

Free Trade

or, The Means To Make Trade Florish. Wherein, The Causes of the Decay of Trade in this Kingdome, are discovered: And the Remedies also to remove the same, are represented

Edward Misselden

Propertius, nauita de ventis, de tauris narrat arator: Enumerat miles vulnera, pastor oues.

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To the Prince. Sir

Your Highnes is no lesse Happy to bee the Sonne of so great a King, then to be the Heire apparent of so many Kingdomes. In the one, rare endowments of Majesty and Magnanimity, are Yours by generation: In the other, a Royall Monarchy by inheritance and succession. The one doth fit You for the other, and Your Royall Fathers footsteps for them both. In those are Peerelesse prints: You cannot cast Your Eie, but they are present to You, and represented in You. You see in His Religion, Piety: in His Sacred Person, Tranquility: in His Government, Policy. In every one of these, all these: and all in You. In that last, His Majesty hath carried a quick Eie, over the Commerce of this Kingdome: because it hath relation both to the Revenue of the Crowne, and the Common-wealth of all His Kingdomes. It is said in Exechiels Vision, that One wheele ran within the other, which hath and Emphasis in that tongue, {Hebrew phrase omitted} and surely matters of State and of Trade, are involved and wrapt up together. Which latter, because it is at this time in agitation, and there are, not without cause, many Quaere's about the Causes of the generall decay thereof; hath caused me to put my selfe on this Enquiry, to philosophize if I could, in these Causes and Remedies. Not that I would seeme with Phormio, to reade a Lecture to Hannibal: No, I have only mustered and marshalled these men into their Rancks and Order; it is Yours to Command them. Great Philip of Macedon, suffered a mean musition say unto him, Absit, ut haec tu me melius scias. But for my part, I dare not in any thing, put such an absit, to a Prince so absolute. Every thing mooves it selfe to its Center. These little lucubrations present themselves to your Highnes, as unto their proper Orb. For as they looke up to the King, or as they looke downe to the Kingdome; In both they looke on You, with a double aspect. You are the Joy of the King, and Hope of all these Kingdomes. The Only Sonne Your are, of the Only King: An happy Seer, of a blessed Sire: A Princely Consul, of the Privy Councel: A watchman, A worthy, of David and of Jacob.

These Meditation of mine, are very meane: an unfit object for a Princes sight: unlesse as You are a God on Earth; in this also Your represent the God of Heaven; to accept in your Princely pardon and patience, {Greek phrase omitted}. The Cause is great, your Wisdom's deep, and my Lord the King is as an Angell of God. Your His, He is Christ, and Christ is Gods.

Oh God, be thou still the King and Christ, of this Christ our King: Evangelize unto this Angel: double the Spirit of our Eliah,

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on Our Elisha: that He may flourish like our Palme Tree, and grow up like our Cedar of Albion. Give thy Judgements to the King, and thy Justice to the Kings Sonne: And let all the People offer these sweet Odours to Thee the God of Heaven, and pray for the life of the King and His Sonne.

So prayeth, for His Majestie, And your Highnesse,

Edward Misselden, Merchant

From my House at Hackney on Whitson Eve, the 8 of June In the yeare of Grace, MDCXXII. And of the King of Peace, XXIV.

Cap. I.

The Causes of the want of Money in England.

It having pleased God to give mee my birth and being in this good Land, and under the reigne of so great a King; whose peace and piety, whose prudence and policy, whose rare endowments of Nature and literature, absit omnis adulatio, doe lend to the Christioan and Pagan world such a glorious lustre, as that the other great lights in the Spheares thereof do seeme eclipsed: I could not but thinke it my bounden duty, in all humble acknowledgement to Almighty God, and devoted service to so mighty a King, to endeavour to expresse the same, in some publique service for the publique good.

The rather for that there seem's to be a necessitie imposed upon all men, as much as they can, to performe this duty; according to that gnerall precept, Feare God, Honour the King: As if a man could not feare God, unlesse he honour the King: nor honour the King, without the feare of God.

And no marvell, when God himselfe setteth these duties in the frontispice or topof both the Tables of the Decalogue: The one Explicit in the first Table, Thou shalt love the Lord thy God: The other Implicit in the second Table, Thou shalt honour the King: as if he were {Greek phrase omitted}, A Law and another Law: yea the whole Law comprised in these two: and these two termed the great Commandements, to give a deepe impression and a lively expression of so great a dutie.

Yea, he doth honour kings with this own title, as if hee would part with, & impart to them, some of his owne honour. I have saide yee are Gods: to which that of the Poet may seeme {Greek word omitted} to have an elegant allusion, *Divisum imperium cum loue Caesar habet.*

And this is it I confesse that hath raised and rowsed mine affections, to seeke out a subject, wherein I might set my self a task, & as it is in the proverb, might {Greek phrase omitted}, to performe some acceptable service, to so great a King, & so good a kingdome.

But what need I seeke that which seeketh all men? For what is at this time more enquired after then the Causes of the decay of Trade? And what can be more fit for my meditation, then that wherein I have had education? And what hath more relation to matter of State, then Commerce of Merchants? For when Trade flourisheth, the Kings revenue is augmented, Lands and Rents improved, Navigation is encreased, the poore employed. But if Trade decay, all these decline with it. Neverthelesse when I looke upon the face of the great body politique of this weale publique, and therein consider the high wisdom of His sacred Majestie, as the intellectual part of this Micorcosme, or alter orbis as Ceasar calles it: the prudence and providence of His

Nobles, as the Eyes thereof; the great decay of Trade, the Nerves thereof: together with the parliamentation and consultation of all the parts together about these Causes and Remedies: I feare I shall seeme {Greek phrase omitted}, to light a Candle in the Sunne, to offer my service in that, about which the choicest wits of the Kingdome are now in consultation.

But having had experience of His Majesties gracious interpretation of small services of his subjects employed for the publique: though others much more sufficient are sent before, yet could I not but expostulate with my selfe, what if I also runne after, and cast in my {Greek phrase omitted}, into this great Treasury.

Therefore if herein, any observations of mine, either Forreign or domestique, may administer any thing worthy the information of that Great common and yet not common Sense, I shall esteeme my part most happily acted, to have employed my private paines for the publique good. The rather, for that, as there are many Causes discussed and discoursed of at this time, of the decay of Trade; so also are there many remedies: wherein if either the Causes be mistaken, or the remedies ill applied; the present sicknesse of the Trade, may be brought from a disease in fieri to an habituated and in facto, as the Phisitions Schoole hath it.

To find the cause of things, is a worke of Philosophy, and much felicitie: to finde out a fit remedy, is of high eminency: But to apply the remedy, is a matter of State and Policy. And this leadeth mee to the Method of my discourse: which parts it selfe in twaine: viz. Into a double Quaere, of the Deformation and Reformation of Trade. In the former may be considered, the Causes and Effects thereof. In the Causes, the matter of forme of Trade. The master of Trade, is either Naturall or Artificial. The Natural matter of Commerce is Merchandize: which Merchants from the end of Trade have stiled Commodities. The Artificial matter of Commerce is Money, which hath obtained the title sinews of warre and of State.

Old Jacob blessing his Grandchildren, crost his hands; and laide his right hand on the yonger, and his left hand on the elder: And Money, though it be in nature and time after Merchandize, yet forasmuch as it is now in use become the chiefe, I will take leave of Method, to handle it in the first place.

First therefore for the want of Money in this Kingdome, many reasons may bee assign'd. Whereof some are Immediate, some mediate or remote. The Immediate reasons of the want of money, are either such as hinder the Importation; or such as cause the exportation thereof. And both these are occasioned by the under-valuation of his Majesties Caoine, to that of our Neighbour Countries. For who wil procure licence in Spaine to bring Realles into England, to sell them here at ten in the hundred gaine, which is lesse then the Exchange from thence will yeeld; when hee may have for the same five and twenty in the hundred in Holland? Here five Reals of eight, which make twenty shillings sterling, will commonly yeeld two and twenty shillings or thereabouts: and the same in Holland will yeeld forty two shillings & sixe pence Flemish, which is five and twenty shillings sterling. And how can we choose but want money in England, when the Jacobus pieces, are Currant at so high a rate in Holland? For there they goe at twelve guilders eight stivers the piece, which is one and fortie shillings and four pence Flemish, which is four and twentie shillings & nine pence sterling. And after this rate His Majesties other Coines of gold & silver are there of respective value. For although by the

Placcaets or Proclamations of those parts, the Jacobus pieces, and other species of gold and silver, are there set at indifferent rates answerable to their valuation here with us respectively, which they there call permissie gelt, Proclamation money: yet they have other devices to raise money, and draw it away at their pleasures. As either by their Banckes, when the Banckiers will for their occasions give a greater price for money then the Proclamation suffereth, & then it is called Banck gelt: or else by slacke paymasters, that for their owne advantage in the raising of money, will pretend not to make present payment of their debts, unlesse you take their money at a higher rate, then either the Proclamation, or the Banck money. Which being paid and received, produceth a third kinde, which they call Currant gelt. And so by the Connivence of the Magistrate, the same goeth from man to man, and at last becommeth currant at an excessive value. So they have Permission or Proclamation Money, and Banck Money, and Currant Money, and all to draw dry the Currant of His Majesties Coine.

And thus the Hepatitis of this great Body of our being opened, & such profusion of the life blood let out; and the liver or fountaine obstructed, and weakened, which should succour the same; needes must this great Body languish, and at length fall into a Marasmum.

I am not ignorant that there hath beene great abuse in the culling of His Majesties Coyne, here at home, and in melting the heavy money into plate: And that there is a great superfluitie of Plate generally in private mens hands more then is necessary, and farre beyond any example of former times, which must needes also cause scarcitie of money: yet on the other side I cannot deny, but that it is better to have the same in Plate, as a treasure of the Kingdome; then turned into Coine, & so turned out of the Kingdome, by the under-value thereof.

Now the Mediat or remote reasons of the want of money in England, are either Domestique or Forreine. The Domestique are generall, or special. The general remote cause of our want of money, is the great excesse of this Kingdom, in consuming the Commodities of Forreine Countries, which prove to us discommodities, in hindering us of so much treasure, which otherwise would bee brought in, in lieu of those toys. For now a dayes most men live above their callings, and promiscuously step forth Vice versa, into one anothers Rankes. The Country mans Eie is upon the Citizen: the Citizen upon the Gentleman: the Gentleman upon the Nobleman. And by this meanes wee draw unto us, and consume amongst us, that great abundance of the Wines of Spaine, of France, of the Rhene, of the Levant, the Lawnes and Cambricks of Hannault and the Netherlands, the Silkes of Italie, the Sugars & Tobaco of the West Indies, the Spices of the East Indies: All which are of no necessitie unto us, & yet are bought with ready mony, which otherwise would be brought over in treasure if these were not. A Common-wealth is like unto a family, the father or master whereof ought to sell more then he buyeth according to old Catoe's counsell, *Patrem familias vendacem non emacem esse oportet*. Otherwise his expence being greater then his revenue, he must needes come behinde hand. Even so a Common-wealth that excessively spendeth the forreine Commodities deere, and unttereth the native fewer and cheape, shal enrich other Common-wealths, but beggar it selfe. Where on the contrary, if it vented fewer of the forreine, and more of the Native, the residue must needes returne in treasure.

The speciall remote cause of our want of money, is the great want of our East-India stocke here at home. Which is a matter of

very great consequence, and causeth the body of this Common-wealth to be wounded sore, through the sides of many particular members thereof. For the stocke of the East India Company being of great value, and collected and contracted from all the other particular Trades of the Common-wealth; and a great part thereof having beene Embargued and detained now for more then five yeeres last past; and that not by a profest Enemy, against whom we might have been warn'd and arm'd, but by a friend, a neighbour, a next neighbour, one obliged to our King and Nation more then to all the Kings on earth: this losse I say, is not onley thus unkind, but is the more intollerable, in that the Common-wealth hath lost the use and employment of the Stocke it selfe, and all the encrease of Trade which the same might have produced, in the severall Trades of the Subjects, whereby abundance of treasure might have beene brought into this land in all this time.

