

CHAP. IV.
Mediæval
Philan-
thropy.

have not been of direct descent have been cases of obedience to example. Not least, too, in the Medical Profession, which counts technical skill to be only half of its fitting equipment, and which purports to owe heart, as well as brain and hand, to the service of even the least of mankind, we may reverently feel that, in those humane aspects, we inherit true light and leading from the ages which in science were darker than our own, and that Francis of Assisi, considered in his relation to the suffering poor, is almost one of the Fathers of Medicine.

Part Second.—POST-MEDIÆVAL ENGLAND.

CHAPTER V.

TUDOR LEGISLATION.

THE period of the Tudor reigns, with which England emerged from mediæval ways of thought and action into ways comparatively modern, and soon gave such signs of national life as are still among the proudest of her memories, was not only fruitful in those decisive political achievements, and those immortal works of imaginative and philosophical genius, which made it so truly a dividing-epoch between the old times and the new; but it was also able to spare energy and wisdom for relatively humble domestic reforms; and, among these, were some which have to be noticed as of interest to the Health of the Population.

First, as regards the MEDICAL PROFESSION itself:—In the third year of the reign of Henry the Eighth the Legislature considered, for the first time, under what conditions it should be lawful to practise medicine or surgery in England; and an Act (c. xi.) was passed, limiting the practice to such persons as should be duly examined and approved. The preamble of the Act recites (in Tudor spelling which this needs not copy) that “the science and cunning of physick and surgery, to the perfect knowledge whereof be requisite both great learning and ripe experience, is daily within this realm exercised by a great multitude of ignorant persons, of whom the great part have no manner of insight in the same nor in any other kind of learning, some also can no letters on the book, so far forth that common artificers, as smiths, weavers, and women, boldly and customably take upon them great cures, and things of great difficulty, in the which they partly use sorcery and witchcraft, partly apply such medicines unto the disease as be very noxious and nothing meetly therefore, to the high displeasure of God, great infamy

The
Medical
Profession:
Physicians;

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to the faculties, and the grievous hurt, damage, and destruction of many of the king's liege people, most especially of them that cannot discern the uncunning from the cunning;" and the Act goes on to provide: that no one shall practise medicine within the city of London, or within seven miles of it, unless he have been examined, approved, and admitted by the Bishop of London, or the Dean of St. Paul's for the time being, calling to him or them four doctors of physic, or for surgery other expert persons in that faculty, and for the first examination such as they shall think convenient, and afterwards always four of them that have been so approved: that, outside London and its precincts, the examinations and admissions in each diocese shall be by the Bishop of the diocese, or his vicar-general, with such expert persons as he may think convenient: that any one, practising in contravention of the Act, shall be subject to a penalty of £5 for each month in which he does so; but that the Act is not to prejudice Oxford or Cambridge.

Surgeons;

Later in the reign important steps were taken, to enable practitioners of medicine and surgery to turn to account for the good of their profession that Roman contrivance of collegiation which ordinary Trade-Guilds had successfully revived. Before those later steps are described, note is requisite that, nearly sixty years previously, Edward IV., in the first year of his reign, had granted a charter of incorporation to "the Freemen of the Mystery of the Barbers of the City of London, using the Mystery or Faculty of Surgery:" under which charter "two Principals of the Commonalty, of the most expert men in the Mystery of Surgery might with the assent of twelve, or eight persons at the least, of the same community, every year elect and make out of the community two Masters or Governors, being the most expert in the Mystery of Surgery, to oversee, rule and govern the Mystery and Commonalty aforesaid."

Royal
College of
Physicians;

Of the steps taken in a like direction in the reign of Henry VIII., the first has been officially described in the following terms: "Henry the Eighth, with a view to the improvement and more orderly exercise of the art of physic, and the repression of the irregular, unlearned, and incompetent practitioners of that faculty, in the tenth year of his reign founded the Royal College of Physicians of London. To the

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establishment of this incorporation the king was moved by the example of similar institutions in Italy and elsewhere, by the solicitations of at least one of his own physicians, Thomas Linacre, and by the advice and recommendation of his chancellor, Cardinal Wolsey. By the terms of the Letters Patent constituting the College, dated 23rd September, 1518, John Chambre, Thomas Linacre, and Ferdinand de Victoria, the king's physicians, Nicholas Halsewell, John Francis, and Robert Yaxley, physicians, and all men of the same faculty, of and in London and within seven miles thereof, are incorporated as one body and perpetual Community or College. To this was added the power of annually electing a President . . . and . . . the liberty of holding lands whose annual value did not exceed twelve pounds. They were permitted to hold assemblies and to make statutes and ordinances for the government and correction of the College, and of all who exercised the same faculty in London and within seven miles thereof, with an interdiction from practice to any individual, unless previously licensed by the President and College. Four persons were to be chosen yearly (censors) to whom was consigned the correction and government of physic and its professors, together with the examination of all medicines and the power of punishing offenders by fine and imprisonment, or by other reasonable ways. And lastly the members of the College were granted an exemption from summons on all assizes, inquests, and juries in the city and its suburbs."*

Five years afterwards, the charter was confirmed, and some additional powers granted to the College, by Act of Parliament 14th and 15th Henry VIII., c. 5. In this Act provision was made for the immediate appointment of eight so-called Elects: who were to annually appoint from among themselves the President of the College, and were to fill vacancies in their own number by admitting, as need might be, one or more of the most cunning and expert men of the same faculty in London: strict examination of each selected person being first made by them.

and its
privileges;

* *The Roll of the Royal College of Physicians of London*: by William Munk, M.D., Registrar of the College. London, 1878. The preamble of the Charter declares:—"Apprime necessarium duximus improborum hominum qui medicinam magis avaritiæ suæ causâ, quàm ullius bonæ conscientiæ fiduciâ, profitebuntur, unde rudi et credula plebi plurima incommoda oriantur, audaciam compescere."

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The Act also provided that (except graduates of Oxford and Cambridge) no person should thenceforth be suffered to practise physic in England, unless he had previously been examined by the President and three Elects of the College, and had received from them letters testimonial.

Seventeen years later in the reign, namely in 1540, further steps relating to the Medical Profession were taken by the passing of two Acts of Parliament, one concerning Physicians, and the other concerning Surgeons. The former (32nd year, c. 40) was chiefly important as providing that the incorporated Physicians should have supervision of the apothecaries' shops in the city of London, and as declaring that, "forasmuch as the science of physic doth comprehend include and contain the knowledge of surgery as a special member and part of the same," any of the incorporated physicians (being able chosen and admitted by the president and fellowship) may practise physic "in all and every his members and parts," notwithstanding any enactment made to the contrary: while, in special relation to Surgery, the other of the Acts (eod. c. 42) after reciting that there were then in the city of London two several and distinct companies of surgeons, occupying and exercising the faculty of surgery, one company [the corporation made by Edward the Fourth] called the Barbers of London, and the other company called the Surgeons of London, enacts that the two companies shall be made one, under the name of the Masters or Governors of the Mystery and Commonalty of the Barbers and Surgeons of London.* In accordance with the latter Act, the King in 1540 granted a charter to the new company; and many who are neither barbers nor surgeons may remember with interest this particular royal act, because of Holbein's masterpiece of painting which commemorates it.

