingdoms & Provinces which are yet content to acknowledge his supreme (as he calls it) Vicariat, and his great Amasses of Treasure gotten by Bulls, Indulgences, Jubilees, Pardons and Dispensations, making in the Total a greater and far less troublesome Revenue then the *West Indies* ever amounted unto, can by an artificial selling of all Favours and benefits which he either gives or grants *sub Annulo Piscatoris* or otherwise, and Multiplication of Officers cut and cancelled into too many, where a lesser number would serve as Masters of the streets, to look to the buildings thereof, Chaplains to sing Mass to the Palfrey men, Office of the Abbreviators in the Chancery, General of the Church, Cardinal Chamberlain, Clerks of the Chamber, Apostolical prefect of the signature of Justice, or of causes delegated for it, prefect of the signature of Grace, *Congregation* office, or Court for Rivers, Waters and Bridges, *Congregation* for the Fountains of the streets, *Congregation* to hear the grievances of the people (which are made faster then they can complain of them) the Office of the Datary, under Doctor and Revisers, Participant, Pronotaries, twenty four under Secretaries, twenty Registers of Supplications, the *Summist* or chief Broker in the sale of all Offices (which in the Court or Palace, are very many and are subdivided into many of a sort, and hath one of each for a retribution or allowance to himself) yeilding his Holiness a great yearly Revenue, Writers of the Penitentiaries, Apostolical Writers, Apostolical Chamberlaines, Judge of the *Confidences*, who is to take care that there be no Simony (when as there is nothing

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almost more frequent) Auditor of the Contradictions, Corrector of the Contradictions, Participant, Master of the Ceremonies, the Keepers of the Chaires, and the Popes four *secret Sweepers*, who by their Exactions and Improvements of their places and shifts do like so many devouring *Minotawres* of the people lurkin their severall *Labirinth*s of Fees and extortions, and keep the people lean whilst they themselves are overgrown with Fat, and where there are so many Officers & men employed to catch Fees and mony, as the people & those that do bear the burden, are like those that are stung with the Fly of that Country called *Tarantula*, may in a pleasant madness content themselves as well as they can by the custome of enduring that which renders them not so sensible as they would otherwise be of it.

And the Citizens of *Rome* and mechanicks making it the more easie by the gaines & profit which they make by the confluence of the people and strangers thither, and those which do pay so much mony to the Popes supernumerary Officers, selling at greater rates to others, what they themselves paid very dear for, and being men of other Kingdoms and Nations, do make the crys and complaints which happen thereupon, to come short of his Holiness ears, or audience of the Court of *Rome*, where the other Impositions and Taxes likewise laid upon the people were so intollerable, as a *Rasquil* no longer ago then the Popedome of *Sixtus Quintus* made himself and others as merry as they could in making haste to dry his Shire in the *Sun* least his Holiness should lay some Tax upon the heat thereof.

Naples.

Nor as the King of *Spain* doth in his Kingdom of *Naples*, where besides extraordinary *aids*, he receiveth

a Donative every two years from the people of a very great sum of money, which is reduced to an ordinary Revenue, takes a Tax for the Chimneys or Fires in every house yearly to be paid towards the Wages of soldiers and an allowance to be made to such of the Nobility as attend the Vice Roy, another Tax towards the Garrisons, and a great Tax upon Silk and Cards, Victuals and household provisions, where the people having besides four thousand Barons or *Titulado's*, with many petty Princes, Dukes, Marqueses and Earls to domineer over them, do find the great plenty of that Country converted into a poverty of the common people.

Philip Honorius T^{he}sa^{ur}. Politic.

Nor as the great Duke of *Tuscany* imposes (besides other Assesments upon extraordinary necessitys) eight per cent. upon Dowries, and as much upon the sale of all immoveables, according to the full and real value, the tenth part of the Rent made by houses or lands leased, a rate upon every pound of flesh sold, and upon Bills of Exchange, and when he is to raise any great sum of money makes his list of all the rich men able to furnish it, who not darcing to deny it, are within twenty eight moneths after repaid by a general Taxe laid upon the people, exacteth an Excise upon Roots and Herbs, or the least thing necessary for the life of man bought or sold, or brought to any Towns, and a Tax likewise to be paid by every Inholder, Brewer, Baker, and Artificer; and of every man travailing by land or by water who pays money at every Bridge or Gate of a Town, and if he doth not pay, the *Gabeller* Arrests him, and is ready to strip him naked to see what Goods he hath which ought to pay a Gabel.

Tuscany.

Philip Honorius T^{he}sa^{ur}. Politic.

Sir John Davies Treatise of impositions

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Milan.

Neither as the King of Spain doth in Milan where his subjects do the better endure their multitude of taxes by his moderating *la voragine de gl. interesse*, their grand usury cutting off or restraining *le spese superflue*, superfluous expences, & *havendo gli occhi aperti alle mani de Ministri*, and by the Magistrates keeping a strict watch and eye upon the Ministers of State and Justice, who do notwithstanding so load and oppress the people, as it is grown into an Adage or Proverb. *Il ministro di Sicilia rode quel di Napoli mangia & quel di Milano divorà*, the Governors and officials of Sicily do gnaw the estates of the people, those of Naples eat them, and those of Milan devour them.

Spain.

Nor as in Spain where the people being Tantalized may hear of Gold and Silver brought from the West Indies, and sometimes see it, but it being altogether imployed to maintain souldiers Garrisons and designs in the services of their Princes never to be satisfied ambition of piling up Crowns, Scepters and Titles one upon another, as if they intended to give thier neighbor Princes no rest untill they had built themselves a Pyramid of them, passes away from the subjects like a golden Dream, leaving them a certain assurance that the Gold and Silver of America, hath but increased their Burdens and Taxes, and that besides their *servitios ordinarios*, ordinary and formerly accustomed services paid and done, and the Subsidies called *Des millions*, upon extraordinary occasions and necessities granted in their Parliaments or Assemblies of the Estates, and the charges which the people are put to for *librancas*, Warrants or Assignments for moneys to be paid like a late and ill invented way of Poundage here in England, and the

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the *Encomienda's*, or recommendations to Offices, Places or Dignities, or the *Venta* or sale of them, and the appoining Alcaldes or Officers of Justice in the Towns and Villages, and *Corregidores* or Governors to look to their obedience to Laws and Taxes, and the profit of their inquisitions do pay the *Alcavala* or tenth of every mans estate first raised at a twentieth by *Alphonso* the twelfth, in *An. Dom.* 1342. to expell the Moors, and since though they belong ago driven away, made a perpetual Revenue, Collect out of all Lands, Houses, Goods & Commodities which are sold, and from Artificers, Workmen, Tavern keepers, Manufactures, Butchers, Fishmongers, Markers, &c. And for every thing sold, or which they take mony for, an *Almoxariff* do take a tenth of all Foreign Commodities imported and exported, a tenth of all Merchandize exported to the West Indies, & a twentieth when they come thither paid for importation, *Vestigalia decimarū portuum siccorum*, or *puertos secos*, a tenth of all Commodities carryed by Land out of the little Kingdoms of *Valentia*, *Aragon* and *Navarre*, and out of *Portugall* into any part of *Spain*, and from *Spain* into any of those Kingdoms two Ducats from the Natives of *Spain*, and four of Strangers for every Sack of Wooll exported, *El Senneor-capo de la moneda*, a Real or six pence out of every six Ducats coyned in the Mint; a Tax called the *Almodrana* out of the Tunny Fishes, a great yearly Revenue out of salt, *El exercicio*, a tribute for the maintenance of the Gallies and Marriners *la Moneda Forana*, which is seven Maravedis for ever Chimney, a Tax upon Cards, Quicksilver and Russet Cloth made in *Spain*, and the *Maestrazgos*, a great Revenue yeerly raised upon the Rents

Marian Hib.
lib. 16. &
Linscotanus.

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Rents and Estates of the Knights of the Orders of *St. Fago Calatrava* and *Alcantara la Cruzava*, or benefit of the Kings selling of the Popes Pardons, to eat Flesh in Lent or times prohibited, granted to maintain the charge of War against Infidels or Hereticks, yearly yeilding eighty thousand pounds *sterling*; the *terza* or thirds out of the Lands and Estates of the Ecclesiasticks and Clergy for the maintenance of the wars and defence of the Catholick Religion over and above the *Excusado* or ordinary Revenue of a Tenth by the grant of the Pope of all the goods and Lands of the Church which yeildeth yearly six hundred and twenty thousand Duckets, besides the State Artifices of getting Bulls or Warrants from the Pope to lay heavy Taxes upon the Clergy, as in *Anno 1560.* to leavy every year for five years together, three hundred thousand Crowns with a liberty of lengthning that time, if the Pope should think fit to furnish fifty Gallies against the Infidels and Hereticks; and two years after an Addition of four hundred thousand Duckets *per annum*, and at another time three Millions for six years to be yearly paid by the Clergy, vast sums of money yeerly raised out of their Wine and Oyl for some yeers, inso-much as the Cardinal *Ossatus* complaining of it, saith, That *nullus est Clerus in toto orbe Christiano qui majoribus oneribus prematur quam Clerus Hispania*, no Clergy in the Christian world is more oppressed with Taxes then the Clergy of *Spain*.