It is said of Belisarius that Great and famous Commander of the Romanes, that even Rome it selfe owed to him twice her life: and yet at last was so unkinde to Belisarius as to put out both his eyes, and exposed him to beg in a little Cotage built without the gates, where hee often repeated this sentence to those that passed by, *Date obolum Belisario, quem invidia, non culp caecavit.* And certainly our Nation may challenge as much or more of these unkinde friends, the Belisarius ever did or could of Rome: and they shew themselves no lesse unkinde, to deprive us of the light and life of this Trade of ours, and suffer this Nation to use so muc importunitie for their owne.

Homer reports of Patroclus, that he would needs put on Achilles armour, and ride on Achilles horse, but Achilles speare hee durst not touch, and thereby was knowne to Hector, with whom he fought, not to be Achilles, and so lost his life. These friends of ours have sometimes put on, sometimes put off, I had almost said, put out the Kings colours: They have sayled in His subjects shippes, but that *Histam fidei* they have not used, or abused rather; whereby they have beene discovered to the Indians, not to be the subjects of the faith's Defender, as sometimes they would have fained, though to an evill purpose.

The Romanes were wont to weepe, at the sight of Caesars blood kept in an handkercher. Caesars subjects blood is kept, not in handkerchiefes but in sheetes, written within and without, the memory whereof maketh the people mourne. The cry thereof is gone up: the King will remember it, the King of Kings will avenge it.

Constantinus the Great, the father of Constantius, was wont often to protest, that he made more account of one Christian then of all his Coffers filled with treasure. And the Comfort of this Nation is, to bee the subjects of such a Sovertainge, who as constantly as ever did Constantinus, hath againe and againe profest, Not to account himselfe more rich or happie, then in the prosperitie of his subjects.

Thus much of the Domestique remote causes of the want of money in England: the forreine causes follow. Which are either in respect of the warres in christendome, or the Trades out of Christendome. The warres in Christendome are forreine remote causes of the want of money, either by causing the exportation, as the warres of Christians: or hindering the importation thereof, as the warres of Pirates. I will take the warres of Germanie for an urgent instance of the former: which have raised the Riecksdaller from two Markes Lubish, to twentie markes Lubish, in many place of Germany: whereby abundance of money is drawne unto the Mintes of those Countries, from all the other Mines and parts of Christendome.

And for the latter, I will instance the warres of the Pirats of Argier and Tunis, which hath robbed this Common-wealth of an infinite value: the crueltie whereof many feele with griefe, others heare with pittie, but the grivance remaine's. Needs must Christendome, and in it England, feele the want of money, when either it is violently intercepted by Turkish Pirats, the Enimies of God and man; or the instruments surpris'd, as men, ships, and merchandize, which are the channels to convey it to us. And heathenish policie it is, or hellish rather, put upon the Princes and people of Christendome by the Grand Seignour, to hold with them an outward forme to amitie, and in the meane time by his vassals, use a cunning and covert hostilitie.

The other forreine remote cause of the want of money, are the Trades maintained out of Christendome to Turkey, Persia and the East Indies. Which trades are maintained for the most part with ready money, yet in a different manner from the trades of Christendome within it selfe. For although the trades within Christendome are dived with ready monies, yet those monies are still contained and continued within the bounds of Christendome. There is indeede a fluxus and refluxus, a flood and ebbe of the monies of Christendome traded within it selfe: for sometimes there is more in one part of Christendome, sometimes there is lesse in another, as one countrey wanteth, and another aboundeth: It commeth and goeth, and whirleth about the Circle of Christendome, but is still contained with the compasse thereof. but the money that is traded out of Christendome into the parts aforesaid, is continually issued out and never returneth againe. It is true, those trades tend to an admirable encrease of the stocke of Christendome in wares: which if they were purchased with the wares of Christendome, according to the true nature of Commerce, the benefit were farre more excellent. For *Commercium* is quasi *Commutatio mercium*, a change of wares for wares, not money for wares. And it is *Libera commendi facultas, ab iis qui merces ultro citroque conuehant*.

Or if the Common-wealth of Christendome were like to that of Utopia, where gold and silver are of lesse esteem then Iron, it were a brave exchange to lose money to get wares. For the riches of former ages did not consist *re pecuniaria* but *pecuaria*. Whence *pecunia*, as *Plinie* affirmeth, was so called a *pecude*, quia *pecus* suit *pecuniae fundamentum*, & *antiquitus pecunia pecudis effigie signabatur*. But when *Immooveable* and *Immutable* things came also to be in Commerce amongst men, as well as those things which were *mooveable* and fit for change, then came money in use, as the rule and square whereby things might receive estimation & value. Therefore the Civilians affirme that *Numus est* {Greek phrase omitted} *dictus, quod institutum sit Civile*. According to that of *Aristotle*. {Greek phrase omitted} *Numus non est a natura sed a lege*. And thence it is that money in our tongue is derived of *moneta, quasi numi nota*.

Or if there were a necessitie to Christendome, to use those forreine wares: or that the meanes whereby they are to be procured, were without the losse of treasure: or lastly that the same tended to the encrease of the treasure thereof the exchange were excellent. But first there is no such necessitie: for that's necessarie to doe a thing without which it cannot be done: And that's necessarie to the being of a Common-wealth, without which it cannot subsist. But thanks to God, Christendome is richly furnished within it selfe, with all things fit for life and maintenance: whether we respect vitall use, as foode and raiment: or physicall, as vegetables and mineral: or politicall, as gold, silver, and infinite varietie of merchandize. Nor are those wares

procured without the losse of treasure, no nor with lesse treasure. For as those wares have cost lesse in price, since some late discoveries; so are they encreased in their quantities, by the ample trade of all parts of Christendome thither, more then before: and then who knowth not that a lesse quantitie deare, and a greater quantitie cheape, is all one in respect of the value. Nor is the treasure lessened by changing the course of trade into those parts. For the new trades found out, are furnished with a new supply of money, and the old nevertheless issue out as much treasure as before: by reason that the same are enlarged and become now as great, apart, as heretofore they were, together, when the new trades were included in the old. So that now so much more of the treasure of Christendome is wasted, as those old and new trades are encreased, which is to an infinite value.

Not lastly, is the treasure of Christendome encreased by those forreine trades, for the more the stock of Christendome is thereby encreased in wares, the more it decreaseth in treasure: which the parts of Christendome must needs feele by Sympathy and compassion.

And this, that prudent and politique Emperour Charles the fifth perceived in his time, who upon a question betwixt the Spaniards and Portugalles about this matter, the Emperour used words to this effect: You Portugalles for a suretie, are Enemies to all Christendome; for you carry nothing out of it but coine, which is hurt to all Countries.

Cap. II.

The Causes of the decay of Trade, in the Merchandize of England

Such are the causes of the matter of trade considered in the want of money, the merchandize followeth. Merchandize is that naturall matter of Commerce, whereby men busie themselves in buying and selling, chopping and changing, to the encrease of Artes, and enriching of Common-wealths: according to that of the Poet {Greek phrase omitted}, *Bona lis mortalibus haec est.*

And to the end there should be a Commerce amongst men, it hath pleased God to invite as it were, one Countrey to traffique with another, by the variety of things which the one hath, and the other hath not: that so that which is wanting to the one, might be supplied by the other, that all might have sufficient.

Which thing the very windes and seas proclaime, in giving passage to all nations: the windes blowing sometimes towards one Country, sometimes toward another; that so by this divine justice, every one might be supplied in things necessary for life and maintenance.

And this, Seneca thought to be a principall benefit of nature, *Quod & vento gentes locis disipatas miscuit, & sua omnia in regiones ita descripsit, ut necessarium mortalibus esset inter ipsos commercium.* Nature by the benefit of the wind, hath so mixed people, dispersed in divers places, and so distributed her gifts in divers Countries, that there should be a necessity of Commerce amongst men. Which agreeth with that of Aristotle, *Est translatio rerum omnium caepta ab initio, ab eo quod est secundum naturam, cum homines haberent plura quam sufficerent, partim etiam pauciora, negotiatione suppleri id quod natura deest, quo commode omnibus sufficiat.*

And that we doe not goe out of the Christian world for an example hereof, let us consider the state of the Netherlands, in what a miserable case those people were, if they received not supply from all other Nations. They have nothing of their owne,

and yet they seeme to possesse all things in the supply they receive from all the world.

And surely if any Kingdome under the Sunne can subsist of it selfe, none hath more cause to blesse God, then this Iland of ours, which Almighty God hath richly adorn'd with variety of allthings necessary for mans life and welfare. As with Corne, and our Wine: Cattle, Wooll, Cloth, Tynne, Iron, Lead, Saffran, Waxe, Hoppes, Hydes, Tallow, Flaxe, Fowle, Fish, and many othres: whereby, thanks bee to God, the people of this Land, have not onely sufficient for their owne mainenance, but doe abundantly supply the wants of all other Nations.

Now the Trade and Commerce of this Kingdome within it selfe, and with Forreine Nations, consisting of so many rich Commodities; let us consider them all joyntly, and then some principall of them apart.

Jointly considered, the causes of the decay of Trade in them, may be said either to be Deficient or Efficient. Deficient, either in the generall want of money in the Kingdome; or the particular want of the East India stocke. I shewed before, what were the causes of the want of money: & that the disaster upon the East India Trade is a remote cause thereof: but these are both causes of the decay of trade. For money is the vitall spirit of trade, and if the spirits faile, needs must the body faint. And as the body of trade seemeth to be dead without the life of money: so doe also the members of the Common-wealth, without their means of trade. We say, that an Artizan or workeman, cannot worke without tooles or instruments: no more can a Merchant trade without money or meanes. And in the want of so great a stocke, as is that of the East India Company, the Body of this Common-wealth hath lost the use of many of it principall members; by whose industry, art, and action the Commerce thereof might wonderfully have been encrea'st. The losse whereof, to him that is not wilfully blinde, is apparently sensible in the Drapery of the kingdome, whereby the poore are set on worke: and in all the other trades of the kingdome, whereby the subjects are employed: and hath begot that great and generall dampe and deadnesse in all the trades of the kingdome, which we unhappily feele at this day.

The Efficient causes of the decay of trade jointly considered, are either Usuary, or unnecessary suits in law. In the former I am prevented, and my labour spared, by him that wrote a little treatise against usury: which it seeme's for modesty he refuseth to owe: though I could wish, that those that deserve of the publique were knowne to the publique: least they be served as sometimes Batillus served Virgil, and so be forc'd too late to proclaime, *Hos ego versiculos feci, tulit alter Honores.*

I have a word onely to adde to his Usury, that it is not an Usury of ten in the hundred only, that wringeth this Common-wealth, but an extorsion also of 20-30-40, nay of Cento per Cento per Anno, as the Italians speake, given and taken on pledges and pawnes, and that on poore peoples labours, in London especially: which is a biting Usury indeed, and a fearefull crying sinne before God.

Unnecessary suites of Law are also Efficient causes of the decay of trade. Wherein certainly this Kingdome exceedeth all other kingdomes in the world. As the Justice of this kingdom is the Diadem of the King, and doth stabilire Regis thronum, and tribuere cuique suum: whereby men may five Caesar Caesar's, and meum and tuum one to another: so is the Justice of the King, in the sacred person of His Majestie, amongst other His Royall Vertues, and Embleme and represation of highest Majesty: and it

is an incomparable happinesse of this kingdome, to have such a Malchizedec, a King of Justice, a King of Peace.