Corpora-
tion of
Barbers
and Sur-
geons.

Subse-
quent pass-
ages;

In order to simplify future references to the early legal constitution of the Medical Profession, as bearing on the constitution which now is, it may be convenient to interpose here, though anticipatively, a mention of some subsequent passages in the history of the just-mentioned Corporations.

* In section 3 of the Act it was provided (for fear of infections of disease) that no one person should practise both barbery and surgery, except that barbers might draw teeth.

The Corporation of Barbers and Surgeons received from Charles the First, in the first year of his reign, a charter confirming Henry the Eighth's, and further empowering the Corporation to appoint Examiners of Surgeons in London. In the eighteenth year of George the Second, an Act of Parliament dissolved (from 24th June, 1745) the old union between the Barbers and the Surgeons, and enacted that members of the united company who were freemen of it, and admitted and approved surgeons within the rules of the company, should thenceforth be a separate and distinct body corporate—"the master governors and commonalty of the art and science of surgeons in London."* In 1800 the Corporation of 1745 was dissolved; and a new charter (40th George III.) created in its stead the Royal College of Surgeons in London: which forty-three years later, under a further charter (Victoria 7th) received a new constitution, and became the Royal College of Surgeons of England, as now existing.

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Separate
Incorporation
of
Surgeons,
eventually
as Royal
College;

In the Royal College of Physicians of London, as now existing, we have, as needs hardly be stated, the corporation which Henry the Eighth founded, and which, till some thirty years ago, had retained without change the constitution originally given to it. In the first year of Mary's reign, however, a further Act of Parliament (session 2, c. 9) had added somewhat to the provisions of the thirty-second of Henry the Eighth: first, to strengthen the penal powers of the College, by providing that persons committed by it under the previous law should be kept in prison at their own cost until discharged by the College; and secondly, which is of more historical interest, to enact that, in the function of supervising apothecaries' shops, the College of Physicians should be joined by the Wardens of the Grocers' Company. The interest of the last-cited enactment lies in the fact, that the quasi-medical relation in which the Grocers' Company now came to be legally recognised, grew, with progress

Apothe-
caries
supervised
by Physi-
cians and
Grocers,
subse-
quently
incorpor-
ated, and
eventually
made a
licensing
medical
authority.

* That breaking-up of Henry the Eighth's compound corporation seems to have come from incompatibilities which of course showed themselves as surgery began to develop; and a special cause for it seems to have been the resistance which the barbers opposed to the growing desire of the surgeons to acquire due knowledge of anatomy by dissections of the human body. Cheselden, the first surgeon and anatomist of his time, was a principal promoter of the separation of 1745.

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of time, into far larger relations which were fully medical: not indeed in the hands of the Grocers' Company, but in those of the Society of Apothecaries, which, under Charter of fifteenth James I., budded off from the Company of the Grocers;* for the Society of Apothecaries, after it had existed for some two centuries as an ordinary City-Guild, was transformed by Act of Parliament (1815) into a licensing medical corporation.

Thus, at the middle of the Tudor period, the Medical Profession had but imperfectly detached itself from other industries. Three main roots for it were discernible. Apothecary, surgeon, physician, each had a mark of his own: the first, his familiarity with the uses of worts and drugs; the second, his skill for bleeding, bandaging, bone-setting, and the like; the third, his book-learning, especially in the Greeks and Latins, and often his mastery of at least one occult science: but the apothecary was still a variety of grocer, the surgeon still a variety of barber, and the physician but just ceasing to be an ecclesiastic.†

Commis-
sions of
Sewers:

In a second line of sanitary concern, there was passed in 1532 the very important Act of Parliament (23rd Hen. VIII., c. 5) which provided for the institution of COMMISSIONS OF SEWERS in all parts of the kingdom.

Previous
care
against
floods;

This of course was not the first action in England, evincing care for the maintenance of dry land; for (as before illustrated) such action is apt to be among the earliest of tokens that communities are acquiring civilisation; and probably there had been such in England from time immemorial. Sections xv. and xvi. of the Great Charter indicate that riparian towns and land-owners had from old been accustomed to maintain certain embankments of rivers,—for those sections make unlawful any distraint of

* The grant of that Charter has a painful side-interest attached to it in English history. It was one of the occasions in regard of which Lord Chancellor Bacon, on his arraignment, confessed that he had been guilty of receiving money from suitors.

† No doubt at least one of those combinations still lingers in parts of Europe. I remember to have observed in the south of Spain, forty years ago, that barbers' shops generally had a notice that the barber did midwifery and surgery as well as shaving; and far more recently, in Switzerland, I have had the honour of being shaved by one who had Professor Virchow's latest publications on the book-shelf beside his basin.

towns or freemen for other than *the customary* embankments; and section xxxix. of the Charter requires that all wears in the Thames and Medway, and everywhere except along the sea, shall be put down. The prohibition of wears was repeated in various later statutes;* among which the most important was one passed in the last year of Richard the Second: an Act which was repealed (together with all others of the same year) as soon as the next reign began, 1st Henry IV. c. 3, but was forthwith in substance re-enacted; eod. c. 12. This Act recited *inter alia* in its preamble, that "meadows, pastures and arable lands, joining to the . . . rivers, be greatly troubled, drowned, wasted and destroyed, by the outrageous enhancing and straitening of wears, mills, stanks and kiddles, of old time . . . whereof great damages and losses have oftentimes happened to the people of the realm, and daily shall happen if remedy thereof be not provided"; and it enacted (in anticipation of the statute of 1532) that in every county of England where need is, Commissioners shall be appointed "to survey and also keep the waters and great rivers there, and the defaults to correct and amend" . . . "to survey the wears, mills, stanks, stakes and kiddles, of old time made and levied" . . . "to correct pull down or amend . . . saving always reasonable substances of the same": &c. In the sixth and eighth years of Henry the Sixth, further steps towards the legislation of 1532 were taken by Acts which provided more particularly for the appointment and powers of Commissioners of Sewers.

The preamble of the Act of 1532, in accordance with the Act of 1532. practice of those days, gave explanation of the circumstances under which the Act was deemed necessary, and did so with such fulness, that it, and the first provision of the Act, may well be quoted here, as follows:—"Our sovereign lord the King, like a most virtuous and gracious Prince, nothing earthly so highly weighing as the advancing of the common profit wealth and commodity of this his realm, considering the daily great damages and losses which have happened in many and divers parts of this his said realm, as well by reason of the outrageous flowing surges

* See Edward III. 25th, stat. 4, c. 4, and 45th, c. 2; Richard II. 21st, c. 19; Henry IV. 1st, c. 12, and 4th, c. 11; Edward IV. 12th, c. 7. Of the above statutes, the first-mentioned specially objects to wears that they hinder navigation, and the fifth that they do wrong to the fishery.