Portugall.

Doth not lay such Taxes or Impositions as the people of *Portugal* do bear by the *Alfandega's* or Impositions upon all Merchandize (Corn excepted) Imported, upon some a tenth, upon some a fifth, and in some places

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places some other parts, a Tax upon Wood, Wine, Oyl, Fruit, Flesh, Fish, Blacks or *Negros*, servants or slaves sold *Puertes secas*, or for goods or commodities carryed to be sold by Land; a Tax upon Cards, besides many *Almoxariffadgo's* laid upon the Towns and people, a particular Tax upon Tunny Fish, a third part yeerly collected of the Rents and profits of all the Revenues belonging to every City and Town in the Kingdom, every one having some appropriate unto them, and of Fines and penalties imposed upon any queats therein.

Doth not do as the Emperor and *German* Princes do by their people and subjects, who besides the *Dranksteuer*, *Bierrecht* *Biersteuer*, or Excise upon drink and their *Schoorstein* oder *Caming gelt* or Chimney money *fradlensteuer* certain quantities of Wine appropriate to the Prince, & those many *Consuetudines quae praestantur in recognitionem Domini directi & Furium Dominicalium*, Customes and services which are to be performed to the Emperors or chief Lords of whom they hold and their *Laudemia's* *Lehnwahrz* or Reliefs, which if it be a *Habe Lehnwahrz*, is of great men or Estates a Twentieth penny, in Ecclesiastical Fees or Revenues two Dollers *per cent.* and in the *Kleine lehn wahrz* or small Estates or Revenues, a sixteenth penny, and over and above what is paid for Licences of Alienation, or for *lehn gelt* for a Livery or investiture into Lands, *Handlohn*, an Oblation for any thing written in a subjects favour by the Prince, and *Recht steuer* a payment of money towards the maintenance of the Courts of Justice, do take *Turkensteuer*, a Tribute for war or defence against the Turks,

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Krieg

Krieg Steuer, a Tax for the payment of souldiers; **Forst gelt**, Forrest money; **Wale gelt**, money paid for meafures; **Walschwein**, for Swine, **Wass gelt**, Ton money or gaging of vessels, **Wflug gelt**, a Tax upon every Plow, **Walcken gelt** Timber money, **Haupt vitzh** money for the head of every Beast, **Zehenden vom Fleisch** wine corne Erbsen, Tenths of Flesh, Wine, Corn and Herbs, **Hausen gelt**, a Tax upon houses, **frey gelt**, money upon the making men to be free, **Schuck gelt** Shoo money, **Brucken gelt** Bridge money, **Weg gelt** way money, or for passage, **Aufnauch gelt** or **Aufstarth** money paid in Cities and Towns for being chosen into any Office or Magistracy, and **Abefarth** **Abfchufz** **Ablofung** when one removeth his Family or household from one City or Town to another, and is to pay a tenth of any goods sold upon such removals, **Toll** or **Forstcapitum** to be paid by the buyer over and above the price agreed to be paid to the seller, **Accis** upon all Commodities sold and spent, and a **Land Steuer** Tribute upon Lands which is *ex voluntate superioris & ob necessitatem supervenientem variantur*, imposed (for the other as aide against the Turks, and for payment of souldiers are to be by public assent ordained at their *Diets* or Parliaments) at the pleasure of the Princee, and varied according to occasions or necessities.

Besoldus de Erario Publico.

And so many other Taxes and payments for the public, saith *Besoldus*, *ut nominibus laboretur*, as there are scarce names enough for them, so that as free and full of liberties as that Nation did heretofore suppose themselves to have been, they do find by their Taxes and payments that the feathers which their Electors, Dukes,

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Margraues, Counts, Barons, and Imperial Cities have either taken by force, gained by favor or purchased for money from the Imperial *Roman Eagle*, which *Crantzins* and other good Authors do heavily complain of, have but increased rather then eased the burdens of the common people.

France

Doth not as the King of the *French*, who besides his *Fouages* or Chimney money, which (though they of *Gruen* did heretofore so little like of as they rebelled against our famous *English Black Prince* for imposing *twelve pence* upon every Chimney) they believe in that and the other parts of *France* to be *accustomed de toute Anciennete*, allowed by all Antiquity, the services and profits *Feodall, le Pavlet*, or a Tax of four *Deniers* upon every *liuer*, or two shillings of the yeerly value of Offices, profits of Prizes at Sea, and of the Admiralty, Tenths and first fruits payable by Ecclesiastical persons *Escheates, Otroyes, Licenses*, and *Dons gratuits*, gifts, or oblations and Regalities, doth continue as perpetual a Tax called *le Tailon*, imposed by King *Henry* the second, in the year one thousand five hundred fourty nine, to increase the Wages of the soldery in regard of the dearness of victuals, and the burdens which the men at Arms or *Gens d'armes*, did lay upon the Laborers and common people, *la Creue*, or augmentation for the pay of the Army, an Impost of the twentieth penny upon Wine sold in gross, the eighth, upon all in *Normandy* by retail, and a Tax upon all drink, now made a constant Revenue of the Crown; a Tax upon every vessel of Wine (which in the time of *Julius Caesar*, had no Imposition or burden laid upon it)

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Bullinger de
Veſtigalibus. carried into Walled Towns, or the Suburbs, and to
 pay as much though it be transported from thence again
 before it be sold. The *Gabell* upon Salt, which being
 imposed by *Philip the long*, with a Protestation that it
 should continue but a while, and afterwards by *Philip de*
Valois in the year one thousand three hundred twenty
 eight, who declared that he intended not to incorporate
 it to the Royal Demeafnes, & being remitted by *Charles*
 the fifth in the year one thousand three hundred sixty
 nine, is since made perpetual and annexed to the Roy-
 al Revenue and the King and his successors, are become
 the only Merchants of Salt, whereof every house is to
 take a certain proportion loaded with the Kings Tax
 and Imposition upon it, though it be more then he
 have occasion to expend, the *equivalent* or *equipollent*
 which in *Narbonne* was granted for the abolition of an
 old Tax of the twentieth part of the price of all move-
 ables sold by retail about the year one thousand four
 hundred and sixty, and agreed to be paid by a *Denier*
 in every *Liure*, not onely for all moveables but of Flesh
 and Fish sold by Retail, and the sixtieth part of all the
 Wine bought to sell again, and is paid in *Auvergne* for
 a liberty to buy their Salt where they please, and to be
 exempt from the Tax and Imposition of buying it at
 the Kings Granaries or Salt Magazines (being with
 Wine a great part of the natural commodities of the
 Country) besides the other Impostes, Entries or Cu-
 stomes to be paid in Towns, or for *Peages* and passages
 by Land or Water, *la subsistance*, which in the Reign
 of King *Henry the fourth* and since have been leavyed,
pour faire subsister les soldats dans les quartiers d'hyver.
maye

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moynant quoi on devoit estre exempt du logement de la
Gens d'armes durant l'hyver, to keep the souldiers in
 or to maintain them in their quarters all the Winter,
 and to be exempt from the trouble of lodging them in
 their houses, *la solde de 50 mille hommes*, a Tax for the
 wages of fifty thousand men first laid upon the Cities
 and Walled Towns by King *Francis the first*, for that
 they could hinder their passage thorough their Towns,
 or coming into them and after upon the Country, to be
 paid without exemption of persons or allowance of
 privilege with an addition of charge added thereunto
 by an Ordinance of that King for the maintenance of
 the seven Legions of Foot consisting of six thousand
 men a peece for the safeguard of the Kingdom, the
 tenths of all the Benefices and Dignities, Ecclesiasticks
 and Commonalties erected into Benefices, which
 have a Revenue in perpetual succession, *les deniers Com-*
muns, or monies imposed upon Cities and Towns for
 the repair, fortification or defence of them, or of any
 Castles or Forts, to which all are to contribute with-
 out exemption, the rights and payments due out of
 very many Bishopricks, and Archbishopricks for
Quints and *Requints*, *Rachapts*, *Censives*, *Lots*, *Ventes*,
Saisines, *Amandes*, *Fustices*, *Greffes*, *Auvoines* & *con-*
fiscations, the *Estappes* or *Annona militares*, free quar-
 terings or Provisions for the Armies or souldiers in
 their March, or encampings, contributions in times of
 peace, *pour le Ban & arriere Ban*, upon Fiefs and Ten-
 ures, *levees de Chevaux & Charriots*, a leavy upon Carts
 and Carriages, & *le Traicte & Imposition forraigne*, be-
 ing a twentieth penny, & extending to all commodities
 that are carried by Land out of the Kingdom into other
 King.