Neither may I forget that Royall testimony hereof, which is worthy to be written in letters of gold, and thankfully to be remembered of every tongue and pen; whereof amongst others more worthy, it was also my happinesse to be oculatus and auritus testis: when His Majesty in a Star-chamber assembly, lifting His eye toward heaven, and laying His hand on His Sonnes head, made such a solemne protestation of His sincerity in Justice, as may serve for a matter of admiration and imitation, to all the Kings on earth. Those that went before, and they that followed after: Those that heard it then, and they that heard of it since; said it was {Greek phrase omitted} Nec vox hominem sonat, o Deus certe!

If such then be the Justice of the King and the kingdome, how is it then that Trade is hindered by suits of Law. Herein Columellae's counsell is remarquable, Principi providendum est, ne legibus fundata civitas, legibus evertatur. There cannot be too much Justice, ther may be too much Law. For the use of Justice is excellent, in conteining men within the bonds of civility and honesty: in preserving men from injurie: and in maintaining every mans right & propriety. But the abuse there of is a most pernicious and dangerous surfeit in the body of every Common-wealth.

And this is our case in this Weale-publike; no Kingdome hath better Lawes; no kingdome so full fraught with tedious, needlesse, endlesse, suits of Law. For now this Litigandi {Greek word omitted}, and waxeth so fast, and groweth so great, that suites of Law doe seem immortall: time doth increase them, and length of time would not determine them, if the wisdom of those Grave Fathers of the Law, did not put an end to the malice of the Litigants: as is now, worthily observed in Chancery, to his honour and memorie that hath so happily begun the same.

By the groweth and greatnesse of which suites, I say, a great number of His Majesties good and loving subjects are vexed, imprisoned, impoverished and overthrowne: and whilst the Litigants strive together, another taketh away the fish, and as it is in the Apologue, leaveth to either of them an empty shell. And thus mens time and meanes being spent in Law, which should be employed in Trade, trade is neglected, and the Common-wealth deprived, of the benefit that might be purchased and procured thereby.

And thus much for the decay of Trade considered joyntly. It followeth now to consider them apart, in some principall parts thereof. Which may be reduced, to such as tend to the Fortification of the Kingdome, or Maintenance of Trade. The former are Ordinance and Munition: the too-too common exportation whereof, hath taught us wofull experience of an invaluable inconvenience thereby, which every man is sensible of: and therefore I neede not presse it: I wish it did not oppresse us.

The latter, I will referre to things essentiall, for the preservation of mans life, as Victus and Vestitus: yet such of them also as doe aford wondrous variety of Trade, and may be termed the Nourceries thereof, as the Fishing and Clothing of this Kingdome. For on these two, all sorts of Trades and Tradesmen, have some dependance.

The inconvenience in this former, is that Encroaching of Strangers, in Fishing upon our Coasts: whereby not onely the bread is taken out of the subjects mouth, but that infinite wealth, which God hath made proper and peculiar unto Us, is become common unto them. Whereby also, their Navigation is

wonderfully encreast their Mariners are multiplied, and exceeding great Trades maintained into all parts of the Christian world. And victuals commonly yeelding ready money, and tolleration of exportation thereof, the same hath redounded to an infinite enriching of their Countries with Treasure, exhausted out of these Mines of our's.

I am not ignorant that a learned man of that side, pressing hard in a Treatise entituled *Mare liberum*, the Community and Freedome of the Sea against the Portugall Trade into the East Indies: doth cunningly and obliquely, under the covert terms of *Populi Romani littus*, defend and maintaine, in the fifth chapter thereof, their fishing upon our Coasts. For thus hee concludeth, *Nemo igitur potest apopulo Romano ad littus marius accedere prohiberi, & retia siccare, & alia facere, quae semel onmes hominibus in perpetuum sibi licere voluerunt.* And again, *Exteris ius piscandi, ubique immune esse debet.*

To part of which Treatise, there is an answer entituled, *De Dominio Maris*, to which I referre those that desire further satisfaction in this matter. But in my judgement, which I submit to better judgement, the Author of *Mare liberum*, though otherwise very learned, strayneth his Arguments for that purpose beyond their strength. For *Jus* is said to be *scriptum*, or *Non scriptum*. And by both these, the proprieties of the Seas may be proved, to belong to those Princes and Countries, to which they are next adjacent.

For Custome, the examples of our Neighbour Countries round about us are frequent. As of Coeldine, Groeneland, Norway, and Frisland, under the King of Denmark. Tunny fishing under the Duke of Medina. The Gulfe of Venice that Seignory. And many others I might instance: In all which there is no liberty of fishing, but by speciall priviledge had from those Princes to whom the same belongeth. Which being so we may wel conclude with the Poet, *Cum ventum ad verum est, sensus moresque repugnant.*

For the Law it selfe, it is not hard to produce some of his owne Authors against himselfe. As the Emperour Leo: of whome he thus speaketh, *Voluit {Greek word omitted}, hoc est, vestibula maritima eorum esse propria, qui oram habitarent; ibique eos ius piscandi habere.*

Also Rodericus Suarius, whose testimony because he was a Spaniard, he produceth against the Portugals in the end of his fifth Chapter; whom, if hee had pleased, hee might also have cited thus speaking: *Redditus piscariarum consueti, ut est gabella, seu aliud tributum solui conseuetum, de his quae in mari piscatores faciunt, seu a mercatoribus de his wuae emunt aut vendunt, Principibus conceduntur.*

To which I will onely adde that of Bartolus, whom the Civilians call *Juris Lucernam*, thus speaking: *Ut Insulae in mari proxime adiacentis, sic & mare ipsum ad Centum usque milliaria pro territorio districtuque illius regionis cui proxime appropinquat, assignatur.*

The rest that the Author of *Mare liberum* enforceth, of the Community and freedome of the Sea to all Nations, he understandeth of matters in question, betweene the Portugals and those of his Nation, concerning their East India Trade, and not of their fishing upon our Coasts. Which Question in my judgement, being out of question, were better determined by action then disputation: It being a Royalty of the King, and a Regall priviledge of this Kingdome, assigned by Almighty God.

From the Fishing come wee to the Clothing or Drapery of this Kingdome: the consideration wherof is of very high consequence, and concerneth both the Sovereigne and the Subject, Noble and

Ignoble; even all sorts, and calling and conditions of men in this Common-wealth. For this is said to bee a Flower of the Kings Crowne, the Dowry of the Kingdome, the chiefe Revenue of the King. This is a bound to fortifie, and a bond to knit the subjects together in their severall societies. This is the Gold of our Ophir, the Milke & Hony of our Canaan, the Indies of England: and therefore desire's and deserve's to be had in an everlasting remembrance.

The Draperies of this Kingdome are termed Old and New. By the Old; are understood Broad Clothes, Bayes and Kersies: By the New; Perpetuanoes, Serges, Sayes, and other Manufactures of wooll.

The causes then of the decay of trade in these Draperies, are either Domestique or Forreine. The Domestique causes, are some Past, some Present. Those Past, are apparent in the late disturbance of the Cloth-Trade, which is so obvious to every man, that I had rather passe by it, then presse upon it, because it is past: and I would to God that so were the effects of it also. In charitie we may thinke it was good in the purpose, though it proved ill in the practice. For thereby the Draperies of this Kingdome, are much diminished, and the forreine advanced and advantaged. The quantities of which last, were formerly few or none, but now they exceede our highest numbers issued out of the land: as by a collection thereof, which my selfe made in those parts, by His Majesties speciall parts, by His Majesties specially command, in the time of Secretary Winwoods service, may appeare.

These present, may be discern'd in the Cloth-trade, either under the Clothier, or under the Merchant. Under the Clothier, either by ill making or false sealing the Cloth.

For the making of good and true Cloth, many excellent lawes have bin invented & enacted by the wisdom of the Parliaments of this land, from time to time. And the Statute of 4 of the King Cap. 2 doth seeme to bee an Epitome or Compendiary of all the former Statutes in this kinde. In this Statute is prescribed, the true breadth, and length, and waight, that may conduce to the making of a true and perfect Cloth, Kersie or Manufacture. If a Clothier make a Cloth of lesse waight, then is set downe in the said Statute, he offendeth in Quantitie: If of lesse breadth, or length, or of forbidden kindes of wooll, hee offendeth in Qualitie. If a Clothier offend in neither of these by his owne act, yet he may offend in both, by his instruments or workemen: Either by the Weavers, in not putting in the stuffe at the making; or by the Tuckers in pulling out the stuffe after the making thereof.

A Cloth also may be well made, & yet false sealed. A Cloth may be said to be lawfully made, when it is truly sealed. For although it may be impossible to make some Clothes, just of those quantities and quantities prescribed by the Statute; as the Clothiers terme is, A man cannot cast a cloth in a mould: yet I hope, they will give me leave to say, that it is possible that a Cloth may bee true sealed, though false made. And then a Cloth ill made, and true sealed, whereby the buyer may see what he hath for his money, may bee said to bee a good or lawfull Cloth according to the Statute.

Now the execution of the Statute for Searching and Sealing of Clothes, seemeth to be referred to two sorts of men: which are either the Aulnager or Seacher. the former may seeme originally to have beene an Officer appointed for that purpose, as well as by the Notation of the name, as by some Ancient Statutes. For Aulne, and Aulnage, and Aulnagier, are all French words, taken from the measuring of Cloth. And thence it is, that in that

tongue they are wont to say Auner draps to measure Clothes, by a Trope taken from the Instrument by which they are measured.

But because the care of the Aulnage is committed to so Noble and Honourable a Personage, that will not suffer any abuse in the execution of that office: and the said Statute of 4 Jacobi, and the former Statutes of 39 and 43 Elizabethae, doe referre the Searching and Sealing of Clothes, to certaine Overseers or Searchers, so called by the said Statutes, I will proceede unto them.

And forasmuch as Execution is the life of the law, as His Majestie in his high wisdom admonisheth: and the Prudence and providence of the State, have beene very great in devising and enacting such good lawes from time to time, as might tend to the encrease and advancement of the Drapery of this Kingdome: If therefore now any think bee amisse therein, it must needs come through the want of execution of those lawes. *Hinc illae lachrymae!* This Bonum according to His Majesties Regall rule, is not Bene. For these Overseers and Searchers beeing silly Countrey men, and generally not expert in the mystery of making of Cloth: in the Search whereof, there is as much neede of skill as in the making: for how should they finde the fault, that know not how it is committed? These Searchers I say, thus being ignorant and unskilfull in their offices, and negligent also, (in which last, it hath beene againe and againe confest, that they have set the seales of their office, to Clothes they never search't nor saw) needs must there be a great abuse, in the execution of those good lawes.

Nay I would I could not say, how much our Nation hath beene upbraided by the people of forreine parts with this abuse, that the Searchers Seales of England are bought and sold as in a market, and put on the Clothes by the Tuckers, and other the servants of the Clothiers, as if the same had beene lawfully Searched and Sealed according to the Statute; when as the Searchers Eye never so much as beheld the Clothes.

Wherein the people of the Netherlands are so exact, that you shall never find any of their Countrey Clothes false search't or sealed. For you shall have a Seale set upon the Cloth when it commeth from the Weavers: anothe when it commeth from the Tuckers: another when it commeth from the Dyers: and that by men of good quality, appointed for tha purpose in every City and Towne where Cloth is made, termed Curemasters: so called from the Care they ought, and doe performe, in the execution of their office: wherein indeed they are so strict, that you shall never finde any of the seales aforesaid, set to any manner of false or defective Cloth.

For indeed the Searcher being a sworne Officer, ought to be as witnes without exception betwixt man and man: that when a man seeth the Searchers seale set upon the Cloth, it should serve as a true Certificat of the true making thereof. It is a great impiety before God and Man, to be a false witness in any case: but these Searchers are false witness ipso facto, when they doe testifie to the world by their seales, that those Clothes are good and true, which indeede are utterly false. And which aggravateth the matter yet more, that the Kings Seale of Armes, which is *testis omni exceptione major*, should also be set to Clothes thus falsely searched and sealed; whereby not only the Kings subjects, but the strangers also in forreine parts are deceived, is a very grosse and grievous abuse.