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and course of the sea in and upon fish-grounds and other low places, heretofore through politic wisdom won and made profitable for the great common wealth of this realm, as also by occasion of land-waters and other outrageous springs in and upon meadows pastures and other low grounds adjoining to rivers, floods and other water-courses, and over that through mills, mill-dams, weirs, fish-garths, kedels, gores, gootes, flood-gates, locks and other impediments in and upon the same rivers and other water-courses, to the inestimable damages of the commonwealth of this realm, which daily is likely more and more to increase unless speedy redress and remedy be in this behalf shortly provided, wherein albeit that divers and many provisions have been before this time made and ordained yet none of them are sufficient remedy for reformation of the premisses; hath therefore by deliberate advice and assent of his lords spiritual and temporal and also his loving commons in this present Parliament assembled, ordained established and enacted that Commissions of Sewers and other the premisses shall be directed in all parts within this realm from time to time where and when need shall require according to the manner, form, tenure and effect hereafter ensuing, to such substantial and indifferent persons as shall be named by the Lord Chancellor and Lord Treasurer of England, and the two Chief Justices for the time being, or by three of them, whereof the Lord Chancellor to be one." The prescribed form of Commission was a comprehensive authorisation and command to do or to cause to be done all which in the premisses might be needful within the appointed area of jurisdiction; and in addition to giving powers of inspection, construction, amendment and removal, as to the various things enumerated in the preamble, it gave powers to tax and distrain, to appoint and depute officers, to impress (but with payment) the labour of man and beast, to take (with payment) timber and other material, to enact statutes, ordinances and provisions, "after the laws and customs of Romney Marsh in the county of Kent," or at discretion otherwise, and to make orders and precepts.

New Poor-laws:

Thirdly to be mentioned, as a branch of Tudor legislation which most importantly concerned the physical welfare of the people, are the successive Acts of Parliament

which were passed in relation, on the one hand, to the IMPOTENT POOR, and, on the other hand, to MENDICANTS AND VAGRANTS.

During the centuries of ecclesiastical supremacy in England, there had been no need to press by statute on the well-to-do classes that they should give relief to destitution. The stationary poor seem to have had some sort of legal claim on lords of manors; but, apart from this, in every parish of the country, the parson had (or was supposed to have) means in trust for them. This parochial trust seems to have been implied, or perhaps had been ecclesiastically regulated, from the earliest days of the Church; and the first mention of it in the statute-book is not to enact, but to recite it. Edward the Third's Statute of Provisors, referring to the Carlisle Statute of Edward the First (35th year) recites from it, that "the Holy Church of England was founded in the estate of prelacy within the realm of England by the said King [Edward the First] and his progenitors, and the earls barons and other nobles of his said realm and their ancestors, to inform them and the people of the law of God, and to make hospitalities, alms, and other works of charity, in the places where the churches were founded"; and that "certain possessions, as well in fees, lands, rents, as in advowsons, which do extend to a great value, were assigned by the said founders to the prelates and other people of the Holy Church of the said realm to sustain the same charge."* Afterwards, by § vi. of the Act of the fifteenth year of Richard the Second, law was made that every parish should have its trust-money for the above purposes secured to it: viz.—"In every licence from henceforth to be made in the Chancery of the appropriation of any parish church, it shall be expressly contained and comprised that the diocesan of the place, upon the appropriation of such churches, shall ordain, according to the value of such churches, a convenient sum of money to be paid and distributed yearly of the fruits and profits of the same churches, by those that shall have the said churches in proper use, and by their successors, to the poor

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previous
provision
for the
poor, and
against dis-
honest beg-
ging.

* With regard to that recital by Edward III., it may be noted that the language of Edward the First's statute mentions only monasteries and other special foundations, and does not appear to speak (as the recital does) of the Church of England in general.

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parishioners of the said churches, in and of their living and sustenance, for ever; and also that the vicar be well and sufficiently endowed." In districts which had monasteries within them, these institutions would of course have been a further security to the stationary poor, that assistance, such as we should now term out-door relief, would be given to them according to their needs. The migrating poor (including all classes of vagrants) would probably have been to some extent recognised as entitled to receive parochial "hospitality" under the conditions to which reference has been made; but probably most of such poor would have resorted to the monasteries, if within reach, and would have been tolerably sure of receiving temporary assistance from them. With charitable institutions to the above effect existing, besides a very extensive presence of guilds in rural as well as urban districts, there not only were means enough for giving help to proper claimants, but often unfortunately also means enough to promote a lavish or indiscriminate giving of alms, and thus to promote habits of mendicancy and dependence among classes which were not properly necessitous. The begging of alms by non-necessitous persons, and especially by the able-bodied, or—as our old laws used to term them—"valiant and sturdy" beggars, whose own labour ought to be their support, has, no doubt, been in all countries, from the earliest times, a familiar social evil. For few men love labour for its own sake; and perhaps most men, in the absence of manna from Heaven, would rather be kept in comfort at other men's cost than have to drudge steadily for their own maintenance. The difficulty had been noticed by the English Legislature as far back as the year 1349; when a prohibition against giving alms to "valiant beggars" was inserted in the Act, 23rd Edward III., c. 7. Early in the Tudor period, namely in the 11th year of Henry VII., the Legislature, while fully recognising that the impotent poor had local claims to relief, found it necessary to restrict even them from migratory begging; and at the same time (11th, c. 2) provided, in regard of "vagabonds, idle, and suspected persons," that they "shall be set in the stocks three days and three nights, and have none other sustenance than bread and water, and then shall be put out of the town, and that whosoever shall give such idle persons

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more shall forfeit twelve pence."* In 1531, further legislation in the same sense, but with a severer tone against unprivileged mendicants, whether impotent or able-bodied, and with penalty of whipping for certain disobediences, had to be provided by the 22nd of Henry the Eighth, c. 12. Almost immediately after the last-named statute, Acts of Parliament relating to the Protestant Reformation begin to occupy the statute-book; and the progress of that legislation soon made it necessary to reconsider as a whole the laws which related to poverty and mendicancy in England. The Acts of 1532-4 which freed the country from further allegiance to the See of Rome, and vested in the crown of England the headship of the English Church, were followed during the years 1536-9 by measures for the dissolution of all monasteries and friaries in England, and during 1545-7 by similar measures relating to chantries and other minor religious foundations. Step by step as those dissolutions were effected, the respective possessions of the dissolved bodies were transferred to the crown, and the functions which the bodies had discharged in relief of poverty had to be discharged by such new agencies, and on such new system, as the State might see fit to appoint.