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Kingdoms and Territories, as out of France into Catalonia, Spain, Lorraine, Savoy, Flanders and Italy, makes as much as an Excise upon Corn, Wine, Oyle, Flesh, Fish, Poultry, Herbs, Fruits, and all sorts of Victuals and Provisions for the Belly and the Back.

Gerard du
Haillan de l'
estat. des af-
faires de
France.

All which before mentioned Taxes and Impositions being become as the *Sieur Girard du Haillan* saith, who wrote in the later end of the Raign of their King *Henry* the fourth, Patrimonial and Hereditary, or as *Droits du Domaine*, without any distinction betwixt the times of war or peace; and leaved as the ordinary Revenues of the Crown of France have been by the Artifice of *Lewis* the 11. and other his successors, more then doubled or trebled, by other *Tailles*, Taxes, and Impositions which are laid upon extraordinary occasions by the Kings Ordonnances or Letters Patents, *quand bon lui semble*, at his own will and pleasure, and so much as the *Sieur de Haillan*, complains that *ils ne se sont contentez des dites Tailles mais peu a peu ont mis sur le dos du pauvre peuple les autres impositions & depuis on a mis Taille sur Taille, & imposition sur imposition dont la France se est esmeie contre ses Roys & ils en ont cuide perdre la France*, they were not content with those (ordinary) Taxes, but by little and little have put upon the backs of the poor people, Tax upon Tax, and Imposition upon imposition, which caused a sedition and rebellion amongst the people which had almost lost or destroyed all France; and in stead of diminishing are more and more increased, though their good King *St. Lewis*, who raigned in *Anno Domini*, one thousand two hundred and thirty, did upon his death bed in the

words

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words of a dying man (as *Bodin* saith) inserted into his last Will & Testament, exhort his son *Philip* to be *legum & morum sui Imperii Custos & vindex acerrimus ac ut* *Bodin de Re-vestigalibus & tributis abstinere nisi summa necessitas pub. l. 6. ac utilitatis publica justissima causa impellat*, to be a Guardian and severe observer of the Laws and customs of his Kingdom, and abstain from Taxes and Impositions, unless there should be a great necessity, or it should appear to be for the good of the people, and that afterwards *Philip de Valois* did in an Assembly of the three Estates in *Anno* one thousand three hundred thirty eight, Enact and decree *ne ullum Tributi aut vectigalis genus nisi consentientibus ordinibus imperaretur*, that no kinde of Tallage or Tax should be leaved without the consent of the three Estates.

So very many have been day after day added, as there is not to be wanted a Tax or Imposition for *Pins* for the Queen, and for *Clouts* against her time of Childbed, with Daces or Tributes, Peages, Impositions upon the going out and in of Towns and other places, Taxes for passage, upon the high ways, *Emprunts generaux & particuliers*, borrowing of money in general or particular (*ad nunquam Solvenda*, never to be paid again) *vente & confirmation des offices*, sale of Offices and places of Justice and Judicature (which their ancient and fundamental Laws and customs do forbid) and being cut into small parts and multiplied do make up a very great Total or number, and by a common and publike Merchandise of them, have increased those great corruptions, delays and *intrigues* of Justice by appeals and otherwise, which our learned *Fortescue*, Chancellor to our King *Henry* the sixth, observed

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Bodin lib. 6.
de Repub.

served in the time of his Exile, was no small grievance of the people, and made that *litium fertilitas*, abundance of suits and controversies, which their own Learned Bodin doth ingeniously acknowledge to be so very many, as *vix in omnibus Europa Regionibus & imperiis tot lites sint quam in hoc uno Imperio*, there are not so many suits in Law almost in all the Counties and Kingdoms of Europe put all together as they were (in his time) in that one Kingdome of France, which besides the *Ortroys* or *aydes* granted by the three Estates and universal consent of the people upon publike and great emergencies and occasions, are with many Arbitrary Taxes and Assesments, as the King or the necessities of War or State shall require, much the more burdensome to the Peasants *Bourgeois* and Artizans, or a third or lower estate of the people, for that all the Clergy so long as they live *Clericalem*, without taking of Farms or dealing in Lay matters, which with their Tenants and dependencies have been in the Reign of King Henry the fourth, reckoned to be an hideous number, are to be exempt from the *Tailles* or Arbitrary Taxes, as likewise all the Nobility and Gentry, which are many and very numerous, both in the greater and lesser sort of them, and that most men of any Estate both of the *long Robe*, or Lawyers, or soldiers, or other lower ranks do by purchase procure themselves to be of the *nobles* or Gentry, for that they are thereby to be freed from arbitrary Tallages, in so much as some thousands have been at once enfranchised, made Gentlemen and inrolled into that condition or quality for such lands as they hold in their hands, there being amongst those which are exempted also reckoned the

Domesticks

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Domesticks of the King and Queens, the house and Crown of France, and their sons, daughters, brothers and sisters; they do not Traffick or negotiate further then with the increase of their own Lands and Revenues.

With such also as are exempt by particular Mandates, and Ordinances of the King, as amongst the soldiers and Life Guards, the Captains, Lieutenants, Cornets, Guidons, Quartermasters, men at Arms, Archers, Fourriers and other Officers of Companies, Provofts of the Marshals, and their Lieutenants, Paymasters of the Companies, Commissaries and Comptrollers at war, *Contrerolleur* general, and other Officers of the Artillery, *Mort* or dead pays, *Mint Masters*, and such as do work in the Mint, the Kings Secretaries, the Rectors or Governors of Universities, Heads of Colleges, Notaries, Bedels, Scholars, or such as are actually Students, Physicians, Presidents, Councillors, Advocates, Proctors, Greffiers or Officers of Courts of Justice, Ushers of Courts, Sovereign and other Officers, also all Officers in inferior Courts which are as many almost as there are Villages, Stewardships, Bayliages, or petit jurisdictions) as the Lieutenants Criminal and Civil, general or particular, their Councillors, Greffiers, and other Officers, and the chief Magistrates of *Tholouse* during the year of their Magistracy.

And are so much the more a burden and grievous to the common people by the partiality of the *Elections*, or those in every Province which are the Tax Masters & by the exactions of the *Collectors* & particular receivers, *Controlleurs generaux* Receivers, *generaux Tresoriers de l'*

Ooo

Espagne

Hist. de la
Mort. de
Henry. 4.

Espargne Commis, inspectors of the Revenue and *Clercs des Finances*, which their great Henry or Henry the fourth did so well understand to be a torment and a trouble to the people, as he said that *On fait payer double Taille l' une est a moy & l' autre aux officers la seconde rend la premiere insupportable car les despens que font les officers montent plus que la Taille*, my people do pay double Taxes or Tallages, by paying as much to the Officers as to me, which do make the Taxes insupportable for the charge of the Officers do exceed that of the Tax.

Insomuch as the *Paisants*, *Artizans* and common people of *France*, may bewail the loss of the virtues of the old *Gaules* and *Franks*, their Ancestors and predecessors, that the Parliament of *Paris*, once the guide of that Nation, and representing the *three Estates* of that Kingdom, is now become but an extraordinary Court of Justice to verifie the Kings commands and Edicts with a *Cartel est nostre plaisir*, for so is our will & pleasure, & lament the change of their Government and ancient constitutions, and the wasting and dismembring of the ancient *Domaine* and Revenue of the Crown of *France*, which notwithstanding it be a part of the Oath of the Kings of *France* at their Coronations not to alien any of that *sacrum Patrimonium*, or perpetual maintenance intended for the Crown, and the returns of those many great *Appennages* and childrens Estates created out of them by the Escheat or coming back of *Normandy*, *Britain*, and other great Provinces, and many Revnions, Rachapts and Retraicts is now *de cursu temporis*, by a long course of time and necessities of State or Royal munificences languished

guished and brought into the small compass of twenty thousand pounds *per annum sterling*, the Forests and Chafes not included, so as that Crown and the Important affairs thereof are now onely upheld and supported by Taxes and a grand and yearly Revenue raised out of them to help to maintain souldiers and Armies, the Tax making a more then ordinary necessity of Armies, and their pay and maintenance, a necessity of multitudes of Taxes imposed upon the people.