Amongst other abuses of this kinde, one precedent come's to my minde, of ten Clothes bought not long since by a Merchant, of a Clothier of Wiltshire. Which Clothes were all Sealed by the

Searchers of that place, for good & true, according to the Statute. but being tried by the Merchant Buyer, and afterwards by the Sworne measurer of the Citie of London, were found so defective in length, breadth and waight, that where these ten Clothes cost but 60 lib. or thereabouts, the faults in these ten Clothes came to neere 20 lib which ws one third part of the value of the Cloth. And it being a notable comtempt of the law, the Lords of His Majesties most Honourable Privie Councell were informed thereof; who were pleased to send down a Messenger into that County, and fetch't up both the Clothier and Searchers, who worthily under-went the Condigne Censure of the Lords.

Under the Merchant also the Cloth-trade suffereth both at Home and Abroad. At Home, by Exporting the Materials, either of Woolles or Wool-sels from the Sea-coasts of England, and the Kingdome of Ireland: or by Over-lading the Cloth-trade, either with any generall or speciall charge.

The latter I cannot pretermit: for as the chiefe waight of the Cloth-trade lyeth on the Merchants-Adventures; so also is the burthen of charge most felt under that trade. For the Impositions and Imprest money by them laid upon the Cloth, for defraying the charge of their Government, and payment of their Debts; hath driven many good Merchants out of the trade, and given the Clothiers occasion to complaine of want of Buyers, and thrust the trade it selfe more and more into the Strangers hands.

And abroad, by the unfit place of Residence, which the Merchants-Adventurers are fallen upon in Holland. Whither they goe with great perill of Shippe and Goods: And where they come farre short of that they hoped for; and of that quicke and ample vent of their Cloth they found in Zeeland. The Agitation of which remove; is vehemently suspected to have moved the Merchants of Holland, to procure Priviledges of the States Generall to Incorporate themselves, and keep Courts, to confront the Merchants-Adventurers; which they never did before: To have drawne the Taring of Cloth into Holland, where the Buyers are in some sort, Judges & Parties; which before was in the Mart-towne, where the Seller was present: And lastly to have hastned the great Imposition in Holland. All which are matters of moment, and concerne the Cloth-trade very much, and whereof the English Factors there residing doe generally complaine: Yet These I rather instance then urge: leaving the further Overture thereof to their own relation.

Now the forreine causes of the decay of the Drapery of England: are either generall, as the warres in Germany: or speciall as the great Imposition lately laide upon our Cloth in Holland.

By the former, the Course of Trade is stopt and hindered, that Merchants cannot passe without perill from place to place: and the monies become so variable, that when a Merchant hath sold his Cloth, and hopeth to have gained something thereby; by that time that the terme for payment is expired, he receiveth lesse in value then the Clothes cost, by the raising and rising of the monies.

By the latter, the Merchants of the Netherlands are discouraged, wherby many of them have given over their trades, which heretofore they followed in ample manner, unto Muscovy, the East-Countries and other places, in our English Clothes bought of the Merchants-Adventurers from time to time.

Cap. III.

Of governed Trade, and therein of Monopoly.

Hitherto the Matter of Trade hath beene considered in Money and Merchandize: the Forme followeth, and that either in respect of Government, or want of Government in trade. Government is a representation of the Majestie and Authoritie of the King. The subject that is honoured with Government, is invested with part of the Kings Honour. The Trades of this Kingdome which by His Majesties especiall Grace and Favour are reduced under Order and Government into Corporations, Companies, and Societies, doe certainly much Advance and Advantage the Commerce of this Common-wealth, and farre excell the trades of any other forreine Merchants in their ungoverned trades.

But as the Use of Government is excellent for the restraint of unskilfull and disorderly trade: so the Abuse thereof is as inconvenient, if at any time the same be too strict, and come within the compasse of a Monopoly. And because the name and nature of Monopoly, is more talk't of, then well understood of many; and some thinke that the reducing of trade into Order and Government, is a kinde of Monopolizing and restraint of trade: I have thought it not unseasonable to bestow some speciaill paines in the diligent investigation thereof. Not that I would have the trade of the Kingdome, so circumscribed or appropriated to any, that others of His Majesties subjects should be deprived of the libertie thereof; but that upon equall and reasonable termes, trading under Order and Government, without that ill tincture of Monopoly, the Kings high way of trade should be opened unto all.

The name therefor of Monopoly in our English tongue, is derived, as the learned know, of the Greeke word {Greek word omitted}: whence also the Latine word Monopolium is borrowed. Some derive it of {Greek word omitted} Solus, & {Greek word omitted} Versor, to converse alone. Others of {Greek word omitted} Solus, and, {Greek word omitted} Civitas, quasi unica negotiatio in Civitate. But all these agree in one meaning of the word, that is Singularis Negotiatio, a diverting of Commerce from the naturall course and use thereof, into the hands of some few, to their benefite, and others projudice. I also find many definition of Monopolies: and a g reat question among the Civilans, whether a Monopoly may bee exercised of one alone; and whether it consist aswell in Locatio Conductio, as they speak, as in Emptio Venditio. Which last is out of question with all. And of the former I find an instance in Aristotile of Thales Milesius his Monopoly: who by his knowledge in Astrology, foreseeing one yeare in the winter, that there would be great plentie of oiles the next yeare, hired before hand all the places and engines for making of oile through both the Ilands of Melazo & Chius, and afterwards let out the same againe at this owne place he maketh also mention of another, who bought up all the Iron in Sicilia, which afterwards he sold againe, and made one hundred talents of that which cost him but fiftie. Amongst others I will take the definition of Althusius for all the rest. Monopolium, saith he, Est Commercium emendi, vendendi, permutadiue, a pancis vel uno etiam usurpatum, reliquis ciutbus preceptum, quo pretia augetur cum lucro negotiantis, & reliquorum damno. That is Monopoly is a kinde of Commerce, in buying, selling, changing or bartering, usurped by a few, and sometimes but by one person, and fore-stalled from all others, to the Gaine of the Monopolist, and to the Detriment of other men.

The parts then of a Monopoly are twaine. The restraint of the liberty of Commerce to some one or few: and the setting of the price at the pleasure of the Monopolian to his private benefit, and the prejudice of the publike. Upon which two hinges every

Monopoly turneth. And these two parts are respectively repugnant to the two fundamental requisites of all good Lawes: to wit, Equity and Utility. For it against Equity, that one member of a Common-wealth should be more free, then another of equall ranke and condition. And what can be more contrary to Publique Utility, then that some one or few persons, should sway the price of any thing usefull to the Common-wealth to their owne enriching, and the common losse of other men? And here it is to be well observed, that unlesse these two parts concur in a Monopoly: it cannot truly and properly be so called, nor ought it so to be accounted. And therefore Althusius following Decianus, saith well of that restraint of the common liberty, which we call Suit of Mill: which compelleth men to use this or that Mill to grinde corne, and none other: that it doth only Sapere Monopolium, Savour of Monopoly: but that it is not truly and properly a Monopoly. For that case of Suit of Mill, unlesse there be a greater tolle or recompence exacted for grinding, then at other Milles, it falleth onely within the first part of a Monopoly, to wit, of the restraint of the publicke liberty; but not within compasse of the other part, the setting of the price. but for this restraint of the publique liberty of Commerce, it may be so ordered by the wisdom of the State, that it may be both Lawfull and Beneficiall to the Common-wealth. Which assertion, because it may seeme strange to some, I will make evident by good Authority and Examples. Peter Martyr that famous light of the Churches of the Gospell, defendeth the restraint of Solomon, that none should buy Horses of Egypt without his licence, to be Lawfull. And of this kinde is the Preemption of Tinne here in England, granted by His Majesties gracious letters Patents do some few, with restraint of all others: which I dare boldly affirme is not onely Lawfull, but very Beneficiall also to this Commonwealth. For thereby our Thrice Noble Prince receiveth a good revenue, and the Tinne of this Land is sold for many thousand pounds a yeare more in Forrein parts, then otherwise it would, to the great increase of the Common stocke of this Kingdome. Also the Law of this Realme alloweth, that if any man invent a new Art, beneficiall to the Common wealth, he may have a Patent to use that Arte soley, with restraint of all others for seven years: as well in recompence of his industry, as for the encouragement of others, to study and invent things profitable for the publique symbiosis. The Statues of the Kingdome restraine from the exercise of sundry Crafts, all such as have not served an apprenticeship unto the art which they would exercise: to the ende that those artes might be brought to better perfection, and the things made, might be good and serviceable for those that buy and use them.

The restraint of the Publique Liberty, is sometimes exercised by Private Authority: sometimes by Publique. Which distinction is made by the Emperour Zeno. *Iubemus ne quis prosua autoritate, vel sacro elicto rescripto, etc. Monopolium audeat exercere.*

The former, is practised when any one or more, have by their owne private contracts, gotten any Commoditie or matter of Commerce, wholly into their owne hands. Of this kinde are the examples above cited out of Aristotle.

The latter, is when by Publique Authority, the liberty of the subject is restrained: which is done, sometimes by the Prerogative of the King: sometimes by Act of Parliament.

The former, by dispensing with a generall Law in some point, and applying the dispensation to some one or few, with restraint of others. The latter, by prohibiting all, but some one or few persons to use the benefit of the Law in some point or other.

For dispensing with the Lawes, it is without question, that the King hath power to dispence with a Penall Law, when it prohibiteth that which is not Malum in se. For the Parliament having made a Statute with intent of the Publique good: yet the same by reason of something not foreseen at the making of the Law, may prove very prejudiciall in the Execution. And then the Malum prohibitum, as the Lawyers speake, may be dispenced with by the King. Thus the Parliament having prohibited the exportation of white Clothes undre'st above the price of four pound the Cloth: the observation of that Statute was found by experience to be very prejudiciall to the Trade, and free vent of the Cloth in forreine parts. Whereupon Q. Elizabeth, granted a Speciall Licence to the Fellowship of the Merchant Adventurers, to transport all sorts of white Clothes undre'st, with a Non obstante to that Statute. And although all other men stood lyable to the Statute stil, and were restrained, yet the Utility that hereby arose to the Common-wealth, did farre exceed the restraint of the Publique Liberty. For within few yeares after the granting of this Licence, the vent of Cloth in forreine parts increased to twice as much, as formerly it was during the strict observation of the Statute. Other like dispensations of Statutes, I might instance: as that of the 28 H.8. concerning the retailing of Gasgoigne Wines at two pence a quart: which is dispenced with, by a licence to the Company of the Vintners: but these may suffice for every mans understanding of this kinde of restraint.

For Prohibition by Act of Parliament: such is the Act whereby all the subjects of this Realme, excepting such as are of the Corporation of the Muscovy Company, are forbidden to trade into any part of Russia. Also that of 3 Jacob concerning Artizan Skinnes, whereby all but the Company, are forbidden to buy and retail some sorts of Skinnes. In these and the like, the Parliament maketh restraint of the Common liberty of Commerce, and the same restraint is againe released, not unto all, but to some persons or Corporations by Speciall exception and proviso of the Act of Parliament.