Extinction
of the
monastic
charities.

In the re-consideration which consequently began, and which (as the subject was taken up again and again) may be said to have continued till the end of the Tudor period, three main principles were recognised from first to last; though not always with the same degree of insistence on each of them; nor of course still less in those relative proportions, or with those collateral considerations, which attach to them in modern times. It was recognised—*first*, that persons of adequate means must henceforth accept as an obligation the responsibility of providing sustenance for the impotent poor of their respective parishes: *secondly*, that to poor persons, not impotent, relief must only be given in exchange for work, and that pretences of destitution, and above all, the voluntary parasitism of idleness, must be treated as criminal: *thirdly*, that certain roots of poverty must be dealt with preventively by educating and employing the children of the poor.

Principles
of the new
laws:

* The language quoted is that of Danby Pickering's edition of the Statutes at large.

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Against
"sturdy
beggars"
and
"rogues."

In the earlier enactments of the period (beginning with those of the 27th of Henry the Eighth) the chief insistence is on the second of those principles: the legislators taking as their axiom, that any able man who would shirk his duty of self-support is a traitor against the community to which he belongs; and for some fifty or sixty years they evidently felt no sort of hesitation in adapting their penalties to that view of his crime. The sturdy beggar's third offence against the law was capital: he was to "suffer execution of death, as a felon and an enemy to the commonwealth:" and his earlier offences would have been proportionately dealt with. Under Henry, for a first begging he would have been whipped, and for a second would have had "the upper part of the gristle of his right ear cut off." For three years under Edward the Sixth, legislation still more ferocious against first and second offences was in force: * but with its repeal (4th Edw., cap. 16) re-enactment was made of the Henrican law of 1531; which again in 1572 was strengthened by the 14th Elizabeth, c. 5. This Act, not mitigated till 1593, and not repealed till 1597, provided as follows: "A vagabond above the age of fourteen years"—and apparently "vagabond" included "any able-bodied common laborer who loitered and refused to work for such reasonable wage as was commonly given"—"shall

* From the fierce penal provisions of the Act, 1st Edward VI., c. 3, the following may be cited:—"If any person bring to two justices of peace any runagate servant, or any other which liveth idly and loiteringly, by the space of three days, the said justices shall cause the said idle and loitering servant or vagabond to be marked with an hot iron on the breast with the mark of V, and adjudge him to be slave to the same person that brought or presented him, to have to him, his executors or assigns, for two years after; who shall take the said slave and give him bread, water, or small drink, and refuse-meat, and cause him to work by beating, chaining, or otherwise, in such work and labor as he shall put him unto, be it never so vile: and if such slave absent himself from his said master, within the said term of two years, by the space of fourteen days, then he shall be adjudged by two justices of peace to be marked on the forehead, or the ball of the cheek, with an hot iron, with the mark of an S, and further shall be adjudged to be a slave to his said master for ever: and if the said slave shall run away the second time, he shall be adjudged a felon." . . . "It shall be lawful to every person to whom any shall be adjudged a slave, to put a ring of iron about his neck arm or leg." . . . "A justice of the peace and constable may bind a beggar's man-child apprentice to the age of fourteen years, and a woman-child up to the age of twenty years, to any that will require them; and if the said child run away, then his master may retain and use him for the term aforesaid as his slave."

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be adjudged to be grievously whipped, and burned through the gristle of the right ear with a hot iron of the compass of an inch, unless some credible person will take him into service for a year; and if, being of the age of eighteen years, he after do fall into a roguish life, he shall suffer death as a felon unless some credible person will take him into service for two years; and if he fall a third time into a roguish life, he shall be adjudged a felon." The modified Elizabethan law against vagabonds (39th, c. iv.) enacted that houses of correction for them should be provided: an enactment which her successor developed in 1609; with provision that in these houses (whereof one or more should be in each county of England and Wales) vagabonds must be compelled to work, and might be punished by "fettors or gives" and by "moderate whipping," and "shall have such and so much allowance as they shall deserve by their own labour and work."

While recognition, and at times a far too passionate recognition, was thus being given to one of the requirements of a new poor-law, action in respect of the other requirements lagged at first somewhat irresolutely behind. The framers of the statute of 1536 seem to have assumed, as matter of course, that a poor or professedly poor man, in his place of settlement, would, somehow or other, be cared for according to his deserts; that the Legislature had only to give to local authorities such general direction as would make them the trustees and administrators of charity to the poor; and that local liberality and kindness would immediately supply the necessary funds for all proper functions of relief. In this spirit, the Act of 1536, referring to such impotent poor as had heretofore subsisted by way of voluntary and charitable alms in any of the shires, cities, towns, hundreds, hamlets, or parishes, of the kingdom, simply directed the respective local "governors" to find such poor persons, and to keep them with such convenient alms as they in their discretion should think meet, so that none might be compelled to go openly in begging; and with regard to children living in idleness, and caught begging, the Act authorised their being put to service to husbandry or other crafts or labours. Neither under Edward, nor under Mary, was there any attempt to go beyond the spirit of that legislation of 1536. Under the

For relief
of the
"true
poor."

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three Acts of Edward's reign (first, c. 3; fourth, c. 16; fifth, c. 2) the directions to local "governors" were somewhat amplified: convenient habitations, with other relief, were to be provided for the impotent poor: official collectors of alms were to be appointed: even a little ecclesiastical pressure was to be invoked, in regard of competent persons whose alms were not forthcoming: but in substance the law remained as it was, a mere invitation to charity: the appeal for the impotent poor was to "the devotion of the good people of that city, town, or village where they were born or have dwelt three years:" "the poor of every parish shall be relieved with that which every parishioner of his charitable devotion will give." Under Mary, the only suggestion seems to have been whether perhaps non-contributors might be comminated in church: but at an early stage of Elizabeth's reign, the matter was undertaken in a wiser spirit; and before the close of that splendid era, successive acts of legislation, worthy of the time, had given to the country a Poor Law which was complete in all essential respects, and was destined to remain valid for centuries.

Eliza-
bethan
Acts.