Who may now believe that they are under a harder fate then the common people of the old *Gaules* were, whom *Julius Caesar*, now above seventeen hundred years ago found to be under so much vassalage and contempt, as he saith, *apud Gallos nihil fere plebe contemptius*, amongst the *Gaules* nothing is more contemptible then the common people, by how much it is now increased, and made more then it was then, by their Taxes and poverty, affording them little more comfort then to be sometimes able to purchase some of our *English* old Shoos transported thither as a Merchandize, and some of our old Cloths, *Carbonadoed*, and trimmed up or revived *a la mode de France*.

Caesars Comment. lib. 6.

Doth not use his subjects as those of *Lorraine*, who besides their many Taxes as near of kin as they are in neighborhood to many of those in *France*, do pay a certain Tax for the pains of Glasse in their Windows.

Lorraine.
Sir John Davies Treatise of Impositions

Nor as those of *Ferrara*, now a Territory of the Church of *Rome*, where besides the defraying of their former Dukes charges in the expences of his house and family (which was wont to be nobly kept, with a stable of four hundred horses) or disbursed upon his own

Ferrara.

Philip Honorius Tbesaur. Politic.

person, or for gifts, or Pensions or maintenance of Garrisons, and the great profit which is made yeerly by Fish taken in the Lake of *Comachio*, the people do pay a tenth of the true value of all things exported and imported, and as much out of every Contract, Lease, Gift, or Alienation, and endure the gnawings and bitings of the Officers and Tax Masters, which are to them as unwelcome as the Lice and Frogs, some of the Plagues of *Egypt*, every time that they come amongst them.

Venice.

Nor as the State and Republike of *Venice* that Lottery of liberty, where the people (besides their Taxes upon publike necessities, as when in the wars against the Emperor *Maximilian*, all but the poorest fort paid a moyety of their Rents) being not excused by the yearly Taxes, payments, or Aydes of 140000 Aurei or fifteen shillings sterling, out of *Padua* 36000 *Vincenza* ninety thousand, *Verona* 1000450. *Bergamo* six thousand, *Friuli* thirty thousand, *Dalmatia* ten thousand, besides what they have yeerly out of *Zant*, *Candy*, and *Corcyra*, do pay a great Excise or Imposition upon Oyl, Wine, Corn, Iron, Fruit, Wood, Bakehouses, Mills, and all Commodities, exported and imported, and do with their burdens on their backs, but draw blancks instead of real immunities and liberties, admire and talk of the inestimable Treasury and *Arsenall* of that City which sitteth as a Lady upon many waters, and please themselves with the glimmering and far distant hopes that they or some of their posterities may one time or another by the chance of the *Balloting Box*, come to be a *Senator* or *Clarissimo*, or obtain some gainful Magistracy, or the *Procuratorship* of *St. Mark*.

Philip Honorius Tbesaur. Politic.

Mark, and are notwithstanding so little pleased with their Taxes and Tax masters, when they do better think of it as their Masters the *Doge* and Signory, dare not at home Trust any of their Natives with any commands or generalship in their hired Armies, but do rather adventure the success and conduct of the wars in the hands of Foraigners and other Nations.

Doth not do as the King of *Sweden*, who (besides his Aydes from the people for publike occasions, which by an eternal Law of Nature and Nations and self preservation, are never denyed to Kings or Princes, takes in that Elective Kingdom a tenth of all Mines, Fruit, Barley, Butter, Fish, Oxen and Hides, with a Tax upon Furs as the cold increaseth or decreaseth, the Nobility and their Tenants contributing nothing but in case of war to any publike Taxes or Assesments, when they bear a Moyety, hath for the most part the Furs of *Lapland* brought unto him yeerly for the use of himself and such of his Court as he shall please to bestow them, giving the Merchants or such as bring them some smal retributions, and rewardeth many of his Nobility, and sometimes strangers with the vassalage of diverse of the Boors and Husbandmen of the Nation, who having few or no liberties of their own can make themselves gainers by invading *Germany*, and pretending to fight for the liberties of other men.

Sweden.

Doth not do as the *Dutch* United Provinces, and their *hogen Mogten* or Corporation of Kings, are pleased to do, who besides their *Schoorsteen gelt* or Chimney money yeerly paid, and other monies raised upon extraordinary necessities, do yeerly exact and leavy *De stree hondertste penning*, two hun-

Holland and the United Provinces.

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Philip Casius
a Zesen in
Leone Belgic.

hundreth penny, and the thousandth penny of every mans estate towards the charges of the wars, and as ordinary payments and Assesments, *qua semel recepta*, as some of their own do acknowledge *semper exiguntur*, once crept into a custom are always leavyed *de imposten van de huizen*, which is an *eighth* penny paid out of the Rent of every house, and a *Gulder*, or our two shillings for every man or Maid-servant, which the Master or Mistris is bound yearly to pay, and as much for every Waggon or Boat, the Ships or greater Vessels having a rate imposed upon them according to the *Tun six gulderen*, or twelve shillings *sterling per annum* upon every Coach, almost a *sixth penny* of the Rent of Lands *per annum* as the Magistrate shall estimate it, *four Stivers* and a half, almost our five pence for every Acre of Land sowed with Corn or other things for every moneth from the time of the sowing of it, untill the Reaping or Harvest thereof, the *fortieth penny*, and in *Amsterdam* the *eightieth penny* as well as the fortieth of all Houses, Lands or Ships sold which as to the houses is so often as the State is believed to get in a few years the full price or value thereof, *Den impost van dese gelde brieven*, which is upon every paper wherein any Contract, last Will and Testament, Petition or Act in any Court or Assembly, or before any Magistrate, shall be written to be of any force or validity, and to be sealed in the Margin of every leaf of Paper with a small seal, *two stivers* or two pence half penny, and with a greater seal if it be of more concernment *four stivers* or five pence, the *Impost van ongeson cerde protesten*, for a Fine paid for not making good an Action or Suite for every *fifty Guilders*,

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Guilders, or five pounds sued for, *thirty stivers* or three shillings *English*, *hout gelt* a certain quantity of salt sold by the Magistrates at a certain rate or price to every Family or Town, Excise upon Beer, *French*, *Spanish*, *Rhenish*, and *Brandewine*, Oyls, Vinager, Butter, Corn, ground at the Mill, Pease, Fatches, Barly, Oats, Pease dryed or undryed in the Oven, Apples, Pears, Nuts, Grapes, Herring, Salt, Fish, Candles either Wax or Tallow, Turfs, *English* or *Scottish*, Coles, Tobacco, Sope, Pitch, Lead, Brick, Cloth, Silk and Cloth of Gold, *Convoy Gelden* Convoy money for guarding Ships at Sea, and *haven gelden* for money to maintain and repair their Ports and Havens, a *seventh penny* of the price of all Beasts or Cattel sold, *three stivers* for every moneth for every young Beast of three years old or above, and two for Horses, the *ninth penny* of the price of Sturgeons and Salmons, the *eighth* of the price of Wood, and the *ninth* of Tapestry, Hangings, and guilt leather, their *licenten* or money to be paid for Passes, or Licence to carry Merchandize into the enemies Country or Quarters, for every Hog or Pig killed *three stivers* and a half for every *gulder* of the value, *cum multis aliis*, with many other Taxes and Assesments not here recited, the most of which notwithstanding seven or eight years perfect and compleat peace with their potent and long provoked enemy the *Spaniard* in more then *threescore* years warres, Masses of money expended on both sides can be yet kept on foot and continued upon the pretences of paying of debts incurred, or to provide and furnish a Treasury against future contingencies, or to keep the government in the

the hands of the hougher moether, high and mighty Lords the States, who have tasted the sweetness of governing their fellow subjects, by laying out of the peoples money and imposing Taxes to maintain that frame of a Commonwealth; which *possimo exemplo*, hath so much troubled Christendom, and cost them more blood and money then would have subdued the Turk, and sent him from his Ottoman Porte to abide the Resurrection of his Mahomet or worthless Progenitor at Mecca, and they that thought themselves undone and ruined in the beginning of the Duke of Alvas government, if they should pay a tenth for all that was bought or sold and made that to be one of their causes to shake off their obedience, and ingage in a war against their lawful Prince, could since endure more then ten times greater Taxes and Impositions, and can now be content to pay excessive rates and prices for all things that they do buy or use, and greater Taxes and Tributes then any the most absolute King or Prince would adventure to impose upon his subjects, *Et hac omnia teste Grotio tempus & majora & ferendi assuetudine molliora fecit*, which as the learned Grotius saith, time and a custome of bearing such burdens have made more easie, and their Magistrates cunningly observing the disposition of that people, *questus inhiantem ac magis pecuniae quam gloriae ac honoris*, to be more greedy of gain and money then of honor or glory, for so *Meteranus* and *Strada* describes their nature and conditions, have put them on and encouraged them to a liberty of gain and enriching themselves as well as their Commonwealth and made that to be as the sugar to sweeten the bitterness of their Taxes. *Quae hic multo graviora*

Philippus Casus a Zesen in Leone Belgico & Grotius in Epist.