The latter kind of restraint by Publique Authority, is when that which seemeth by the Lawe to be free to all is by some Patent or Proclamation of the Prince, prohibited to all, saving some certaine Corporations, or persons specially excepted and authorized in the same Patent or Proclamation. Of this kind are generally reputed all Corporations of Merchants, which are not confirmed by Act of Parliament. Which are generally reputed to carry with them a restraint to others, of that liberty, which the Law doth seeme to offer to all in point of Commerce. Whence it is that so many pleade the Freedome of subjects, and presse, or rather oppresse that plea of equity, hat it is equall that all subjects should bee a like free to be Merchants in all Trades. To whom I answere, that first there is no good Equality in it, because it is against the Publique Utility that all should bee Merchants at their pleasure. For that's not equall, that may seeme profitable to one, and bee hurtful to many. Atque ipso utilitas iusti prop matter & aequi, as Horace speaketh. And yet what point of equity is broken, when the freedome of Societies is so carried, that it is open to all men upon equall termes; that is to say, either by service or purchase? Otherwise it were very unequall, that one man should serve for his freedome, or buy the same: and another man should have it for nothing. If this point were well thought upon, I prosume the Gracious Grants and priviledges of His Majestie, conferred upon Societies, would not seeme so much a restraint of the Common liberty, as a prudent ordering and accommodating thereof unto the Publique Utility. For

it hath ever beene a Policy of this State, to reduce the Trades of Merchants of this Kingdome into Corporations and Societies, for the advancement of Trade, by the benefit of order and government: well foreseeing that there cannot be any greater Bane to a Well-governed Common-wealth, then Ill-governed and disorderly Trade. Whereof I shall have fitter occasion to speake in the next Chapter, when I come to treat of the Inconveniences of the want of government in Trade. So that in this case the generall rule must be this; that such a restraint of the Publique Liberty, as is before mentioned, is alwayes to be allowed, when the same is recompenced with a Publique Utility. According to that of Tacitus, *Omne magnum exemplum habet is se aliquid iniqui, quod utilitate publica contra singulos compensatur*. Also the liberty that the Law seemeth to give the subjects in Trade, is to be understood, of imployment Within the Kingdome, not Without the Kingdome. For what liberty can a Nationall Law, give to a Forrein Trade under a Forreine Jurisdiction, when the liberty or restraint thereof dependeth upon those Forreine Princes and States where that Trade is tollerated? Therefore the Law may give the subject Liberty Within the Land, but it is the King that must enable men to trade Without the Land. For all the Trade of the Merchants of this Kingdome into Forreine Countries, is grounded upon the Amity of the King, and the Treaties of Peace contracted by the King, with the Kings and Rulers of those forreine parts, at his owne charge, and by His owne Authoritie, without the assistance of His Parliament. And therefore it holdeth good congruity, that the King by His like Authority, may have the disposing and ordering of such His contracts at his owne pleasure.

The second part of Monopoly remaineth, of the setting of the price at the pleasure of the Monopolist, to his private gaine, and the publique losse. This Gothofredus calleth the forme of a Monopoly. And in truth it is the very Soule and Accomplishment thereof. And he or they that have this power over the price of the thing they negotiate, may well be said according to the notation of Monopoly, from {Greek word omitted} and {Greek word omitted}, to converse alone. For in so doing, they so live, as none can live by them, in respect of their singular gaine in this kinde: Contrary to that honest Poverbiall rule of the Dutch, that men must *Leuen ende laeten Leuen*: So live as other men may Live by them. But here I cannot but discharge all those Corporations of this Kingdome, of this part of Monopoly, which afford to every particular trader thereof, the managing of his owne stocke, in buying and selling as hee can, without any combination with others. In which it is an impossible as unusual, for any to have command of the rice of their Commodities: because there is such a multitude of Traders of them; and every man is at liberty to buy or sell, without any rule by any generall order, or meanes to hold one price. But the greatest suspition of Monopoly in Corporations, is in such as Trade, in Joint Stockes. Whereof if there be any that tradeth in a Joint Stocke, and hath the Sole buying or selling of any Commodity, and buy and sell the same Jointly, as by one person or common factor, such is guilty of Monopoly.

For particular men, they may also commit Monopolizing: either by procuring Patents by misinformation of the State, for the Sole Importing or Exporting, buying or selling at their owne prises, to the restraint of the Common Liberty, and the Publique Utility of the Kingdome: or else when some one or few, without any Authority, doe joine together to engrosse and buy in a Commodity, and sell it out againe at their owne price. Of the former kinde,

are those Catalogue of crying Monopolies, which his Majestie in His high Wisdome and Grace damned in His Princely Proclamation of the tenth of July last, in the XIX year of His Majesties most happy Reigne over this Kingdome: Many of which were abused in the Practice, from which they appeared to be in the Institution. And here a pretty question occurreth. When a Patent is granted to a certaine person or persons, so as hee or they have power to licence others to exercise some kinde of Commerce solely, and consequently with command of the price: that question is, who is then the Monopolian, whether the Patentees, or their Assignes? In this case I suppose, that both the one and the other commit Monopoly. For first, the Patentees make their price at their pleasure upon their Assignes, and they againe upon the Subjects. So that here is Mnnopoly upon Monopoly: like your Salt upon Salt, Interest upon Interest, or the Decompositum in Grammer.

In the latter, some sorts of Trades-men in London, are said to offend. Which being matters of Generall note, and willing to avoid offence, I will passe by such particulars. And this shall suffice for the Definition and Distribution of Monopoly.

Cap. IIII.

Of want of Government in Trade.

Such is the Forme of Trade considered in the Strict Use or Abuse of Government, by way of Monopoly. It now remaineth briefly to shew the Too Loose Use thereof, by Ungoverned Trade.

It is a Maxime in the Mathematicques, that Rectum est Index sui & obliqui. And the want of Government, cannot better be demonstrated, then by the benefit of Government it selfe. For thereby the Common-wealth hath beene much advantaged, both in the encrease of the native Commodities of the Kingdome, and the advancement of their use and price in Forreine parts: and also in keeping the forreine wares at a moderate rate within this Kingdome. This will be yet more perspicuous, if we cast our eye first upon the several Societies of Merchants which trade under Government: and then on those which trade without Government. For *Contraria juxta se posita, magis elucescunt*.

In the first place therefore consider we that Ancient and heretofore famous fellowship of the Merchants-Adventurers of England. Hath it not by their politique rule and order, eaten out the Societie of the Hans-townes of Germanie and the Merchants of the Entercourse of the Low Countries, in those trades, which a long time they enjoyed in this land? And whereas those of the Hans, vented in Germany, only a matter of sixe thousand of our Clothes yeerely and at low prices: and held this Realme as it were beholding unto them for their shipping: yea upon some discontent for denying of them priviledges, durst offer some hostilitie in the time of Edward the fourth. Whereas the Merchants-Adventurers by their Charters, granted from time to time by the Princes of this Realme, and favoured by Parliaments successively; by their orderly manning of their trade, have supplanted the trade of the Hanses in Germany: and brought the said Six thousand vented by them in Germany, unto Thirtie thousand Clothes yeerely & at great prises. And it is worthy to be remembred to their Honour, that service which the Merchants-Adventurers did to the State in Anno 88 when they supplied the Navie Royall with a whole ships lading of Powder and Shot from Hamburg: which came luckily even in articulo temporis, when there was a very great want thereof. These also have from time to time employed and bred up many worthy Masters of ships

and Mariners; and built many Tall, warlike and Serviceable shippes: which as they themselves also, are at all times ready to doe service to the King & State upon all occasions. None of all which they had ever beene able to have done as particular men, in a loose, distracted, and disorderly trade.

Great benefit also hath arisen from the East-land Company: who have wonne like ground of the Hanses of the Baltique Sea: and doe employ in that trade a great number of proper Shippes and Men.

The Levant Company likewise by their trade under Government, hath built a great strength of warlike, Tall & Lusty Shipping, which they employ in that trade: and by their industry have wonne from the Italians the trade of the Levant: the Commodities whereof were before brought into this Realme by Argosies to the encrease of forreine shipping, and at deare rates: and is now reduced to the Natives of this Kingdome, to the encrease of Shipping, and the benefit of the Publike. Which without Government and good order, had been impossible for them to have done.

The French Company also, though but lately reduced to Order, have reformed many abuses in that trade, in maintaining the Native Commodities of this Kingdome in much better estimation, and in keeping the Forreine at moderate prices: and in employing greater shipping, then at any time before. Which were impossible for them to effect Singly, without Societie.

Lastly, for the East-India Company, whereof I am prevented to say what I might, by two severall discourses published in print, the one by that worthy and rarely qualified Gentleman Sir Dudley Digges Knight, the other by that discrete Merchant Mr. Thomas Mun: yet this I say, that this Great and Noble Societie by the benefite of Government, hath set on foot a very mightie Trade, farre beyond any other Company of this Kingdome: and accordingly hath excelled in greatnesse of shipping, and making Mariners of land-men, beyond the example of any other Corporation: & had not Envie thought that Trade too great a Treasure for this Kingdome doubtlesse they had in Encrease of trade, excelled all the Companies of Merchants in this Common-wealth.

But here the ordinary objection encountereth me, that in Germany, Spaine, France, Italie, and the Netherlands, there are no such Companies, nor restrains of Merchants, as here in England: and yet that those Countries thrive better in their trades, than we in ours. I answer, that if it be granted, that they have no such Companies nor restrains of any, and that they thrive better in their trades then we; yet it will not follow, that this their better thriving is because every man is at libertie to be a Merchant at his pleasure. This is the fallacy which the Logicians call {Greek phrase omitted}, Non causa pro causa. For if that were the cause, why then should not our Spanish Trade, that hath no Company nor restraint, prosper better then the other Trades which are Governed in Companies; whereas to speak as the truth is, This Trade & These Merchants, are the most miserable of all the other Trades and Tradesmen of this Kingdome, and all through want of Government: thorough whose sides the Common-wealth suffereth, and hath already lost many Millions in value of the wealth of the Weale-publique, as I shall shew anone. But to the Assumption, I deny that the Merchants of those forreine Countries, trade without Government. For Germany hath anciently had one Society, or Corporation of Merchants in all their Sea-townes, called the Society, or Corporation of the Hans before noted: as their houses of Staple yet standing at Bridges in Flanders, Antwerpe in Brabant, Novogrode in Russia, Bergen in

Norway, and the Steelyard in London can witness. Which Trade of theirs flourished, as long as it continued under Government: but having lost their Priviledges, partly by their owne Stragling, and partly being overtop't by the flourishing of the Merchants-Adventurers Trade, their Trade is now almost quite fallen to the ground.

For Spaine and Portugall: all men know that their Sea Trade is little, saving to the East and West Indies. And those Trades are carried with Government, and farre more restraint then ours.

For France, there are not (that I know) any Companies of Merchants for forreine parts. Which I take to be the cause, why those Merchants shipping, is of so small burthen, and of as little sufficiency for service. Which is an effect of a stragling ungoverned Trade.

For Italy, that consisteth of so many severall Jurisdictions, that it were impossible to make a generall Corporation for any one kinde of Sea-Trade. For example, were it not in vaine for Genoa to make a Corporation & Orders for Trade, whilst Florence held a contrary course? It were certainly all one, as to have a Company of Merchants for Spaine at London, and the West-parts left loose to Trade without Order or Government, which were a meere mockery. But the Trade in many parts of Italy, being carried by Families, and every Family being as it were one Person, there is a kind of Government in their Trades, and the same performed with merveilous credite, policie, and judgement.

The Lowe Countries, by that Union which is of the severall Townes and Provinces unto the States Generall (which neverthesse is as much, and endureth as long, as every severall Province and Towne listeth,) have of late yeares erected their East India Company, and the like for Guiny, and are in hand with the like for the West Indies. Also the Cloth-buyers, the principall Merchants of Holland, have lately obtained Octroy so termed, which is Priviledges and Immunities of the States, to assemble themselves, and to keepe Courts, and make Orders for their Trade; and principally to confront & oppose the Merchants-Adventurers Trade, upon some differences, lately fallen out betwixt those Cloth-buyers and the said Company about the residence before noted. For their other Trades of Germany, Poland, England, Grance and Spaine, they rather with then finde it possible, to joine the severall Townes in one Rule and Order. And who so converseth with that Nation, shal finde that they very much complaine of the disorders of their Trades, for want of that kinde of Government, which many of them take notice of here in England: and some of them of late have desired instructions from hence in that behalfe. Besides all this, these people as they are borne and bred in an United Country, so doth their nature and disposition encline much to an Union and Communion in Trade. Insomuch as oftentimes they are able to worke their feates by Confederacy and Combination, against an Incorporation in our Nation. For they wisely consider, that their interest is involved in the Publique: where, in our Nation, men commonly preferre their Particular, to the Common good.