Of those Elizabethan Acts, the earliest (fifth year, c. 3) was, in principle, the whole thing. It provided that contribution towards the relief of the impotent poor should henceforth be legally leviable on every competent person; that no such person should have option of refusal; that "if any parishioner shall obstinately refuse to pay reasonably towards the relief of the said poor, or shall discourage others, then the justices of peace at the quarter-sessions may tax him to a reasonable weekly sum; which if he refuse to pay, they may commit him to prison." The second of the Acts (14th, c. 5) provided for a more systematic rating of competent persons. "Assessments shall be made of the parishioners of every parish for the relief of the poor of the same parish." Incidentally it enacted: "Every bishop shall visit and reform hospitals within his diocese." The third of the Acts (39th, c. 3) provided for the appointment, duties and liabilities, of overseers of the poor. The fourth and last of the Acts, the famous c. 2 of Elizabeth's 43rd year, is the Great Charter of this branch of English law. It provides again as to the appointment of overseers. It provides that the overseers, with consent of certain local justices of peace, shall set to work

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children whose parents cannot maintain them, and persons, married or unmarried, who have no means of maintenance nor any ordinary trade of life by which to get living; and shall raise weekly or otherwise by taxation of every inhabitant a convenient stock of all necessary wares and stuffs to set the poor on work; and shall raise from the parish, according to its ability, sums of money towards the necessary relief of the impotent poor of all sorts, and for putting out children as apprentices. It provides that, in case of need as regards any poor parish, some or all other of the parishes of the same hundred, or in case of greater need some or all of the other hundreds in the county may be rated in aid. It provides for the apprenticing of children; males up to the age of twenty-four; females up to the age of twenty-one or to marriage. It provides for building upon waste or common land (with consent of lord or lords of manor) convenient houses of dwelling for the impotent poor. It contains of course many detailed provisions as to the machinery and procedures for giving effect to its general intentions; and it further contains a wide safeguarding provision, that the responsibility for relieving any impotent poor person shall primarily rest on the parents, grandparents and children of such person, if they be of competent ability, and that this responsibility shall be enforced by the justices.

Thus at last was provided all which the State could offer to the Poor in substitution for the mediæval charities which had been swept away. And side by side with those new provisions for relief, were the penal provisions which I previously described, guarding against the various impostors who would consume what was meant for the impotent: and of like intent with this part of the law, there were the provisions of the 18th Eliz., c. 3, as to children born out of wedlock. These defensive provisions of the law were not less essential than the charitable: for the relief which charity could promise was but of limited amount: and so far as any "rogue" could succeed in his attempts to live by charity, his success would indeed be (as the last-cited statute expresses) a "defrauding of the impotent and aged *true* poor." Undoubtedly the defensive provisions in their earlier stages were truculent, and even in their final mitigated

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form were very severe. Their more or less draconic character was a quality which they shared with all other English penal law of the times; and which indeed, till more than two centuries afterwards, continued to mark our whole penal code. In the earlier Tudor legislation as to "vagabonds," there no doubt may have been a spice of the old feudal ferocity of lord against troublesome serf; but in the later Elizabethan mind, the theory, we may believe, would rather have been that of domestic discipline: a pious parental wish, not so to spare the rod as to spoil the child. As to the earlier times, too, it must not be forgotten that they were times of extremely grave crisis in regard of the poor; that, during the years next after the suppression of the religious houses, the country was a swarm of claimants for alms; and that just consideration for the impotent poor could not abide with leniency to "vagabonds." In partial apology even for the first statute of Edward's reign, it seems certain that vagabondage was then in such strength as to be a real social danger, and that panic may have dictated the legislation. Whether the final Elizabethan law against "rogues" was unduly severe in its provisions, is a question on which judgments differ. Common humanity deprecates of course all superfluous severity of law; but laws really meant to be obeyed must be made a terror to evil-doers; and society fighting for its very life (as it does when vagabondage is in mass) cannot afford to take only sugar-plums for its weapons. On the other hand, it cannot but be felt that extremely severe laws against vagabondage are a reproach to the states of society which require them: that the existence of the vagabond (except as a mere sporadic rascal) testifies to some past or present badness of law. In proportion to the length of time for which a country has had equal laws for all sorts and conditions of its people,—in proportion to the length of time for which every kind of labour has been free to follow its own course in its own way,—in proportion to the length of time for which the children of the people have had education,—in such proportions will idleness hold less and less vantage ground for preference in the minds of the poor of the land, and police-rules for the branding and slaying of vagabonds will have become but a shameful memory of the past.

Here ends the legislation of the Tudor period, as regards matters of general sanitary concern; but it may be noted that, before the end of the civilising reign of Elizabeth, local Improvement-Works on a more or less considerable scale had been started in various towns of England, either as municipal undertakings or as gifts of private munificence. Though the present record cannot enter enough on town-histories to certify in what towns such works were first undertaken, there may be mentioned, as an instance of what is meant, the famous Plymouth *Water-Leet*: which Admiral Sir Francis Drake, at that time member for the town, devised and constructed, to convey by gravitation suitable supplies of water from Dartmoor (about twenty-four miles distant) into the town. The Act of Parliament sanctioning that important work was of the year 1585, 27th Elizabeth, c. 20: some thirty years before the time when the water-supply of the city of London was to be improved by the famous *New River* of Sir Hugh Myddelton.*

* Before the end of the reign, was also a smaller incident which deserves notice. In 1596, Sir John Harington, who in earlier life had been a favourite page of the Queen's, and was Her Majesty's godson, published, under the punning title of *Metamorphosis of A-jax*, his account of an original contrivance by which he had relieved his house at Kelston, Bath, from the stench of its previous "jakes:" namely, a water-adaptation, which, though not with all the accomplishments of a modern water-closet, was effectual enough for its purpose, and may probably have been afterwards copied in other great houses. Few puns bear the test of time; and perhaps Harington's title may already require to be explained by a word of reminder, that, down to the end of the eighteenth century, the word "jakes," or sometimes "heaks," was a name of the ordinary privy.

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Works of
Town Im-
provement

CHAPTER VI.

LONDON UNDER ELIZABETH AND THE STUARTS.

AFTER an interval of a hundred and sixty years from the close of the City of London *Memorials*, quoted above in chapter iii., the government of London is illustrated anew for a period of eighty-six years, 1579-1664, by the collection known as the *City Remembrancia*, the records of the Remembrancer's office. Of this collection, which consists of various correspondence had by the Corporation during the eighty-six years, chiefly with Ministers of the Crown, on matters (large and small) of municipal concern, the Corporation has lately published an admirable *Analytical Index*; and from that *Index* will be gathered into the present chapter such chief illustrations as it affords of the sanitary government of London during the reigns of Elizabeth and the three first Stuarts.

Streets and
Sewers.