Strada Decad. 1.

Graviora ac in aliis sic dictis non liberis Regionibus, which are there greater then in our Countries, which are said to be not so free, *Et ex hac Regionibus semper tuis eorum Magistratus liberum absolutumque exercent Imperium Imo liberius & absolutius quam multis est Regibus in sibi subjectis, populus autem eodem respectu multo subjectos servilioris & additioris est conditionis quam illae aliae in Europa gentes*, and by this means those Provinces and Cities, or rather their Governors, or Magistrates do exercise a full and absolute Dominion over them, yea a greater and more absolute then many Kings do over their subjects, and the people are thereby made to be under a greater vassalage, and in a more servile and slavish condition then any other Nation in Europe, and it is therefore more then a surmise that *lucri faciendi effrenata licentia*, an unbounded licence in the Magistrate to Tax the people, and a licence to the people in stead of a liberty to Trade and cozen one another, makes them so patient to undergo those *vestigalia ac Collationes aliaque servilia onera*, Taxes, payments and servil burdens, which otherwise they would be unwilling to endure, *etiam si sunt vitia, sunt tamen necessaria*. All or most of which being continued and lying heavy upon them, upon pretences of debts incurred for the publike to be paid, or otherwise have made such a dearth of all household provisions, as that notwithstanding that their huge Granaries at Amsterdam are always stored with abundance of Corn to transport and sell to all other Nations and Kingdoms where they finde any scarcity or want of it, a family of ten persons, more then one half whereof have been young children, have this last Winter amongst other Victuals, as Flesh,

Philippus Casus a Zesen in Leone Belgico, Sect. 6. 130, 131.

Ppp

Fish,

Fish, Roots, &c. been enforced to spend *v. 7 s. sterling* in a week in ordinary and common bread, and twelve shillings *sterling* within the same Circle of time for Turfe or Firing, and the generality of the Nation, are sinking so fast into a poverty, as by an exact account taken thereof, there have been this last year more then in any of the former years above *eighty thousand Pawns* brought into the publike Lumbard at *Amsterdam*; and may teach them and all the world at last how great the difference will be betwixt a natural and hereditary Prince, governing by the known Laws of a Nation, and with less charges, and that which is onely upheld by the power of money and Taxes to make and preserve an interest for those who are the only gainers by it.

Did not in any of his necessities as some of his predecessors Kings of *England* have done in theirs both before and since the Conquest, continue and take the Tax of *Dane gelt* (laid to expel that Nation out of *England*) after they were quieted and returned home, nor as many of the *English* Lords of divers Mannors have done, and do to this day require and take of their Tenants, *Peter pence*, or *Chimney money*, amounting in some Mannors to considerable summes, though it was long since abolished by Act of Parliament, and was not to be taken in that kind, or for that purpose, nor doth by wars or impositions impoverish his people as some of his neighbors have done or made them to complain as the common people of *Normandy* did not long ago, that they were *une vrage Anatomy de corps humain auquel ne reste plus que les os le Peau & encore foulez*, like an Anatomy of a mans body which had nothing but bones and skin left upon it, and that also

De secret des Finances de France.

also foul enough, but hath made them in the generality richer then himself, and more abounding in plenty and riches then any Nation of Christendom.

And being the son and heir of the Crowns and Kingdoms as well as afflictions of his Royal Father King *Charles the Martyr*, who in the *Habsion*, and peaceable days of the former part of his Reign did so much abhor the mode or manner of an Arbitrary Government, as he did imprison in the Tower of *London* that Monarch of Letters and Learning, the great *Selden*, together with Mr. *Oliver St. John*, for but having in their custody or divulging a Manuscript or discourse written by Sir *Robert Dudley* a titular Duke of *Tuscany*, and an *English* Fugitive of the way and means how to make the King a great Revenue according to the manner of Gabels or Taxes in *Italy*, borrowed by Mr. *St. John* out of Sr. *Robert Cottons* famous library (where it had otherwise slept) and caused his Attorney General to exhibit a Bill in the Star Chamber against the now Earl of *Clare*, the said Mr. *Selden* and Mr. *St. John* for the publishing of it, though but in Manuscript, and was so far from any action, desire, or intention of a Tyrant, as when he might like the *Dairo* or Emperor of *Japan*, have wallowed in riches and pleasures, and as a *Minotaur* have fed upon the liberties of the people if he would have but delivered up the Church of *England* and his subjects, and their after generations as slaves to the Arbitrary will & Government of a Rebellious part of the people calling themselves a Parliament, he did on the contrary not only most constantly endure all the miseries, dangers, & ignominies, which they could cast upon him but rather then he would betray or give up their

Religion, Laws, or liberties, laid down his life as a sacrifice to preserve them, and having before his death established our excellent Laws of *Magna Charta*, and made them stronger and more binding then ever they were before, by confirming them and other their liberties and customs under the name and notion of their *petition of Right*, and at the signing or ratification thereof, used a saying or sentence deserving to be written in Letters of Gold, which he called his Maxime, and declared to be his own, *That the peoples liberty strengthens the Kings prerogative, and that the Kings prerogative is to defend the peoples liberty*, did not for all those unparalleled sufferings and great Misusage of his Father and himself take any advantage of those that forfeited their interest in those excellent laws and liberties, but pardoning all their transgressions, restored them to all that they could but so much as pretend unto.

Vide Petition of Right, and the Kings answer thereunto in Anno 3 Car. primi.

And notwithstanding that he and his Royal predecessors had *quamplurimis donis & largitionibus*, by their very many favors and bounties to such as deserved well of the Commonwealth, and had been instrumental in the preservation, or promoting the good of it, given away the most part of the Crown Lands, and many of their Regalities doth not make an *Aerarium*, or Treasury of money for himself, or his own particular use out of his own revenues, separate from that of the publike, as *Lewis the 12. of France* did, but doth with that very small part of his Lands which remaineth, and his legal and undenyable rights and prerogatives without any Taxes or Impositions laid upon the people, other then what is assented unto by themselves, and their representatives in Parliament, bear and support the burden, and

continual charges of the Government and Affairs thereof.

Which should rouze and stir up the hearts and affections of his people of *England*, and perswade them who have now, and had before the Taxes raised to improve *Rebellion*, fewer Taxes and impositions laid upon them, then any Nation within the walk or perambulation of the Sun, and are the freest and do enjoy more liberties, immunities and privileges then any people of the world, not to deny or withhold from him, any of his just Regalities rights and preheminences, but think it to be more necessary for their good and well-being to permit him to enjoy his *Præ-emption* and *Pourveyance*, or *Compositions* for them, then that which many of our *Acts of Parliament* have done to enjoyn the repairs of *Havens and Peers* (as was in the last Session of Parliament for the *Peer of Dover*) or of *Sea-walls*, and to raise money by a Tax for the doing of it, or to repair and continue antient houses, and as necessary as for *Seamen* to pay a certain rate for *lights or fires* upon the *Sea Coasts* to prevent *Shipwracks*.

And not suffer our selves to be out done by the *Heathen*, and those that knew not the living God, nor called upon his name, and the *Persians* who adoring the Sun in stead of God the maker thereof, could in their Kings progress *munera offerre neque vilia vel exilia neque nimis pretiosa & magnifica*, bring him presents, neither precious nor contemptible from which *etiam Agricola & opifices*, Workmen and Plowmen, were not freed from bringing Wine, Oxen and Sheep and some other sorts of Provisions, as Cheese, Fruits,

Fruits, &c. And the first fruits of what the earth brough
 forth, *qua non Tributi sed doni loco censentur*, which
 were not received or given as Tributes but as Oblati-
 ons and free gifts, which custom, kindness, and duty
 from the people to their Prince, being so innate and
 usual, made the poor *Synetas*, when unexpectedly he
 met with *Astaxerxes* and his Train, rather then fail of
 something to offer, of which he was then altogether
 unprovided to hasten to the River and bring as much
 water as he could in the palm of both his hands, *hilari-
 tatoque vultu faustis vocis bonisque verbis quantum potuit
 ornare*, and with a cheerful countenance wishes
 and prayers for the health of the King, present it
 unto him.

