

evil. Such was the statute "against bargains grounded in usury; by which it was enacted "that all manner of persons lending money to and for a time, taking for the same loan anything more besides or above the money lent, by way of contract or covenant at the time of the same loan," should forfeit half the money so lent.\* It is evident that accumulated wealth, so locked up by law, could not be used to profit in furnishing aid to the most promising enterprise; and that very much of the capital of the country must be hoarded and unemployed. The visible wealth of the people in plate was the admiration of foreigners. "There is no small inn-keeper, however poor and humble he may be, who does not serve his table with silver dishes and drinking cups; and no one who has not in his house silver plate to the amount of at least 100*l.* sterling, is considered by the English to be a person of any consequence." This observer adds, "The most remarkable thing in London is the wonderful quantity of wrought silver."† The accumulation of capital in the form of plate was the result of the law which forbade any investment which would produce interest upon loan. And yet legislation here, as in all other cases which interfere with the natural laws of exchange, was not altogether effectual; for the same traveller remarks, of the English traders, "they are so diligent in mercantile pursuits, that they do not fear to make contracts on usury."‡ They had the boldness to carry on commerce upon borrowed capital—a proof that the industry of the country had become, to some extent, energetic and self-reliant. Another law, of the same contracted nature, was the more stringent re-enactment of a statute of Edward IV. which had expired, forbidding coin of England or any other country, or plate, bullion, or jewels, to be carried out of the kingdom, "to the great impoverishing of the realm."§ This fallacy, that a country is rich in proportion as it receives money in foreign commercial transactions and pays none, was kept up for several hundred years in the delusion called Balance of Trade. How this law interfered with the extension of commerce, and the consequent ability of the consumers to be supplied at the cheapest rate, may be easily conceived. Its oppression of the voyager from the shores of England may be understood from the instance of Erasmus, who, returning to his own country from Dover, was stripped by the king's officers of all his money, except six angels, the amount permitted to be carried

\* 11 Hen. VII., cap. 8.

† *Ibid.*, p. 23.

‡ "Italian Relation," pp. 29 and 42.

§ 4 Hen. VII., cap. 23.

out of the realm. The poor scholar's little treasure was what he had earned by imparting his stores of learning to the youth of the country that thus despoiled him. We can scarcely blame the enactment which forbids the wines of Gascony to come in except in English ships, navigated by English mariners, for the principle has endured till our own time. The ship-owners and mariners were encouraged by the navigation law; but the English consumers were deprived of the competition which would bring their wine at the cheapest rate, and with the most constant supply. That such laws are necessary in the infancy of commerce may be maintained by reference to the practice of all imperfectly civilised communities. Unquestionably they are mischievous when the natural laws of exchange have strength to rise above the artificial aids that impede their freedom of action, forbidding nations that would hold out the hand of fellowship to each other from supplying their mutual necessities.

The principle of regulating the prices of commodities still went on, as we have related of previous periods, without reference to any of the circumstances that must render an invariable price unjust, even if it were possible to be generally enforced. The complaint of the Commons, that hat-makers and cap-makers "sell their hats and caps at an outrageous price,"—averring that what they buy for sixteen pence they sell for three shillings—is simply evidence of the absence of competition. We may be quite sure that when it was enacted that no hatter should sell the best hat above the price of twenty-pence, the purchaser really obtained no cheaper commodity; that he lost in quality what he gained in price.\* But it was long before governments found out the absurdity of such interference with private dealings, in matters where an universal principle could not be applied. In the regulation of weights and measures, the state does most properly interpose its authority to establish uniformity; and it was the constant endeavour of the English kings to accomplish this, even before the time of Magna Charta. These regulations were, however, disregarded; as they inevitably must be in localities having imperfect communication with other districts. The parliament of Henry VII. adopted the system of sending measures and weights of brass to the chief officers of every city and borough.† But in four more years complaint was made that the ordinances for establishing a common standard had not been kept; and a new machinery was

\* Statute, 4 Hen. VII., cap. 9.