And thus having and answering the objections against Corporations, of Merchants and Governed Trades, and shewed the many and manifold benefits arising to the Common-wealth thereby: It is now easie to shew the Injury and Inconvenience to this Common-wealth by the want of Government in Trade. Those that Trade without Order and Government, are like unto men, that makes Holes in the bottome of that Ship, wherein themselves are Passengers. For want of Government in Trade, openeth a gap and letteth in all sorts of unskilfull and disorderly persons: and

these not only sinke themselves and others with them; but also marre the Merchandize of the land, both in estimation and goodnesse: then which there can bee nothing in Trade more rejudiciall to the Publique Utility. And to make good these particulars, I take this for a ground: Nemonascitur artifex. Which as it is true in the occupaitons of Artizans: so is it much more true in the Trades of Merchants: wherein there is so great variety of difficult points to bee learned, before a man can learne his Stucke, as the Dutch-men speak, or be his Crafts master. And how can the Merchant, that hath no skill in his Commodity, looke to it, that the Maker performe his part? Or how can a falsified Commodity, hold his estimation and use? The ill experience whereof, is not more remarqueable in any of His Majesties subjects, then in those that trade into the Dominions of the King of Spaine, without Order or Government in Trade. For at the beginning of His Majesties most happy Raigne over this Kingdome, this Trade by His Majesties Princely favour, was made a Corporation and Society of Merchants, and flourished under Government. And then thenew Draperies, and other the Native Commodities of the Kingdome were maintained in their estimation and goodnesse at Home and Abroad: But soone after by the clamour of some who preferred their owne liberty, to the utility of the publique, and by some misinformation given the Parliament of that time, this Company after it had flourished two years, was dissolved, and ever since exposed to confusion and disorder in Trade, and is become a receptacle and Rendes-vous for every Shopkeeper, Stragler, and Unskilful person: and may serve for a lively representation of the hopes that may be expected, by such a loose trade, as many now daies so much desire, not rightly conceiving or considering the benefits of Government, nor the Inconveniencies that doe perpetually accompany trade in the want thereof. Which in the Effects will be more perspicuous, to which in their Order we now proceede.

Cap. V.

Of the Effects of the former Causes as they concerne the King

Such were the Causes considered in the Matter and Forme of trade. The Effects follow: which doe either concerne the King or the Common-wealth.

Such as are the Causes, such also must needs be the Effects arising from the same: and those doe either respect the King in point of Honour, or in point of Revenue: and both in the Matter and Forme of Trade.

In point of Honour, there is a relation to the King from the Matter of Trade, considered Generally, or Specially.

Generally, in the general neglect of all trades, by temerous, rash, and litigious suites of law: whereby the Peace of the Kingdome is disturbed, the Justice thereof abused, and in both the King dishonoured.

Or Specially in some speciall Commerce of this Kingdome, abused by the Kings Subjects, or Strangers. By the Kings Subjects, in the Drapery of the Kingdome, when His Majesties Seale of Armes, which, as I said, shall be dishonoured by false Cloth and other Manufactures, that are unworthily honoured therewith: and whereby, those that buy the same both within and without the Land, are perswaded the same is good and true, when the same is utterly false: which is a great indignity offered to the King.

By Strangers, in the East India Action, and the matter of

Fishing. In the East India Action certainly the Kings Honour is interested; not onely to protect his subjects against the Injuries done them by the Dutch in the East Indies; but also to maintaine the Glory and Revowne, of His Sacred Fame, which hath heretofore beene Illustrious even unto the Heathen: which some have dared to doe what they could to obscure. The Fishing hath aslo reference to the Kings Honour: for it is a Royalty of the Crowne, which the King in Honour cannot but protect.

There is also an Effect that extendeth it selfe to the Kings Honour in the Forme of Trade, as it is too strict, or too loose. Too strict, in respect of Monopolies, wherein the Prerogative of the King is abused, and therein His Honour also, by those that thereby seeke to priviledge and Patronize things unlawfull.

Too loose, in the disorderly Trade of the subjects out of Government. For those Strangers that have not beene in our Countrey, nor seene the Order of His Majesties Government, must needes Ex Ungue Leonem, guesse at the Sovereigne by the Subject: And like to Archimedes who drew the whole pourtraiture of Hercules body, by his footstep onley found in Mount Olympus, proportion the Royall and Regall Government of His Majestie at home, by the deportment of his subjects abroad. And as the Orderly Trade of Merchants is an Honour to the King, when the same is contained within the listes of Government; so the contrary cannot choose but produce a quite contrary effect.

In point of Revenue the Kings treasure is diminished, in the Mater also and Forme of Trade. In the Matter of Trade, either in the Generall course of Trade, or in some Particulars. In the Generall, the great want of money, and decay of Trade throughout all callings and conditions of men, must needes cause a great diminution of His Majesties Revenue, both in His Customes and Supplies. For the Customes, those perpetually rise and fall with Trade: And for Supplies, the subjects being impoverished through want of Money and decay of Trade, are disabled to doe that service to His Majestie, which otherwise they would be willing, and heretofore have beene able to performe, in flourishing times of Trade. And if our experience hereof had beene in the {Greek word omitted} and not in the {Greek word omitted}, in the Contemplation only, and not in Action: we had been much more happy in this Kingdom and Nation.

In the particular course of Trade, it shall content me to instance onely the East India Action, and the Fishing, before referred to the Kings Honour, here to his Revenue. By the East India Action there is a very great losse to the King in His Customes, by the losse of all the Customes which that Trade would have produced in all this time: and of the Encrease also of Trade, which that employment had brought with it, which would have yeilded to His Majesty a great Increase of Customes answerable to the same. Of both which if we had not beene deprived, certainly His Majesties Ferme of His Customes had yeilded Many Thousand pounds a yeare, more then now they have done.

By the Fishing, the Customes and Tolles which are undoubtedly due to His Majesty for the Strangers Fishing upon our Coasts, together with the encrease of Trade, and consequently of Customes thereby also, wold amount to so great a value, that I cannot wonder enough, that the same hath beene neglected all this while.

And lastly in the Forme of Trade, the Kings Revenue is mightily diminished, when by the disorder of Trade, the very course of Trade inverted, and therein the Kings Customes and Subsidies also.

Cap. VI.

Of the Effects of the former Causes as they concerne the Common-wealth.

From the King, come to the Kingdome. Wherein there are also manifold Effects of the precedent Causes, both in the Matter and Forme of Trade.

And although in the very same things, wherein the Honour and Revenue of the King are invested, the Wealth of the Common-wealth is also interested; yet the same may otherwise be distinguished, that so they may be made the more perspicuous and cleere to every mans judgement.

The Effects then that arise out of the Matter of Trade and fall upon the Kingdome, may be saide to be either Active or Passive. Active, when they are done by our Selves: Passive, when they are done to us by others. Active, in the use of Law, either Too much, or Too little. Too much, in Suits of Law, whereby one subject vexeth another: which make this peaceable Kingdome seeme to bee at Warre within it selfe. For whilest men are thus at Deadly feude in Law, by the losse of their Times, and Trades, and States, the thrift of the Commonwealth must needes be neglected. Too little, In the Non-execution of Lawes, which tend either to the enlargement of Clothing, or the restraint of the Excesse of the Kingdome. theformer is, either in respect of the Ill searching and Sealing of Cloth, or in the Transportation of the Materials of our Cloth before mentioned. In the former of these, the Merchants Adventurers can give you an account of Ten thousand pounds a year at least losse to this Common-wealth, by the Tare or abatements upon the Cloth in forreine parts, for the false making and sealing thereof: Besides the other Effects of the decay of the Drapery it selfe, and other Trades depending thereon, the losse whereof is unvaluable. In the latter, every man is sensible of the losse to the Common-wealth, in robbing it of the Materials: whereby not onely our Draperies are Impaired, but the Forreine also are thereby much Improved.

Also the want of restraint of the Excesse of the Kingdome, in Usuary and Prodigality: the one being a Viper in a Kingdome that gnaweth through the bowels thereof: the other a Canker that fretteth and wasteth the stocke, in spending the forreine wares, more then it venteth of our owne: both and either doe produce intollerable effects in a wel ordered Kingdome and Common-wealth.

Or Passive, in the ill Effects that fall upon the Kingdome, in things done to us by others. And that either by Friends or Foes. the former is done by Imposition, or Usurpation. By Imposition, in the Merchants Adventurers Trade in Holland: where there is lately taxed upon a Pack Cloth 9 Guilders, and upon a long Cloth 18 Guilders, and upon a fine Cloth 14 Guilders, which is 18, 36 and 48 shillings of our money. And yet neverthelesse they free their own Countrey Cloth of all manner of charge; nay, they give encouragement to the makers thereof by many Priviledged and Immunities: whereby it is more then manifest that they do what in them lyeth, to Plant their owne Draperies, and to supplant ours, to the infinit disadvantage of this Kingdome.

By Usurpation, those Friends of ours, deprive us of our East India Trade and Fishing, which here again occurre, and offer themselves for this purpose also. By the former, the Common-wealth hath not onely been dispossessed all this while of so great a stock, as is that of the East India Company, but of the employment and excrease of Trade also, that thereby in all this time would have accrewed unto this Kingdome. And it is to be

feared, that their policy is not onely to deprive the Company of their Stocke, but the Kingdome also of the Trade: which they thinke too great and glorious a Fortune for this Common-wealth to enjoy, and the onely hope of their's. And hence it is that the Restituion is so hard to be had, because they think by detaining it, and spinning out the time, they shall in time weary and weare us out of that Trade: And so in the meane while, by Plowing up those Indian Seas and Soyle with our Heifers, they may at last Reape all the Harvest, and possesse and dispossesse at their owne pleasure, to the wonderfull enriching of their Common-wealth, and the impoverishing of ours.

By the latter, to wit, their Fishing upon our Coasts, the Common-wealth looseth that which they gaine: which is merveilous increase of Trade, of Shippes, and Marriners. Whereby their Navigation is mightily Strengthened, their Marriners multiplyed, and their Trade encreased: Of all which this Common-wealth is deprived, and their's enriched.

By Foes also this Common-wealth is lamentably Passive, in the cruelty done by Turkish Pirats upon Men and Shippes, and Goods. The grieffe is lamentable, the losse intollerable.

Lastly, there are ill Effects that fal upon the Common-wealth in the Forme of Trade: and that in respect of Monopolies, or Ungoverned Trade. Byt the former, this Common-wealth is deprived of that true liberty of Trade, which belongeth to all the subjects: when the Commodity of some few, is preferred to the publique good.

By the latter, which is most remarquable in the Trade of His Majesties subjects into the Domminos of the King of Spaine, and the Mediterrean Sea; the Trade of this Kingdome consisting in Bayes, Perpetuanoes, Kersies, Waxe, Tinne, Lead, and other the Native Commodities of this Kingdome, is betrayed into the hands, both of those with whom we are in Amitie, and others that are with us in Enmity. The one taketh advantage of our unmerchant-like courses for lacke of Order: The other, of our Shippes sent forth stragling for lacke of Fleets: and both through want of Government in Trade. Whereby the Perpetuanoes and other new Draperies have by little and little bin made worse and worse, so that now they are become quite out of use, the Trade lost, the Traders ruined, the Manufactures by other Nations supplied, the Navigation hindered, by the losse of many worthy men, and Serviceable Shippes: In all which, the Decay of Trade is exceeding Great, the Common-wealth's losse Infinite.

Cap. VII.

Of the Remedy for all the former Causes of decay of Trade.