*Ælianus
 Hist. variar.
 lib. 1.*

*Brissorius de
 regno Persia
 lib. 1.*

*Suetonius in
 Augusto Cas-
 siodorus lib. 6
 Epist. 7. &
 Rosinus de
 Antiquitat.
 Roman. 54.*

Or by the *Romans*, who amongst thirty thousand
 false Gods, not being able to finde the light and know-
 ledge of the true God, did not gudge the charge of costly
 sacrifices, *ad aras & in Aedibus honoris & virtutis*, in
 the Temples of honor and virtue, could yeerly throw
 money into the deep Lake or Gulfe of *Curtius* in *Rome*,
pro voto & salute Imperatoris, as offerings for the health
 and happines of their Emperors, and all the City and
 Senate, *Calendis Januarii velut publico suo parenti Im-
 peratori strenus largiebant*, give new years gifts to the
 Emperor as their publike parent, and bring them into
 the Capitol though the Emperor was absent, and make
 their *Pensitationes* or Compositions for Pourveyance
 for their Emperors to be a *Canon* or rule unalter-
 able.

*Bullinger de
 Veftigalibus
 populi Roman*

Cause the monies imposed by the Pro-consuls and
 Prætors by the direction of the *Comes Prætorii*, to be
 brought into the *Arcum sacrarum largitionum*, Treasury
 for

for moneys for the Emperors bounties or expences, and
 could at the same time, notwithstanding a plenty of
 Taxes, and the *panem Gregalem*, pittiful course bread al-
 lowed to the common people, and Twenty thousand
 Talents, which make 60. Millions of *German* money
 yeerly imposed and gathered out of the Provinces, as the
 Learned *Lipsius* hath made up the account, willingly pay
 their *frumentum honorarium*, Pourveyance or provisions
 of Corn to the Pro-consuls and Prætors towards the
 maintenance of their families.

*Lipsius lib. 2.
 ca. 1. de mag-
 nitud. Impir.
 Roman.*

Or by our long ago old and worthy Ancestors, the
 stout hearted *German*s, who as *Tacitus* saith, did *sua spon-
 te & ex more viritum conferre principibus Armenta vel
 fruges quæ pro honore accepta necessitatibus subvenirent*,
 man by man of their own accord did customarily bring
 or send to their Princes Heards of Cattle, and some of
 the fruits of the earth, as presents and oblations, which
 being taken for an honor done unto them, did like-
 wise much conduce to the defraying of their charges or
 necessities.

*Tacitus de
 moribus Ger-
 manorum.*

Or by the *Shunamitish* woman, who could in honor
 and respect to *Elisha* the Prophet, not onely constrain
 him to eat bread, but advise her husband to make a lit-
 tle Chamber in the Wall, and set for him there a bed and a
 Table, and a stool, and a Candlestick, to the end that
 when he passed that way he might turn in thither, or by
 the *Jews*, who being hard hearted, stubborn and stiffe-
 necked enough, did in their unexpected return from cap-
 tivity, under the conduct of *Nehemiah*, when they were
 so compassed about with dangers and enemies, as they
 that wrought in rebuilding *Jerusalem*, and they which
 did build on the wall, and they that bare burdens with those
 that

2 Reg. cap. 4.

Nehem. 4. 17.

that laded, every one with one of their hands wrought in the work, and with the other held a weapon, and wanted not the company of fears and poverty to attend them, think it notwithstanding to be a part of their own preservation, to allow their Governor a fit and honourable daily Pourveyance or provisions for his family and household.

1 Sam. 25

Or by the Witch of Endor who made haste to kill her fat Calfe, took flower and kneaded it, baked unleavened bread, and caused Saul and his servants to eat.

Or the Egyptians who in their now Hochpot or Gallimansry of the Turkish, Jewish, and Christian Religions, can with great costs and charges, publike Feastings and Triumphs, yeerly welcome into their Country their Fertilizing Nile.

Besoldus de Erario pub.

Or the modern Germans who do yeerly, besides their many other publike Taxes and Assesments, pay to the Emperor a fewer schof; schukung, being an extraordinary Tribute in subsidium & laborum & pro regimine generali, towards the defraying of the charges of the Government, and his expences and care therein.

Bodin lib. 6. de Repub.

Or the Rhodians who took so much care of the honor of their City or little Commonwealth, as upon the fall by an Earthquake, of their Colossus or huge and immense pillar or image of seventy cubits high devoted to the Sun, spoiled many of their Ships in the Harbor, and wanting money themselves, sent their Embassador to the Senate of Rome, and to divers Kings and Princes (who contributed largely) to intreat some money and aid to help to set it up again.

Or

Or by the Dutch who notwithstanding the great yearly stipends and allowance made to their high deserv- In memoria- li stipendio- rum sive ho- norariorum qua principes Auriaci per- ceperunt ab ordinibus, &c.

Or the Spaniards who could in the Raigh of the Emperor Charles the fifth, about the year one thousand five hundred and twenty, make it the request of the Parliament or Junta of the Kingdoms of Castile and Leon, that his Grandmother Queen Isabells Royal house might be put into such order and estate as might become her Royal person and the honor of these Kingdoms, that her house be provided of all things besitting her dignity and consent, that in his Majesties progress lodging and linnen should be allowed gratis for those of his household and Court, so that he exceed not the term of six days, which expired they should pay for their lodging according to the ordinary rate and custome; likewise that the soldiers of his guard should have free Quarter after the usual manner, and that for the lodging of seventy of his Officers, the Cities, Towns and Villages should contribute without exemption by an Assesment to be made for that purpose.

Hist. of Spain

Gages Survey of the West Indies.

Or by the West Indians in Guaxara, who by order of the high Justice, do deliver unto Fryers travelling that way, if they have no money, Horses to ride on, or to carry their carriages or provision without money so that at their departure they write it down in the Town book what they had spent, and not abide above

Q 99

four

four and twenty hours in the Town, where by a contribution their expences are defrayed.

Spelmans
glossar in vo-
cibus Corba
& Herena-
chii.

Or by the old Irish, one of which being a Tenant of Termonland or Land belonging to the Church, and unwilling to change his old customes for new, said to the Bishop of Dermot, of whom he held his Lands, *non debet dominus mutare censum antiquum sed si careat rebus necessariis vaccis pinguibus, &c. debet ad nos mittere, Et nos debemus subministrare nam quacunque nos habemus Domini sunt & nos etiam ipsi illius sumus*: My Lord ought not to change his ancient Customes, Rents or services due out of the Land, but if he wanteth necessary provisions for his house and family, as fat Cows, &c. we ought to furnish them, for whatsoever we have are his, and we our selves are the Lords.

Vide Act of
Parliament
and Declara-
tion.

Or by the modern Irish or inhabitants of Ireland, who notwithstanding the Pourveyance or Compositions for Pourveyance and Præ-emption, allowed to the Kings Lord Lieutenant of that kingdom, could since the abolition of that most useful & necessary custome in England, offer (if Fame did not mistake her self) an yearly supply of 3000. Irish Oxen or Cattel towards the support of the King and his Family, and have besides in their Act of Parliament lately made for the execution of his Majesties Declaration for the settlement of that kingdom, consented, That the Lord Chief Justice of his Majesties Court of Kings Bench, the Lord Chief Baron of his Majesties Court of Exchequer, and the Master of the Rolles, or any other his Majesties Officers of that Kingdom for the time being, shall and may have and receive such Part of the Rectories, Improvements, or Appropriate Tythes,

Tythes forfeited unto or vested in his Majesty, his heirs and successors, which have been formerly paid or reserved.

Or by the Scots, a people never as yet exceeding, or so much as keeping even pace with their neighbors of England in civilities, kindness, and gratuities, who when their King Malcolme, who raigned in Scotland in Anno Dom. 1004. had given and distributed all the Lands of the Realm of Scotland amongst his men, and reserved na thing, as the Act of Parliament of 22 Jac. 3. beareth in property to himself, but the Royal dignity, and the Mute hill in the Town of Scone, could give and grant to him the ward and relief of the heir of ilke Baron, quhan he sold happen to deceis for the Kings sustentation.

And did notwithstanding so well esteem and allow of those ancient rights of Pourveyance or Compositions for them, as in the Raign of their King James the 4. in the year of our Lord 1489. The Lords spiritual and temporal, and others his Leiges did declare in Parliament that it was the Kings property for the honorable sustentation of his house according to his Estait and honor, quhilk may not be failized without great derogation of his noble Estait, King James and that his true lieges suld above all singular and particular profit desire to prefer the noble Estait of his Excellence, like as it was done in the time of his maist noble progenitors of gud minde; And did therefore think it needful expedient and reasonable; And did statute and ordain that full derogation cassation and annullation be maid of all Gifts, Donations, Infeftments, Fewes, life Rents given by his Hieness to quhat sumever person or persons, sen the day of his Coronation, swa that all Lands,

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Rents, Customs, Burrow, Mailles, Fermes, Martes, Mutation, Poultry, avarage, carriage and other Dewties that were in the hands of his Progenitors, and Father, the day of his decease notwithstanding what summeier assignation or gift be maid thereupon under the Great Seal, Privy Seal or others be all utterly cassed and annulled, so that the hault profits and Rents thereof, may cum to the King to the honorable sustentation of his house and noble Estaitte.