† 7 Hen. VII., c. 3.

called into action for the safe conveyance of the brass weights and measures to cities and towns. The knights, citizens, and burgesses of parliament were to convey them, or cause them to be conveyed, to the places where they were to be kept in safe custody. The care which Henry VII. personally devoted to the examination of weights and measures is indicated by an old illumination, which shows him busied in superintending the proof of the standards in his Exchequer Chamber.

There had been no attempts to regulate Wages for half a century. In 1495 a new scale is set up, which, after the short experience of one year, it was found impossible to maintain; and it was therefore repealed in 1496, for "divers and many reasonable considerations and causes."\* The price of corn was fluctuating, from four shillings a quarter in 1495, to twenty shilling a quarter in 1497; and we can therefore well believe that it was not "for the common wealth of poor artificers," that the carpenter, with his sixpence a day, should be content to earn the fortieth part of a quarter of wheat in 1497, when he had obtained an eighth part in 1495. His wages would not rise proportionately with the price of necessaries; but in the power of making a free contract he would find some mitigation of the hardships of a famine season. It is evident from the tone of the legislation of Henry VII., that the labouring and indigent classes were regarded with a little more consideration than in the times which had immediately succeeded those of the system of slavery. Vagrancy, by the law of Richard II., was synonymous with crime, and to be repressed by the stocks and the prison.† By an act of 1504, the penalties were somewhat mitigated, and a discretion was given as to the amount of punishment in cases of sickness and old age. The preamble of this statute, which is the same as a previous act of 1495, is some proof that the "quality of mercy" was sweetening, drop by drop, the bitter draught which poverty had to swallow:—"Forasmuch as the king's grace most entirely desireth amongst all earthly things the prosperity and restfulness of this his land and his subjects of the same, to live quietly and surely to the pleasure of God and according to his laws, willing always of his pity and intending to reduce them thereunto by softer means than by extreme rigour," &c. The cruelty of the laws against vagrancy, however modified, was seen by More:—"They be cast into prison as vagabonds, because they go about and work not, whom no man will set at work, though they never so willingly prof-

\* See ante, p. 8a.

† See ante, Vol. i. p. 560.

fer themselves thereto."\* But,—if the wanderer was in this reign treated with a little lenity, however pursued with savage cruelty in the next reign,—the thief, in most cases, was hanged without mercy. "To praise that strait and rigorous justice which at that time was executed upon felons, who were, for the most part, twenty hanged together upon one gallows," † was the easy solution of a difficult problem for three centuries. The "certain layman, cunning in the laws," who made an eulogium upon the "strait and rigorous justice," in the presence of More, said, as his successors continued to say, "seeing so few escaped punishment, he could not choose but wonder and marvel how and by what evil luck it should so come to pass, that thieves nevertheless were, in every place, so rife and so rank." The Venetian traveller records that, "people are taken up every day by dozens, like birds in a covey, and especially in London; yet, for all this, they never cease to rob and murder in the streets." ‡ Erasmus, in one of his letters, says that the harvest of highway-robbery is abundant amongst the English. Crimes of violence appear to have been far more common than the fraudulent offences for which the age of Elizabeth was so remarkable. The transition from the times of feudal service to those of independent labour was a necessary cause that the discharged serving-man of a decayed house—"who was wont with a sword and a buckler by his side to jet through the street with a bragging look"—should take a purse instead of wielding a spade. It was an age of stews and ale-houses, of dice and cards; and these temptations produced their usual effects, when there was gross ignorance and low morals; unsettled employment; sanctuaries to flee to; and judgment to be arrested by the ability to read a verse of the Bible.

The sanitary condition of London and the great towns was not wholly disregarded. In the session of parliament of 1856 was passed "An Act to repeal certain statutes which are not in use." Amongst them was "An Act that no butcher slay any manner of beasts within the walls of London." § Did the statute fall into disuse when London had no longer walls? For when we still see the streets which this old statute describes as round St. Paul's, "envenomed by corrupt airs engendered in the said parishes by reason and occasion of the slaughter of beasts," we may ask what effective substitute is provided for its repeal? In many things we

\* "Utopia," vol. i. p. 61.