Having shewed the many and manifold Causes of the decay of Trade in the Matter and Forme thereof: It remaineth now to present the Remedy. Which according to the precedent Method, I will apply unto all the particulers in their order. Onely the Remedies for the Effects, I shall present in the Causes: for the Causes being removed, the Effects must needs cease, according to the common Maxime in Philosophy, *Sublata causa tollitur effectus*.

In my former distribution I considered the Causes of the decay of Trade, in the Matter and Forme thereof: and in the Matter I insisted on Money and Merchandize. The Causes of the want of money, I shewed some to be Immediat; some Mediat or remote. the Immediat Causes, I noted to be such, as either hinder the Importation; or such as cause the Exportation; and both in the Under-valuation of His Majesties Coine. The Remedy offer's it

selfe, which is double. First, how it may be got: and next how it may be kept. The former may be done two wayes: By Raising of the Kings Coine; and by making current Forreine Coines at equall value. The latter, also may be done two wayes: By another manner of Execution of the Statute for Employments then heretofore: wherein there is some reason not to expresse my selfe as I might: And by His Majesties Princely and Prudent Negotiation, with the Princes of our Neighbour Countries, the States of the united Provinces especially, to keepe a more constant course in the values of their Coines. Neither of which can be done by the Par of Exchange, which is now again in agitation, and hath taken more then twenty yeeres to bring it to perfection. Wherein, absit invidia verbo, that I say, there is neither Parity, nor Purity. For it is not the rate of Exchanges, but the value of monies, here lowe, elsewhere high, which cause their Exportation: nor doe the Exchanges, but the plenty or scarcity of monies cause their values. Or if I should grant that to be the cause which is not: yet it doth not follow, that because the Stranger, like enough, would be a deliverer heere of money at a high rate, that therefore the English must take it. And then the consequence will be ill: for if the rate be such as the Taker like not, then the Deliverer is yet more thrust upon the exportation. But this I leave to those to whom this project is committed, with this, that this opinion seemes to be *ciusden farinae*, with another of his, in his Canker of Englands Commonwealth, in these words: "And it were to be wished, that our Cloth were sold at so deare a rate, and according to the price of forreine Commodities, that thereby other nations would take upon them to make our Clothes themselves: which might easily bee remedied, by selling our woolles the dearer, whereof they must make them." Which seemes to have in it much more Dutch then English, to deprive this Kingdome of so Royall a Manufacture, whereby so many thousands of poore families, ae maintained in the same: as if hee would cure one Canker with another, contrary to our Saviours Argument, that Satan cannot cast out Satan. But I returne to mine owne Station: and therein to answer the objections that doe occurre the raising of Money: which are wont to be principally, either the continuall Raising of it, to follow the Rising of forreine Coine; or else the inevitable losse that thereby will fall, Generally upon all men in the endearing of all things; and Particularly upon Landlords and Creditors, in their rents and contracts.

For the continuall Raising of the Coine, that will be needlesse, if the meanes be sufficient for executing the Statute for employments, whereby the Money may be kept within the land when we have it. And for the dearnesse of things, which the Raising of Money bringeth with it, that will be abundantly recompensed unto all in the plenty of Money, and quickning of Trade in every mans hand. And that which is equall to all, when hee that buye's deare shall sell deare, cannot bee said to be injurius unto any. And it is much better for the Kingdome, to have things deare with plenty of Money, whereby men may live in their severall callings: then to have things cheape with want of Money, which now makes every man complaine.

Lastly, for Landlords and Creditors, their losse is easie to be prevented by Proviso, that the Contracts made before the raising of the Monies shall be paide at the value the Money went at, when the Contracts were made: according to the disposition of the Civill Law in this case: *Valor monetæ considerandus & inspiciendus est a tempore contractus, non autem a tempore solutionis.*

The raising also of the Coine, would raise the price of

Plate: whereby either there would be lesse superfluity that way, or else more old Plate, which perhaps in some mens hands is kept up for Treasure, would be brought out, to be molten into Coine.

The Mediate or Remote Causes of the want of Money, I observed to be either Domestique or Forreine. The Domestique, Generall or Speciall. The Generall, the great Excesse of the Kingdome, in consuming the Commodities of forreine Countries in such abundance, to our own losse. And amongst those, the great excesse in Tobacco is none of the least: which if it might seeme good to the High Wisdome of His Majestie, to restraine, or at least to give a tolleration of the Virginia and Barmudo's only: there might be a great deale of Pietie and Policy shewed in this Remedy. For in the one respect, it would tend to a great enriching of that plantation, which so happily succeedeth through Gods blessing: and in the other it would advantage the King and the Kingdome, in the redresse of the disorder of the Spanish Trade, and in bringing in Treasure in stead of that Toye, more then the Rent that is now raised to His Majestie for the same.

The Superfluity of other Commodities may be restrained by lawes Vestuary and Sumptuary, according to the example of Germany & other our Neighbor Countries.

The Speciall Remote Cause of our want of Money, I noted to be the want of our East India Stocke in the Common-wealth. the Remedy whereof, is in the Princely Power and Gracious Favour of His Majestie to apply at His pleasure to this Languishing body. And if His Sacred Majestie will vouchsafe to apply His Gracious Mouth, to this Mount: His waking Eye, to this Eye: His powerfull Hand to this Hand: then surely this fainted Body will receive Breath and Life, from the powerfull influence of so Great a Majestie, and revive also the many other fainting Trades, that are fallen in it. The Forreine Remote Causes, I observed to be the Warres in Christendome, or the Trades maintained with ready Money Out of Christendome. The former, either cause the Exportation of Money, as do the Warres of Christians: or hinder the Importation thereof, as doe the Warres of Pirats. A Remedy in the former of these I know none, besides that blessed disposition in His Majesty to spare no Cost to make Peace: which hath made His Fame shine as farre as the Sunne shineth, and shall last as long as the Sunne and Moone endureth: and as sure as the Lord is faithfull, will be remembred on His Posterity for ever: Besides this I say, I know none, but Patience and Prayer: that God would avert the heavy Judgments at this day on the Christian world, and give us grace to consider Our peace, in this Our day thereof. A Remedy in the latter, may be either by reducing of the stragling trade of His Majesties subjects into the Dominions of the King of Spaine, into Government; whereby they also might goe in Fleetes, as other governed Companies doe, and the better defend themselves against so Common and Cruel an enemy: or else by seeking restitution of our wrongs in this kinde, where it may be had: so farre as it may concurre with the Honour of the Kng, to whose Great and Princes judgement, I submit the same.

The Remedy for the Exportation of Money out of Christendome by the Trades before mentioned, dependeth much on the good Conclusion hoped for, betweene the Dutch and our Nation. Whereby not only the Indian Commodities, which in those Trades are the principall, may be bought much better cheape, and consequently spare a great deale of the Treasure now issued out for the same: but also, the Native Commodities of either Country, and as much as may be of every Country, may be brought into Trade and Traine with the Indians, and advanced in their use and price: that so at last in stead of Money for Wares, we may give Wares for Wares

according to the Law and nature of Commerce. And this good conclusion between the Dutch and Us, is the rather to be wished, and the more to be hastened, because the subtilty of the Indians is great, intaking advantage of this unhappy Faction, or rather Fraction, that is fallen betwixt us. For those that have travelled the Indies, and observed those people can tell, that the Indians doe ascribe so much to the light of their understanding, that they doe account the rest of the world blinde in Comparison of them. Only they vouchsafe to the people of Europe this honour, to call them One Eyed Men. Which aslo Masseius taketh notice of, in his History of the Indies, that those people dare beyond modesty thus to brag; Chineses duos habere oculos; Europeaos unum; & quod hominum est reliquum, caecutire. That the Chineses have two Eies, the Europeans one, and all the rest of the people of the world are blinde. And indeed they doe approve themselves to be Quicke-sighted enough: for they are the Antipodes of Christians, and are in scituation farthest remote from them, and yet can finde the Meanes, to pry into the mines and Treasrue of the Christian world. And therefore I say, it is high time that the Dutch and We lest Darting at one another, and so joine together, that as with one Hand, and one Heart, and if they will needs have it so, with that one Eie, we may collect and contract our sharpest sence & fight into it; that as it is said, some Monoculists, by the sharpnesse of the sence drawne to one Eie, see better with that, then both: we may at last put this remedy in practise, that we seem no longer blind men, to those Indian people. But herein on both parts, are we humbly to impore His Majesties Regall Intercession, that these differences, betwixt the Dutch and Us, may no longer Hang in Suspence, but at last be drawne to that happy and hopefull Period wee have so long looked & longed for. That so the Majesty of the King, arising like the Glory of the Sun-rising upon this our Horizon, may dispell and disperse all the tempestuous Mists and Fogges, that have obscured the same; and lend such a glorious Light and Life unto this Orbe of ours, that They & We, like lovers and friends fallen at oddes, may be reintegrated, renewed, and reunited, in unfaigned Amitie and Unity, tha the name of Hostilitie betwixt Them and Us, be never hereafter told in Gath, nor publish't in the Streets of Ashcalon: And that the Publike complaints as well of their Owne people, as Ours, may no longer come under the view and censure of the world.

Another Remedy of this kinde, may bee His Majesties gracious protection of the Persian Trade now so happily set on foote: that so neither the Envy of any, at Home; nor the Power or Policy of any abroad, supplant us in the same. Whereby the Cloth and Tinne, and other the Native Commodities of this Kingdome, may be brought into Use and Commerce amongst the Persians also. Which through Gods blessing, and his Majesties Royall Assistance, may be a means to draw the whole Trade of the Persian silke into this Kingdom, and make it the Magazin thereof, for the supply of other Nations: to the weakning of the Turkes power, the increase of Trade in this Common-wealth, and with it His Majesties Customes, the Navigation, and employment of the poore: to the Great Honour of the King, and enriching of all His Kingdomes.

And so much for the Remedies about the matter of Trade in Money, the Merchandize followeth. Which I considered Jointly or Apart. The things that hindred the whole Trade, I noted to be Deficient, as the want of Money, or the East India Stocke, which have their Remedy before: or Efficient, as Usury and Litigious Suits of law, to the Remedies whereof we now proceede. The Remedy for Usury, may be plenty of Money. For then, men will have no

such cause to take Money at interest, as when Money is scant. For as it is the scarcitie of Money that maketh the high rates of interest: so the plentie of Money will make the rates Low, better then any Statute for that purpose. For although in the Netherlands, it is lawfull for a man to take twenty in the hundred if he can get it (wherein it seemes the Author of the Tract against Usuary was misinformed) yet there, commonly money is let at 6 and 7 in the hundred, by reason of the plenty of Money.

Or there is another Remedy for Usury, in giving liberty to the subjects if so it may seeme good to His Majesties High Wisedome) to buy and sell, and to transport Billes of debt from man to man: according to the Custome of Germany and the Low Countries. Which is found to be an excellent meanes to supply mens wants in course of trade; and tendeth also to the enlarging thereof. And for the Extorsion upon the poore above noted: if a stocke of Money were raised in manner of a Lumbard, or otherwise in London, and in the Countries whre much poore depend on Clothing; and else-where where there is cause, whereby the multitudes of poore wherewith the Kingdom swarmeth, might be from time to time supplied for a small consideration; it would certainly give great encouragement to the poore to labour, it would set on worke many fatherless children that are ready to sterve, it would benefit the Common-wealth by their labours, and it would be an acceptable worke to Almighty God, so to supply their wants, and not to suffer the faces of the poore to be ground by the extorsion of any. And I am perswaded, that every good man would be willing, either to give, or to lend, toward the raising of a stocke of Money for this purpose.

For Litigious suits of Law, if men bestowed halfe that study and cost in trade, which now adies is spent in temerous and rash suits of Law; surely the benefite that thence would arise to the Common-wealth, would equal or exceede in value, that which is spent in Law, which I thinke cannot be valued. The Remedy requireth great consideration for such is the Cause.