Or so much degenerate from the Brittaines our Ancestors and predecessors, who were heretofore so glad of any occasions to express their love and honor of their Princes as when they made their progress, or had any occasion to visit any of their houses, they flung the doors off the Hinges, and gavethem open hearted, and free entertainment.

Nor deny those respects and duties to our Kings, which no other Nations do, refuse to their Kings or Princes, which may make us to be an hissing and reproach to other Nations, and by using our head so ill to be esteemed as the *Acephalos* people without an head, or the *Sciopedes*, who are reported to have such large feet as they can when they please cover their head with it, and never let it be said, that when a factious and rebellious part of our people could in the year 1656. suppose it to be their Interest to exchange with Cromwell their *Antichrist* or *Mahomet*, their Religion, Laws and liberties for his Tyrannical and Arbitrary will and pleasure, and petition him in their Conventicle or pretended Assembly of Parliament that he would besides the remainder of the Kings, Queens, and Princes Revenues, not disposed of (except Forrefts and Chaces, and the Mannors thereunto belonging) and

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and of all the Lands of Delinquents in the Counties of Dublin, Kildare, Clare and Katerlaugh, the forfeited Lands in Scotland which were great and considerable, two parts of the Recusants Lands in England not compounded for, and all Debts, Fines, Penalties, Issues and casual profits belonging to the Keepers of the liberties of England, so miscalled, which was by them and their fellow Usurpers settled upon him, and was of it self a Revenue too great for all the Brewers of England, to accept of ten hundred thousand pounds sterling per annum to be leavyed upon the people with such other supplies as should be needful to be raised from time to time by consent of that which they Nick named a Parliament, and three hundred thousand pounds per annum to be raised for the charge of the Administration of Justice, and support of Government, which he thinking not enough to serve his wicked occasions, designs, or desires to slay or keep in exile the heir of the Kingdoms, tells his dutiful Parliament at a *Vide his conference in April 1657.* that the charge of the Government, would yearly amount unto *ninteen hundred conference in thousand pounds sterling;* and therefore though the *April, 1657.* war with Spain should cease, desired that the *thirteen hundred thousand pounds per annum,* might have *six hundred thousand pounds per annum* more added thereunto; and that that could be willingly assented unto, and all the Loyal party enforced and driven to submit to those and as many more burdens and payments as should be necessary to keep them & their posterities in a perpetual slavery, we should when the Kings Revenue real and casual much enlarged since his happy Restoration, and yet appearing not to be enough to go thorow with

with his important and necessary occasions, and to amount but to *nine hundred and fifty thousand pounds per annum* (his Revenue in lands being also included) take it to be consistent with the duty of subjects to put *in dolo perforato*, a vessel that leaks more then ordinary, or wants a bottom, the remembrance of all the benefits and favors of our King and Sovereign.

Who hears no body say or do as that great Commander, and as much a Gentleman *Monsieur de la Noüe* did to his Grandfather the great *Henry of France*, who finding himself much obliged unto him, when he was King of *Navarre* and full of troubles, for raising and bringing to his assistance one hundred horse well furnished at his own charges, and unfurnished with money to recompence him, sent a grant by Letters Patents unto him and his heirs of certain Crown lands lying neer unto his estate, which the virtuous and generous *la Noüe* not thinking fit to receive, brought back again to the King with these words, *Sire. ce n'est beaucoup d'honneur & de contentment de recevoir ces témoignages de la bonne volonté de votre Majesté & je ne les refuserois pas si vos affaires estoient en estat de faire telles liberalités Quand je vous verray Sire au dessus vos Ennemis & possédant des biens proportionnées a la grandeur de vostre courage & de vostre naissance je receuroy de bon Cœur vous gratifications, pour cette heure si vous vouliez recompencer de ceste facon tous ceux qui vous serviront, vostre Majesté seroit incontinent ruinée.* Sir, These testimonies of your Majesties good will towards me, and the honor which you have done me therein, do very much content me, and I would not refuse them, if your Majesties affairs and estate were in a condition to afford

Moyses Amiraunt en la vie de la Noüe.

afford such bounties, and when I shall see your Majesty to have overcome your enemies and possessing, an estate becoming your grandeur and birth, I shall be very willing to accept of your gratifications, in the meantime if you shall go on in a way of recompencing in this manner all those which shall serve you, your Majesty will be suddainly ruined, and by no means would receive it, but all his life after continued a great Warrior, and suffering most heroically in the troubles and affairs of his Sovereign, lost his life in them.

Or imitate *Jesurum*, who like an Heifer waxing fat, kicked against the cause of it, or do as the *Athenians*, taken by *Philip King of Macedon*, did at the Battel of *Charonea*, who could not remember his favors in releasing of them out of their Captivity, unless they might have what they lost also restored unto them. *Plutarch. Apothegmes.*

Or be guilty of a national Ingratitude, the sin whereof being (next to blasphemy) the most ugly and horrid of all other sins which can be in a particular man, was so abhorred by the heathen as *Hippocratidas*, did as some wise Christians have since done, wish it were made a crime as punishable as Felony.

Or so despoil our Land of its ancient vertue and love to their Princes, as to have *Nabalisme* encouraged, and our *Araunahs* and *Barzillais* to dye childless and unimitated, or suffer our selves to be misled by any Temptations of particular sparing or profits to do as some of the worser sort of the late reforming Traitors did, pick out the choicest Jewels of the Crown, and put in counterfeit instead of them, or hearken to the *Syren* songs of those, who for an advantage, which may before the account be cast up, prove a greater disadvantage.

advantage, will suppose it to be for the good of the Nation to disuse and lay by those necessary duties, and grateful acknowledgements of Pourveyance and Compositions for them to their King and Sovereign, which

Choppinus de
Domainio re-
gum Francia
lib. I. 15.

Renatus Choppinus, a learned French Advocate in his Treatise of the *Domaines* and Revenue of France, styles *Dominicum jus primitus sceptris additum in necessariis Regia mensa Antaeque sumptus & honorificum ad summi Imperii & inclita decus Majestatis conservandum*, a part of the Kings *Domaine* belonging and annexed to the Royal Scepter, and appropriate to the necessary uses and provisions of the Kings Court and household for the honor and conservation of the Rights of Majesty.

And was with us in *England* in the Case of one *Richards* a Pourveyor, combining with some Constables to charge the Country with more then the Pourveyance amounted unto (for which he was grievously fined and punished) no longer ago then in *Michaelsmas* Term in 3 *Fac.* certified by all the Judges of *England* to be a prerogative of the King at the common Law, and that all the Statutes, which have been made, to correct abuses in Pourveyance took not away Pourveyance but confirmed it, for *quod tollit iniquitatem firmat proprietatem & confirmat usum*, the taking away of the abuse confirmeth the Right, and when the Reputation and credit of a Town, and City shall be so dear unto the Inhabitants, as they will to preserve ancient Customes, supply the charges thereof with publike contributions, as the Town of *Yarmouth* doth in entertainments frequently given to Strangers of quality coming thither, and the Town of *Droitwich* in *Worcestershire*, can allow the yearly profit of four of their *Salt wats*, or

Sir Francis
Moore's re-
ports. Rich-
ards Case,
764.

Smith de re-
pub. Angli-
can.

portions of Salt so called for the like purpose, shall endeavor all they can to lessen that of the Kings.

And the Gentry of *Cheshire*, who are above those of many other Counties well known to preserve the ancient honor of the *English* Hospitalities, and are accustomed to send provisions of meat one to another, to help to bear out the charges of their entertainments, when any of their friends come unto them, will not do well to murmur at so small an yearly contribution for the provision of the Kings household, as ninety five pounds sixteen shillings eight pence per annum, which is all was charged upon that County.

Nor can all the housekeepers of *England*, who do well understand that the breeding and raising of their own victuals, and household provisions, by and out of the profits of their Lands, are a great help to their house-keeping, and makes it to be far cheaper and easie unto them, then to buy all that they spend at the Markets, where every one doth improve their gain and Commodities, and put the loss and hardships upon the buyers, think it to be their duty to put a necessity of these inconveniences upon the King, which they do all they can to avoid themselves.