The publication is not of a nature to have room in it for details, such as abound in the *Memorials*, with regard to police-administration in particular cases; but it is easy to see that the old urban difficulty, as to getting rid of filth and refuse, still continued; and there is more definite reference than before both to sewers (essentially as courses for rain-water*) and also to pavement. Commissioners of sewers are now mentioned; and in 1582 and again in 1591, there is correspondence with the Lords of the Council on the cleansing and conservation of the Fleet Ditch. In February, 1620, the Lords of the Council complained to the Lord Mayor and Court of Aldermen of the impassable state of the streets of the city: where, "though the frost had continued nearly three weeks, no steps had been taken for the removal of the ice and snow:" they required immediate order to be given for remedy of the inconvenience, and threatened that, upon any further neglect, they would address themselves to

* In the earlier collection in one case (1373) there is mention of a right of water-easement by means of "an arched passage" beneath a certain tenement in Bishopsgate.—*Memorials*, p. 374.

the Aldermen of the several wards where such abuses and inconvenience should be found, and would call them individually to strict account. In 1628 the King, having noticed that the ways in and about the City and Liberties were very noisome and troublesome for passing, in consequence of breaches of the pavements and excessive quantities of filth lying in the streets, the Lords of the Council inform the Lord Mayor of this, and, at the King's express command, require the Lord Mayor to take effectual steps for the complete repair of the pavements* and the removal of all filth—"the fruits of which His Majesty expects to see on his return from Portsmouth;" and two months afterwards, they write again, reminding the Lord Mayor of the near approach of the King's return, and requiring him to certify what has been done in the matter. Six years later, according to the *Index*, there is a "letter from the King to the Lord Mayor, recommending a proposition of one Daniel Nis, for the beautifying and better accommodation (p. 483) of the streets of the city by raising them to a convenient height, evenness, and decency, leaving ample passage for coaches, carts, and horses, and reserving a competent part to be made even and easy in a far more elegant and commodious manner for the convenience of foot-passengers, besides a handsome accommodation of water for the continual cleansing of the streets by lead pipes." In the same year (1634) the Lords of the Council, referring to the great annoyance occasioned by the Moor-Ditch, order "the Commissioners of Sewers of the City and Inigo Jones, Esq., Surveyor of His Majesty's Works, upon view and enquiry to agree upon some remedy and certify the same to the Board:" which being done, the reporters recommend the construction of a vaulted sewer, 4 feet in breadth at bottom, and 6 feet at least in height, from the Moor-Ditch to the Minories and so to the Thames, and that upon completion of the sewer, the Moor-Ditch should be filled up with earth, and kept without buildings thereon: and the Lords of the Council, authorising this to be done, further require the Lord Mayor and Aldermen to have special regard to the last clause of the recommendation.

* Two previous entries in the *Index* give to be understood that in London (as previously in Rome) individual house-holders were held responsible for the pavement in front of their respective holdings.

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Forbidden
buildings
and crowd-
ings.

In the later records, the evils of over-building and over-inmating (mixed often with those of vagrancy and pauperism) come into prominence as among the sanitary difficulties of London; and for about fifty years (1582-1632) frequent references are made to those evils, and to the measures which were meant to prevent them.* The City Authorities seem first to have complained of "the increase of new buildings which have been erected for the harbouring of poor and roguish persons" whereby the City had been greatly burthened with provision; and in 1580 the Queen issued a proclamation commanding all that there should not be any new building in the City or within three miles of its gates; but the Lords of the Council in 1583 found that in despite of this proclamation buildings had greatly increased, "to the danger of pestilence and riot"; and they now call on the Lord Mayor and Aldermen, who, they say, had been empowered by the proclamation to prevent this, to take immediate steps to bring the offenders before the Star-Chamber, and to take into custody and commit to close prison workmen who should refuse to obey the proclamation. Attention is at the same time drawn to the overcrowding which results from the dividing of single houses; and an Act of Parliament passed in 1593 (35 Eliz. c. 6) recites that "great mischiefs daily grow and increase by reason of pestering the houses with divers families, harbouring of inmates, and converting great houses into several tenements, and the erecting of new buildings in London and Westminster." Under James I., fresh proclamation seems to have been made, and prosecutions were repeatedly instituted or threatened; but in 1619 the "Commissioners of Buildings" inform the Lord Mayor that they find it very difficult to discover and prevent offences unless they be assisted by the Constables in their several precincts, and they beg the Lord Mayor, as principal magistrate and himself a Commissioner, to give suitable directions to the Constables. Again under Charles I. (in the years 1632-6) complaint in the matter is renewed:—"that the multitude of newly erected tenements in Westminster, the Strand, Covent Garden, Holborn, St. Giles, Wapping, Ratcliff, Limehouse, Southwark, and other parts . . . was a great cause of beggars and other loose persons swarming about the City; that by these

* See in *Remembrancia* under heads "Buildings," "Poor" and "Vagrants."

multitudes of new erections the prices of victuals were greatly enhanced, and the greater part of their soil was conveyed with the sewers in and about the City, and so fell into the Thames, to the great annoyance of the inhabitants and of the river; that, if any pestilence or mortality should happen, the City was so compassed in and straightened with these new buildings that it might prove very dangerous to the inhabitants":—and the former process of proclamation, threats and prosecutions, seems to have been repeated. Finally, as soon as Charles II. is on the throne, proclamation is again made to restrain "the exorbitant growth of new buildings in and about the City, and for regulating the manner of all new buildings," and in 1661, the Clerk of the Council writes to the Lord Mayor, directing him to give effect to this proclamation.

The relation in which during these years the civic authority was standing to the conditions of lower social life in London may be illustrated by the contents of a letter, written in 1614 to the Lord Chamberlain by the Lord Mayor, detailing steps which he had taken during the then past eight months of his mayoralty to amend what he had found out of order in the City:—"Firstly, he had freed the streets of a swarm of loose and idle vagrants, providing for the relief of such as were not able to get their living, and keeping them at work in Bridewell, 'not punishing any for begging, but setting them on work, which was worse than death to them.' Secondly, he had informed himself, by means of spies, of many lewd houses, and had gone himself disguised to divers of them, and finding these nurseries of villany, had punished them according to their deserts, some by carting and whipping, and many by banishment. Thirdly, finding the gaol pestered with prisoners, and their bane to take root and beginning at ale-houses, and much mischief to be there plotted, with great waste of corn in brewing heady strong beer; 'many consuming all their time and means sucking that sweet poison,' he had taken an exact survey of all victualling houses and ale-houses, which were above a thousand, and above 300 barrels of strong beer in some houses, the whole quantity of beer in victualling houses amounting to above 40,000 barrels; he had thought it high time to abridge their number and limit them by bonds as to the quantity of beer they should use, and as to what

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Lord
Mayor as
social dis-
ciplinarian.

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orders they should observe, whereby the price of corn and malt had greatly fallen. Fourthly, the Bakers and Brewers had been drawn within bounds, so that, if the course continued, men might have what they paid for, viz., weight and measure. He had also endeavoured to keep the Sabbath-day holy, for which he had been much maligned. Fifthly, if what he had done were well taken, he would proceed further, viz., to deal with thieving brokers or broggers, who were the receivers of all stolen goods. And lastly, the divided houses would require before summer to be discharged of all superfluities for avoiding infection, &c."

Mainten-
ance of
supplies of
Food and
Fuel.