† *Ibid.* p. 49.

‡ "Italian Relation," p. 36.

§ 4 Hen. VII., c. 3

have persevered in clinging to the follies of our ancestors, and not unfrequently we have rejected their "wisdom." In matters concerning the health of populous places, the sage warnings of past experience have been treated as delusions. The Sweating-sickness was the terror of England at the beginning of the sixteenth century, as the Plague was in the seventeenth, and the Cholera in the nineteenth. Filth, and imperfect ventilation, were amongst the main causes of epidemic disease at each of these periods. Erasmus saw that the English so constructed their rooms as to admit no thorough draught; and says, "Before I was thirty years old, if I slept in a room which had been shut up for some months without ventilation, I was immediately attacked with fever." The close air of the English houses, in his sensible opinion, ripened into pestilence. The dirt even of the better households of the sixteenth century was most striking to the Rotterdam scholar, who came from a land of cleanliness: "The floors are mostly of clay, and strewed with rushes. Fresh rushes are periodically laid over them, but the old ones remain as a foundation for perhaps twenty years together." The abominations which Erasmus mentions as collected in these successive layers need not be here particularised.

"It would contribute to health," says the same observer of our manners, "if people ate and drank less, and lived on fresh rather than salt meat." The feasts of the metropolitan city were as magnificent in the days of Henry VII. as in our times—and, it would appear, quite as stupid. The Venetian traveller saw the mayor's banquet at the Guildhall, where a thousand people were seated at table; and "this dinner lasted four hours or more." At the sheriff's dinner he also observed "the infinite profusion of victuals." He adds, "I noticed how punctiliously they sat in their order, and the extraordinary silence of every one." The habit of feasting and being feasted—the dinners of parade which the satirist of our own days so justly ridicules amongst the manifold follies of vulgar ostentation—was a part of the old English character: "They think that no greater honour can be conferred or received than to invite others to eat with them; and they would sooner give five or six ducats to provide an entertainment for a person than a groat to assist him in any distress."\* Courtesy to strangers, and to each other, which was also a peculiarity of the English, has scarcely so maintained its ancient ascendancy. "They have the incalculable courtesy of remaining with their heads uncovered, with an admir

\* "Italian Relation," p. 22.

able grace, whilst they talk to each other."\* This was the formality of self-respect and of respect for others, in a high-minded people. The old pride of the English was national. "Above all things," says Erasmus, "take care not to censure or despise any individual things in the country; the natives are very patriotic, and truly not without reason."† The Venetian says, "They think that there are no other men than themselves, and no other world but England; and whenever they see a handsome foreigner, they say that he looks like an Englishman." The "lords of human kind" have now, for the most part, absorbed the pride of country into a narrower circle. It is the pride of possession, the dignity of his own estate, his stock, his house, his carriage, his liveries, his dinners, and his wine, that now marks the high-blown patriotic native. His country is chiefly valued as comprehending whatever ministers to his individual glory and gratification.

The perilous joustings of the lists of the king's manor of Shene; ‡ the solemn banquets of Guildhall; the Lords of Misrule at the festivals of the court and the city; the Masks and Disguisings of royal and noble palaces,—these were but reflections of the spirit of activity and enjoyment that abided in the people, amidst many physical privations and a general absence of what we call comfort. The "antique pageantry" of Christmas, the old merriments of Easter and May-Day, were transmitted from a higher antiquity. It was the poetry of the mixed British, Roman, and Saxon race, blending with the festivals of the early Christian church, and popularly kept up in the mixed excitement of reverence and frolic. These ceremonies, in their original simplicity so associated with the love of nature—with the holly and ivy of December, the linden of the early spring, the blossoms of the life-stirring May—were especially attractive to the inhabitants of the crowded towns. The citizens of Cornhill had danced under the May pole beneath St. Andrew's church from time immemorial. The parishes had joined from the earliest days of their guilds, to go forth to the woods to fetch in the May. They had lighted the bonfires in the streets, as their fathers lighted them; and the players at bucklers were there as they were of old. The parish clerks performed their interludes in Smithfield as in the time of the second Richard. The wrestlers contended before the mayor and aldermen, and the archers went out into Finsbury Fields, as their fathers before them. The Marching Watch

\* "Italian Relation," p. 22.