Or when the designs of profit, or hopes of reciprocations of courtesies one from another, do ordinarily invite the people in their commerce or affairs one with another, to a custome of some little favors or ease in their buyings and bargains, as the Baker his one loaf of bread to the dozen, the Brewer a Barrel of strong Beer at *Christmas*, the Tallow Chandler his *Christmas* Candle, the *London* Draper his handful, or more then the yard called *London* measure, and that of the

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hundred and ten pound to some hundred of things sold by weight, and one hundred and twenty to others, and the Vintners sending some *Hippocras* at *Christmas* to their yearly and constant Customers and the like, can suppose it fit to save, such a petty contribution as the Kings Composition for Pourveyance, which throughout *England*, do scarcely amount to so much as those small Civilities, and being saved, will probably be spent in pride and vanities, or for worse purposes.

Or to weaken the hand of our *Moses*, which they should rather help to sustain and strengthen, and when all Nations rejoyce in the power, might, and Majesty of their Kings, shall make it their business to eclipse or diminish it, by cutting of our *Sampsons* locks, and that which should promote it.

1 Reg. 20. 9.

For if the men of *Israel* are said to do well when they perswaded their King *Ahab* not to hearken to the insolent demands of *Benhadad* the King of *Syria* to deliver him his silver and gold, &c. the people of *England* must needs be believed to do ill to deny the King so necessary a part of his Regality which was more precious then gold and silver, and put him to a treble or very much greater then formerly expences in his household provisions; when the mercies of God which have hitherto spared our transgressions, accomplished our unhappy warfare, broken the staffe of the wicked, driven them far away that would have swallowed us up, and restored our Princes and nobles, and mighty men, the men of war, the Judges and Prophets, the prudent and the ancient, so as the light hath shined upon them that dwell in the Land of the shadow of death, our Cities have not been laid waste, our vallies have not perished, nor our habitations

tions been made desolate, should put us in mind to be more mindful of his Vicegerent and annointed, and remember how much and how often he did threaten his judgements, and brought many upon his chosen people of *Israel* for their ingratitude; and how much he was offended with them for not shewing kindness to the house of *Gideon* and *Zerubbaal*, according to all the goodness which he had shewed to *Israel*, and that as *Bornitius* saith, *Quicquid boni homo civisque habet & possidet quod vivit quod libere vivit quod bene quod beate omniumque rerum & bonorum usu & interdum etiam copia ad voluptatem utitur fruatur totum hoc beneficium Respublica Civilique ordini acceptum est referendum*, that whatsoever a subject enjoys or possesseth, that he lives and lives freely, well and happily, and abounds with pleasure and plenty are benefits proceeding from the Commonwealth, and good order and government thereof.

7nd. 8. 35.

Bornitium
lib. 5. cap. 1.
Novel 8. cap.
10. Sect. 2.

And that *omnis homo*, every man *Et res singulorum in Republica conservari nequeant nisi conservetur res publica sive communis adeoque singuli sui causa impendere videntur quicquid conferunt in publicum usum*, every mans particular estate, cannot be in any condition or certainty of safety, unless the Commonwealth be preserved, so that whatsoever is laid out or expended for the Commonwealth, is at the same time laid out and expended for every mans particular, and that *St. Chrysostom* was of the same opinion, when he said, that *ab antiquis Temporibus communi omnium sententia principes a nobis sustentari debere visum est ob id quod sua ipsorum negligentes communes res curant universumque suum omnino ad ea impendant quibus non solum ipsi sed & qua nostra sunt*

In Epist. ad Rom. humil.
23.

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salvantur; That anciently and by the opinion of all men, Princes ought to be supported by their subjects for that neglecting their private affairs, they do employ all their power and care for the good of the Commonwealth, whereby not onely what is their own but that which is the subjects are preserved.

That the King whose Royal progenitor King Edward the third could take such a care of the honor and Pourveyance of the City of London (as to grant to the Mayor of London, who by reason of the wars, had not for two yeas received that great profit which he was wont to receive, *de mercatoribus Alienigenis illuc confluentibus*, of Merchants strangers resorting thither) one and twenty pounds per annum, *de redditu diversorum messuagiorum & shoparum ibidem*, out of the Rents of divers Messuages and Shops in London, *in relevamine status sui*, for the maietance and support of his estate, might have as much care taken (if duty and loyalty should not be as they ought to be the greatest obligations) of his more ancient rights and Pourveyance or Compositions for them.

And may consider that if such an inseparable right and concomitant of the Crown of England should hereafter appear not to be alienable by any Act or exchange betwixt the King and the people, they and their posterities will have but an ill bargain of it, if the Pourveyance or Compositions for them, should hereafter by any reason or necessity of State be resumed, and the *Excise* or imagined satisfaction granted as a recompence for that, and the taking away of the Tenure *in Capite* and by Knight service should be retained.

That it cannot be for the good or honor of the English

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lish Nation, that our King should be reproached as some of a *light headed* and a *light beeled* neighbor Nation observing his want of Pourveyance, have of late very fairly, that he had not wherewithall to buy bread for his Family.

Or that other Nations should think our English so Fanatick, or improved to such a madness by a late rebellion, as to embrace the opinion of *Arise Evans*, that pittiful pretender to Prophecie and Revelations, who when the men of the *Coffee-house Assembly*, or *Rota mongers*, were with their *Quicksilver Brains*, together with some *Rustick* or *Mechanick* nodles framing a new Government or moddel for a Kingdom torn in pieces, would likewise shoot his *Bolt*, and publikely in Print advise that the best way would be to Elect some honest p. or man of the Nation to be King onely during his life, and allow him but one hundred pounds per annum, which would be a means to keep off all Plots and Treasons against him, or any ambitions, or designs to enjoy his Office, and when he should die to chose another for the term of his life, and so successively one after another upon the same, and so better terms or allowance.

Or that we have a minde to do by our gracious King as the *Fifth Monarchy men*, do by their King *Jesus*, who notwithstanding all their pretences of setting him upon his Throne, are well enough content to gather what they can the while for themselves, and Blaspheme, abuse, and crucifie him in his members.

And that it will be better to subscribe to that which is amongst all civilized Nations and people taken to be an Aphorisme or Maxime irrefragable, that *Galeot Mar-*
sinus d' Do-
etrin. pro-
omne imperium omnisque Reipublica forma validissimo *mise cap. 15*
munimento.

Boccalin. 2. munimento tuctur Auctoritate eorum penes quos summum Imperium existit, that all Kingdoms and Governments are most strongly fortified and defended by the authority of those who do govern; that *praclara de Imperio existimatio seu reputatio multa efficit & plura non nunquam quam vis & Arma,* that the esteem and reputation of a King or Governour, doth many times bring greater advantages then power and Armies, That it is *patrimonium principis,* as much to a King or Prince as his Patrimony or inheritance, and *certissima Imperii & salutis publicae tutela,* a most certain guard and defence of a King and his people, which *Saul* well apprehended when upon the displeasure of Almighty God threatned by *Samuel,* he entreated him to honor him before the Elders of his people.

1 Sam. 15.

And that if a long duration of a right or custome, and *quod semper quod ubique & quod ab omnibus approbatum,* that which is and hath been always every where and of all people, so much allowed and practiced, should not be enough (as it hath in many other things which have a lawful prescription) the reason right use and necessity of it; and the avoiding of those many inconveniences which will inevitable follow the disuse of it, may perswade us to recall again and revive the duties of Præ-emption and Pourveyance or Compositions for them, and to petition the King by our Representatives in Parliament as our forefathers did in 14 R. 2. that the prerogative of him and his Crown may be kept, and that all things done to the contrary may be redressed.

That so our King may as *Solomon* who feasted all the people for seven days and seven days, even fourteen days,

days, have wherewithall to maintain his own honor and the love of his people, and give portions of meat, as the Prophet *Daniel* and others had in the house of *Nebuchadnezzar* King of *Babylon,* that the people may with gladness and rejoycings enter into the Kings Palaces and the King not doubt of their affections, though the waters should roar and be troubled, and the mountains shake with the swellings thereof, that his love unto them may from his throne exhale and attract theirs and distill it down again upon them, as the raine upon the grass or showers that water the earth, and that our *England,* which was heretofore the happiest Nation that ever the Sun beheld in his journeys, may be once again the land of love and happiness, and that the people may be as busie in their gratitudes to their Prince, as the Rivers are in the tender and payment of their Tributes to the Ocean.

Dan. 1. 5.

Moribus antiquis stent res Britannia viresque.

F I N I S.



An Advertisment to the Reader.

THis Book was written some Years since, by
an Eminent and Learned Gentleman ; and
having been perused by some Judicious Persons,
they have advised the Publication of it, as very
seasonable to the present State of Affairs.