Among the chief sanitary functions of the Corporation in the days to which the *Remembrancia* relate was one which has now become obsolete. Commercial enterprise, in those days, was under conditions widely other than now are: above all, it had not yet come into ways of easy relation with popular demand, nor had men learnt what powers of self-development and self-rule it could show if merely allowed freedom in that relation: and supply and marketing were affairs of State. In London the Lord Mayor and Aldermen, directed by the Lords of the Council, and sometimes specially moved by a royal message,* saw to the maintenance of stores of food and fuel for the City, and regulated conditions of sale for all chief necessities of life. The working of that system—chiefly relating to corn-supplies and the assizes of bread and beer, but extending also to flesh and fish and poultry, to meat and drink in ordinaries and hostelries, to butter and all small "acates," to candles and all sorts of fuel—is admirably illustrated in the *Remembrancia*; and the illustrations are often instructive as well as curious. The annual bread-consumption of the City at that time was estimated at about 60,000 quarters of wheat, towards which the Corporation, sharply looked after by the Lords of the Council, had to keep up a large store in

Municipal
granaries,
and the as-
size of
bread;

* For instance, in 1586, the Queen, apropos of signing the Lord Mayor's venison-warrants, "expressed her satisfaction at his government of the City, specially in the provision of grain and meal." Again, in 1630, the Lord Mayor is reminded how the King, when conferring knighthood on him, gave him a "special charge for moderating the prices of victuals, then grown dear by the sinister practices of butchers, and also for care to be had about the prices of fuel and grain."

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its own granaries, and to see that an additional store, perhaps up to 20,000 quarters or more, was in the hands of the City Companies. These stores seem to have been brought into the market for sale at certain times, "to keep down the prices for the benefit of the poor." The Companies might have to get their supplies from foreign parts, and could be put under pressure to do so if necessary; in 1632, for instance, divers wardens of Companies were committed to Newgate for not having made their due provision of corn; but the Corporation, in regard of its own store, was allowed particular facilities for obtaining corn. Besides such general restraints as there were on the exportation of grain from England, the counties nearest to London had, for the sake of London, particular restraints imposed on their home-transportations. County purveyors of grain were required to assemble together, and consider what quantity the county could spare from time to time for the victualling of the City of London; and ships laden with wheat would be stayed in the Thames and other ports, sometimes to be much fought for with the Warden of the Cinque Ports, in order that the City might be better supplied. Different seasons had of course their different requirements. In the winter of 1581-2, in presence of scarcity and high prices, the Lord Mayor writes repeatedly to the Lord Treasurer to have "his usual care for the City," and to stay the exportation of grain; in the following July he writes to him "as to the store of wheat remaining at the Bridge House, beseeching that on account of the prospect of a plentiful harvest, it might be transported and sold secretly to the advantage of the Companies." In 1594-5, which was a bad season, the Lord High Admiral is more than once found sending up the river to the Lord Mayor corn-ships which seem to have been intercepted in act of illegal exportation: the Lord Mayor also begging him, that, if any should be found "in the narrow seas," they may be sent to him; and likewise begging the Lord Treasurer that the City may have the benefit of some "lately taken on the coast of Spain by the Earl of Cumberland." While means were thus being taken to provide supplies, various artful enhancers of price in wholesale and retail trade—"forestallers" and "engrossers" and "regrators" and "kydders" and "badgers"—(tribes of men who since then have

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got to be no longer named in the vocabulary of crime, and are perhaps now in the aristocracy of commerce)—had to be guarded against as “making unlawful gains to the oppressing of the poor,” and had from time to time to be pilloried or imprisoned; and various mis-applications of corn, as for starch-making or overmuch beer-making, were, at least in hard times, put under restraint.

The assize of bread regulated the weight of the penny-loaf in proportion to the price of wheat: with such fluctuations as then were, the penny-loaf might at one time have less than half the weight it had at another—might at one time be weighing twenty-four ounces or more, at another only eleven ounces or less: and the Company of Bakers would meanwhile be complaining again and again, that, in consequence of their inability to keep the terms imposed on them, they (1619-20) were “daily punished, amerced and imprisoned, and their bread taken from them and given away, to their great reproach, hindrance, and undoing.”

Control of
brewery,
and of sale
o beer;

Side by side with that bread-control, went a similar control of beer. Brewers, in that point of view, and vintners, victuallers and taverners, in that and other points, were under constant supervision in their business. In 1613, the Lord Mayor reports how he, “for the avoiding of abuses in tippling-houses to the maintenance of drunkenness and vice and on account of the excessive quantities of barley daily converted into malt for the brewing of sweet and strong beer, had, with the advice of his brethren, limited the brewers to the brewing of two sorts of beer only, the one at 4s. and the other at 8s. the barrel;” he boasts that by reducing the number of ale-houses, and limiting their number of barrels from perhaps 200 or 300 in stock to only 20, he had, in a fortnight reduced corn and malt 5s. or 6s. a quarter, and above 2,000 quarters weekly had been saved: but he finds brewers continue to consume excessive quantities of corn and malt in the brewing of stronger beer than was allowed by law, alleging it to be made for use at sea, though they conveyed it at night to the tippling-houses; and he requests the Council to restrain the transportation of any beer exceeding the assize of 8s. and 4s. the barrel. In 1614 the Lords of the Council address the Lord Mayor and Aldermen: “reciting that there were divers

good and wholesome laws enacted for restraining the excesses of victuallers and brewers, and against the brewing and selling of beer and ale of unreasonable strength and price, the execution of which had been so much neglected that the greatest part of the tillage of the kingdom, usually employed for wheat and other bread-corn, had been converted to the sowing of barley, which would produce dearth and scarcity unless some remedy were speedily taken: the Council intended to provide for prevention of this great abuse, and for the better execution of the before-mentioned laws throughout the Kingdom: to begin therefore with London, the principal city of the realm, where these abuses were most practised, they required every Alderman in his Ward to call before him the innholders, victuallers, alehouse-keepers, cooks, and all those who brewed and sold again in bye-places, and to examine the quantity and prices of such ale and beer as they had received into their houses and cellars since Christmas 1613, to ascertain the names of their brewers, and to report the particulars in writing to the Council.” In 1620, the Council were “informed that the City had within these few years become so pestered with taverns that latterly the better sort of houses were taken up by vintners at unreasonable rents, and converted into taverns to the maintenance of riot and disorder, and the great inconvenience and disquiet of the neighbours. They understood that by ancient Acts and Laws, made for the good government of the City, the number of taverns had been limited to forty, and their places assigned; but it was said there were now upwards of four hundred. As the vintners, above all other trades, were permitted to keep eight or ten apprentices apiece, they would in time increase to such a number as to be insufferable in a well-governed city. The Council therefore desired that some speedy remedy might be applied by Act of Common Council for the restraint of this enormous liberty of setting up taverns.

Nor did the care of the Council stop at this point. In 1634, information on oath had come before them that the prices of oysters within eighteen or twenty years had so much increased, that Whitstable oysters, instead of being sold at 4d. per bushel, were now sold at 2s.; that the best and largest oysters were transported, and none but the refuse left for His Majesty's sub-

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Oysters.