That the suites of Law in this Kingdome are now infinitely increast, to that they were in elder times, I thinke it is out of question: the Quaere is about the cause thereof. Litigious suits of Law, may seeme anciently to have beene restrained, either by Sureties, or Fines, or both. Of the Former there is yet a defaced print in the Common-Pledges of Doe and Roe. Which were of old the names of true and reall sureties, but are now become formall only, and saigned names of Course and Solemnity. Whence also it is, that in staed of Reall sureties in London, saigned sureties are devised fromt he dwelling of the party Plaintife: As for example: if the plaintife dwell in Cheape-side: they enter for his Sureties upon the Record of Court, John Cheape, and Richard Side. And in like manner whresoever else the Plaintife dwelleth.

Of the Latter, to wit of Fines, the use of them both in the Kings Bench & Common-Pleas, continueth unto this day. In the Kings Bench the Fines are not so ancient for those began in the 8 year of His Majesties Happy raigne over this Kingdome: neither are they of like value to those of the Common-Pleas. Whereof His Majesties made then a Graunt to certaine Patentees for terme of yeares. But in the Common-Pleas, the Fines upon Originall Writs, are held by the learned in the Law, to bee as ancient as the Common-Law it selfe.

Now whether the use of Sureties, or the Institution of Fines, were invented for the restraint of Ligitious suits of Law: or the Disuse and inequality of them, tendeth to the encrease thereof; I humbly leave that, to the wisdome and judgement of the Reverend

Judges, and others learned in the Law: least I seeme {Greek phrase omitted}. Nevertheesse there seems to me, to be a print of them, in the Lawes and Customes of Forreine Nations. For which, if you please, let us heare Maimon a great Rabbi. Hebraei, litigiosum hominum genus, saith he, duplum rependere coegerunt, qui debitum scienter denegaret.

Also Festus Pomeius, cited by Bodin. Romani, decimam partem eius rei, quae in controversiam veniret in privatis, aut trouersiam veniret in privatis, aut quintam in publicis iudiciis, imperiabant, Ac licet Romanie in Republica libera, Vectigalia & tributa imperare fibi difficilime paterentur, Vectigalia tamen Iudiciaria patienter tulerunt.

Also Hootoman. Romani Sacramentum constituerunt, certam viz. pecuniae summanm, ut qui indicio vicisset, suum sacramentum auferret, victi aute ad aerarium rediret.

And lastly Bodin. Carolus IX. Vectigal Iudicarium ad cohibendam litigatorum hominum indomitam atque effrenatam licentiam imperavit. Quo vix ullum afflictis aerarii opibus utilius, & Galliae Imperio litium innumerabili multitudine appresso, splendidius cogitari poterat.

There is also in France an excellent restraine of Law suits, by a Law Merchant, establihsed in Roan, Lions, and Tholosa: whereby the other higher Courts of Justice are eased of those Knotty questions that often fall out in matters of Commerce, which are harder to bee determined by the learned in the Law, and not so hard for Merchants and men of Trade.

Like to which, is that of the Court of Conscience, and the office for Pollicies of Assurance in London. The one granted by an Act of Parliament, in the 3 yeare of His Majesties happy Raigne, the other by the Stature of 43 Eliz. And both are executed by Merchants and men of Trade: though in the latter the Statute joineth certaine Civill and Common Lawyers with them in Commission, to assist them when there is cause: because such Assurances are grounded on the Civill Law. By which meanes His Majesties other Courts of Justice are eased of the multiplicite of Questions that might arise by suits of Law of this kinde.

And thus having been bold to make this short relation of my poore observation herein, I most humbly submit this Remedy to the High wisdom of His Majestie, to dispose thereof in such Manner and Measure, as the Nature and Number of the suits of Law, at this day in this Kingdome doe require. In the restraint whereof His Majestie shall have great Honour: His Kingdome Peace: the Judges Ease: the Subjects quietnesse, and the Common-wealth increase of Trade.

The Trades considered apart, I reduced to such, as tend to the Fortification of the Kingdome, or Maintenance of Trade. The former I noted to be Ordinance or Munition. In which case the Philosopher giveth good Counsell, {Greek phrase omitted}. Sic amandum tanquam sis osurus, sic oportet edisse tanquqam sis amaturus.

The latter I reduced to Fishing and Clothing, as the Nurseries of Trade. For the Fishing, the infinite treasure that Strangers search out of our Seas, the variety of Trade that thereby they purchase, the multitude of Mariners they breed, the Fleets of Shipping they maintaine, me thinkes should every of them apart, or all of them together, be unto us as so many provocations to rouze us up to the exercise thereof: Whereby His Majestie might receive such a Tolle or Custome of them, as other Princes doe in like case, and be once again Lord and Master of the Seas, for all the dispute of the Author of Mare liberum: and the Native subject encouraged by some Immunity or Priviledge, to

lay hold on that benefit, which God and Nature hath brought home to our doores.

For the Clothing, that also is a point of State and great consequence. The Causes of the decay whereof, I observed to bee either Domestique or Forreine. The Domestique some past, some present. In which former, it may perhaps seeme strange to speake of a Remedy for a thing past. Wherein the best Remedy I can thinke of, is, to be warned by those harmes, not to disturbe or distract Trade upon any suggestion, though never so specious. It is a safe rule, that in *Rebus nouis constituendis euidens esse debet utilitas*. And in Projects, though they promise much, yet the utility is commonly Contingent, which may be, or may not be. But in the mutation of the naturall course of Trade, there ought to be Perspicuity and apparency of evident utility: Else a Breach may be sooner made in Trade then can be repaired: and the Current once diverted, will hardly bee revolved, into it genuine Source and Course againe.

The present Domestique Causes of the Decay of Clothing, I considered in the Trade under the Clothier, or under the Merchant. Under the Clothier, I noted the Ill making and False sealing of Cloth: and both through the Non-execution of the Statute of 4 of the King. the abuse wherof is growne to be very great, and the reformation hath beene by His Majesties Proclamations and otherwise, so much and so oft attempted of late years, and nothing therein effected, that it seemeth a very difficult matter to reforme the same. Neverthlesse if it may please His Majestie, to commit the care of the execution of the Statute, to some of the Principall Cities and Townes in the Clothing Counties, where Broad Clothes, Kersies, and Perpetuanoes are made; and to make them the Overseers mentioned in the Statute, instead of those ignorant and negligent Searchers, with reasonable allowance for their paines; I am confident it would prove a singular Remedy. For we have not only the example of the Low Countries, where this course is taken, but also here with us: as Worcester for Bayes, and Colchester for Bayes, and Canterbury for Sayes. In all which places the former abuses are removed by this means; and the Clothes, and Bayes, and Manufactures of those Cities, triumph in great credit and estimation. Which execution of the saide Statute, is the rather to be committed to the care and charge of the principall Cities and Townes in the Clothing Counties; because by ancient Statutes not repealed, all Clothes and Kersies ought to bee brought to the next City, Borough, or Towne Corporate, to be sealed, before they be put to sale. And if such Clothes so sealed, prove defective, that Corporation or Towneship that so hath sealed them, shall forfeit the whole value thereof.

The reformation of which abuse will redound to the benefit of the Clothier, as well as the Merchant. For none is more hurt with false Cloth, then that Clothier which maketh true Cloth: because his markets are alwayes hurt by the cheapnesse that false Cloth may be afforded at. Therefore to facilitate this Remedy, I have made a collection of all the principall Cities and Townes in the Clothing Counties for this purpose, as by a list thereof, fixed to the end of this discourse may appeare, that so a worke of this nature be no longer deferred, wherein the Honour of the King, and the Benefit of the Publique are so much involved.

Under the Merchant I observed the Cloth-Trade to suffer at Home and Abroad: At Home, either by exporting the Materials of Clothing, or by Ore-lading the Cloth-Trade with charge. The Remedy in the former, were to lay a restraint of exportation of Wools and Wool-fels out of Ireland, and to quicken the execution

of the Statute for that purpose in England, by encouraging the discoverers of such abuses.

The latter is the Sur-charging of the Cloth Trade, either generally or specially: this last, in the Impositions and Impresses imposed by the Merchant Adventurers: which as it is a charge laid upon the Drapery of the Kingdome, I conceive, under favour, is a matter that trencheth into the Suprememe power and dignity of the King, and is peculiar to Him alone. And if for Government, or other just causes in Societies and Corporation, there be a necessity of paying of debts, or defraying of necessary charge; I should thinke it better policy to spare the Cloth, and other the Native Commodities of the Kingdom, and to implore His Majesties favour, to levy such charge upon the Forreine Commodities: according to the Counsell of Stephanus, Si Vectigal nouum euitari non potest, tunc onerentur inerces perigrinae, auae ad luxum magis quam ad necessitatem faciunt. And this I conceive would be a good remedy for easing the Cloth Trade of the present charge under the Merchants: which would also bee a meanes for paying of their debts, with a little more length of time, and a great deale of encouragement, both to Clothiers and Merchants in the Cloth Trade.

And Abroad, if it appeare upon examination, that the Residence of the Merchant Adventurers at Delft in Holland be inconvenient for the Trade: As His Majestie was graciously pleased to give them that liberty for a tryall, so it may please His Majestie to dispose thereof, in some more fit place for their's and the Publique good.

The Forreince Causes of the Decay of the Drapery, I noted to bee Generall, as the Warres; or Speciall, as the great Imposition in Holland. The one is the worke of God, the other of the King, to remove the same. To whom I recommend them both.

And thus farre for the Remedies in the Matter of Trade, considered in Money and Merchandize: the Forme followeth in Governed and Ungoverned Trade. In the Former I observed a too strict, and in the latter a too loose forme of Trade. The Remedy in the One, if it seeme good to the high wisdom of His Majestie, may be Privative, in racing and rooting out the name and use of Monopolies from amongst this Nation, as His Majestie hath royally begun in that His Gracious Proclamation before mentioned. And to free and open the course of Trade, where now it is unequally stopt, to the encouragement of the subjects, and the benefit of the Publique.

In the other Positive, by disposing the Trades of His Majesties subjects that are now distracted; into Order and Government. Whereof none hath more need, as hath been shewed, then those that Trade into the Dominions of the King of Spaine. Whose Trade the rather calleth for redresse, because it exporteth Cloth and other the Manufactures of the Kingdome, and importeth Treasure, the life of Trade: In both which there is now a marvellous great defect, and Trade in all mens hands become so poore and leane, that it doth scarce, haerere ossibus. For where Trade is disordred, and the Traders ungoverned, there they are like a house devided, which cannot long subsist: according to that of the Orator, Nec domus ulla, nec Civitas, nec Societas, nee Gens, nec hominum universum genus stare, nec rerum natura omnis, nec sine imperio mundus ipse potest.

{Greek phrase omitted}

The Principall Cities and Towns for execution of the Statute for searching and Sealing of Cloth, are in Counties,

Three Greater:

Wiltshire: Salisbury, Wilton, Westbury, Trubigde,
Wooton-Basset, Deuizes, Malmesbury, Chipnam, Castlecomb, Calne,
Bradford, Bromhil, Beckinton, Warminster.

Somersetsh.: Bath, Wells, Freshfor, Tauton, Philips-Norton,
Frome, Somerton, Wellington, Bridgewater, Ilmister, Axbridge,
Glastonbury.

Glocestersh.: Gloucester, Tedbury, Sttowardwater, Dursley,
Wotten-underhedge, Ebley, Witcomb, Winchcomb, Thornbury,
Teuxbury, Cirencester.

Six less:

Oxfordshire: Burford, Witney.

Worcesters.: Worcester, Kidderminster.

Herefordshire: Hereford, Lidbury.

Warwickshire: Watwicke, Coventry.

Devonshire: Exceter, Tanton.

Hampsh.: Southampton, Portsmouth.

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