† Letter of 1527.

‡ Sir James Parker was slain in a combat in the lists of Shene, in 1492.

lighted up the gabled roofs of the city of Lud, as it had done time out of mind, when every man's door was "shadowed with green birch, long fennel, St. John's wort, orpine, and white lilies;" \* Seven hundred burning cressets sent up their "triumphant fires;" and the two thousand men of the marching watch came on with the cresset-bearers, each armed with harquebuss and bow and pike, their bright corslets glittering in the pitchy flame, whilst the waits of the city played their merriest tunes, and the morrice-dancers kept time to their inspiriting notes. It was an institution that dated from the time of Henry III. There was a reality in their marvellous pageant, of which Stow writes with the enthusiastic pride of a London citizen. The men of the watch were the organised guardians of the city,—its voluntary police, under the orders of its magistrates. The poetry of the old London life is reflected in many other elaborate descriptions by London's most honoured antiquary. And he feels too, that these seasons of civic display and of common rejoicing called forth a spirit of love out of the depths of the heart, which might be too often slumbering in the struggle for personal gain and honour in the great mart of commerce. Such is the sentiment which he infuses into his account of the simple hospitalities of the London streets, in the twilight hours of June and July: "On the vigils of festival days, and on the same festival days after the sun setting, there were usually made bonfires in the streets, every man bestowing wood and labour towards them; the wealthier sort, also before their doors near to the said bonfires, would set out tables on the vigils, furnished with sweet bread and good drink, and on the festival days with meats and drinks plentifully, whereunto they would invite their neighbours and passengers also to sit and be merry with them in great familiarity praising God for the benefits bestowed on them."

\* Stow. See p. 39 of Mr. Thom's cheap and valuable edition.

## CHAPTER XIII.

Accession of Henry VIII.—Conviction of Empson and Dudley.—Marriage of Henry with Catherine of Aragon.—The coronation.—The young king's sports and feats of arms.—Impending war with France.—The Balance of Power.—The pope to be supported.—Causes of quarrel with Scotland.—English expedition to Spain.—Wolsey the real minister.—Rise of Wolsey.—Naval warfare.—Ravages on the coasts.—Henry's expedition to France.—Siege of Terouenne.—Maximilian joins the English army.—Battle of the Spurs.—Capitulation of Tournay.—James IV. invades England.—Battle of Flodden Field.—Death of James.

THE reign of Henry VIII., according to the computations in official records, commenced on the 22nd of April, 1509, his father having died on the 21st. It is held to be an erroneous idea, that the kings of England always ascended the throne the moment the preceding sovereign died.\* The new sovereign was "entering into the flower of pleasant youth," and England was "called then the golden world, such grace of plenty reigned then within this realm." † The kingdom was at peace with all foreign powers. James IV. of Scotland was Henry's brother-in-law. Catharine of Aragon, the daughter of Ferdinand, remained in England, under the peculiar circumstance of being contracted in marriage to the young king, against which contract he had himself protested. Louis XII. was king of France. Maximilian was emperor.

The first act of Henry VIII. and his council was the arrest of Sir Richard Empson and Edmund Dudley, the ministers of the extortions of Henry VII. Many of the false witnesses, or promoters, who were employed by these criminal agents of a greater criminal, were also apprehended; and, in the language of the time, "wore papers,"—that is, they stood in the pillory each with a paper describing his offences. The prosecution of Empson and Dudley was a signal instance of the abuse of justice, however politic it might have been to appease the clamours of those whom they had injured. They defended themselves before the council with eloquence, and with a show of truth. They acted, as they declared,

\* Sir N. H. Nicolas, "Chronology of History," p. 314.

† Cavendish, "Life of Wolsey," Singer's edit., p. 79.