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jects, and that at a very dear rate. The Council therefore order that, this being a *droit d'Amiral*, the Lords and Commissioners of the Admiralty should be required to take it into their care, and, if they deemed fit, direct the Judge of the Admiralty and the Farmers of the Customs to attend them, and, after hearing their opinions, to advise some fit course to prevent the abuse complained of. No doubt that order was obeyed; and later in the year we find the Lords of the Council requesting the Lords and Commissioners of the Admiralty to give order to Sir Henry Marten, Knight, Judge of the Admiralty, and to the Marshal and all other officers of the Admiralty, not to suffer oysters to be transported by strangers or in strangers' vessels, but to cause all such vessels to be arrested, and the owners, their farmers and agents, committed to prison until they gave bond, with surety, not to offend in like manner in future.

Measures
against
flesh-eat-
ing on fish-
days.

During the years to which the *Remembrancia* relate, parts of the food-trade of the City were subject to special interference under laws of Edward VI. and Elizabeth which restrained the eating of flesh during Lent and on certain "fish-days" at other times. On Edward's accession Parliament had re-considered the question of fast-days, and had enacted fasts in the light of a new doctrine: in which light, as Mr. Froude* explains, though the old church-distinctions between days and meats no longer existed, yet, as due and godly abstinence from flesh was a means to virtue, and, as by eating of fish, flesh was saved to the country, and as the fishing-trade was the nursery of English seamen, so Fridays and Saturdays, the Eves of Saints' days, Ember days, and Lent, were ordered to be observed in the previously usual manner, under penalties for each offence of a fine of ten shillings and ten days' imprisonment. Early in Elizabeth's reign, an "Act touching certain politick constitutions made for the maintenance of the Navy," required Wednesdays to be fish-days in addition to days previously such; the declared intention of this being "not any superstition to be maintained in the choice of meat," but "the benefit and commodity of this realm to grow as well in the maintenance of the Navy . . . as in the increase of Fishermen and Mariners, and repairing of

* *History of England*, vol. v. p. 143.

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port-towns and navigation . . . as in the sparing and increase of flesh-victual;" and the Act, jealously as to this declaration, provides that anyone misrepresenting the intention shall be punished as a spreader of false news. Annual indulgences in regard of flesh-eating could be got at pleasure on paying into the poor-box of the parish certain fines; which (according to the rank of the indulged person) ranged from 6s. 8d. to four times that amount; and for cases of sickness temporary licenses were given by the bishop, parson, vicar, or curate.

The *Remembrancia* up to the year 1634 contain, as might be expected, constant illustrations of the difficulty of regulating men's diet by Act of Parliament. Butchers in general had to be restrained from killing in Lent, and the question of exceptions under this rule was matter of ever-recurring controversy. In the earlier years the Lord Mayor was allowed the privilege of selecting from among the City butchers five, "two for either shambles, and one for the borough of Southwark," who should be authorised to kill during Lent, under bond "not to utter flesh to any but such as were for sickness or otherwise lawfully allowed to eat meat:" but, while this was an invidious privilege—bringing the Lord Mayor into disfavor with the mass of persons, butchers and their patrons, whose wishes he could not satisfy, and even leading to his being "reviled and threatened by certain officers of the Court and others of high place for not being able to comply with their requests," it also was frequently contested by the Lords of the Council. Though Lord Burghley had from the first "thought it quite unnecessary, infirm persons being allowed poultry," the system had continued in vogue, and in 1611, the licentiates were eight in number; but in 1612, there was reaction; and a new Order in Council then issued for the keeping of Lent prohibited "absolutely the killing of flesh by any butcher or other person in the City or any other part of the Kingdom during this Lent." The Lord Mayor remonstrated: referring to the scarcity and dearness of fish, butter, cheese, and bacon, and to the prevalence of ague and other infirmities; but in vain: the Lords of the Council telling him that "for the comfort of the infirm and sickly, he might freely license as many poulterers within the City and Liberties as he deemed meet and convenient." In each of the following two Lents, a

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single butcher was licensed, chiefly, it seems, for the service of foreign ambassadors; and then, in 1615, stronger remonstrances came from the City: the Lord Mayor gives the Lords of the Council to understand that the irregularities under the indiscriminate rule are far greater than they were under the system of partial exception: he also writes to the Archbishop of Canterbury, "to whom he conceived the matter most especially appertained," telling how he "had been much importuned by divers physicians, who stated there was an absolute necessity for the safety of men's lives that some mutton and veal should be killed, to make broth for the diet of the sick during the present Lent:" whereupon "my Lord of Canterbury very honorably procured the Lords to assent for the licensing of one butcher"—who, "during the present Lent" was "to kill mutton and veal only, and to sell the same to such as had license according to law:" further, in 1619 and 1620, the number of Lent butchers was extended to three, and in 1625 again (as in 1611) to eight. That law such as the above, whether in any particular year tighter or looser, must always have been highly vexatious to the mass of the people, cannot well be doubted. Besides the constant municipal visitation of the premises of butchers and taverners, and the occasional intrusion of "messengers" with search-warrants from the Council, there was the daily minute spying into personal habits—"Friday-night suppers" and the like; and there was the vexatious overhauling of baskets at the City gates by functionaries who confiscated (and half for themselves) whatever unprivileged flesh they could catch entering. The interest which these officials probably felt in enforcing the law was certainly felt by another limited class: for, whenever the law against flesh-eating was severely administered, purveyors of other food were able to run up their prices. Especially this was the case with the Fishmongers: who, if the administration of the law became mild, were always ready to complain that injury was being done to their business, and that in consequence "the navigation and trade of mariners would be discouraged and fall into decay;" and of whom it seems to have been in general expected in those days, that, since their profits rose (and indeed often became such as to require check) in proportion as the law was strictly administered, they should be ready to act as searchers

and informers against persons who disobeyed the law. But, whatever may have been those interested efforts for the law, disobedience to the law continued. Last appeals and last threats in the matter—last, at least, as regards the records which are here under quotation, were made in 1630, in a letter which the Lords of the Council, speaking in the King's name, and referring to a recent proclamation of his, addressed in the November of that year to the Lord Mayor, and which is of the nature of a summary of the case:—His Majesty's proclamation had contained no new thing, but pointed directly to laws and statutes formerly made and still in force for the keeping of fast-days and restraining the eating of flesh in Lent and on fish-days: it seemed very strange to the King and the Council that a proclamation grounded on so many good laws, &c., and in a time of such scarcity, should be contemned in every tavern, ordinary, &c., in the City and suburbs, and the King was resolved to have it reformed: within the City (as an example to other places) it was his Majesty's command that the Aldermen and their Deputies, &c., strictly examine as to offenders since the proclamation, and should inflict due punishment on delinquents, and should in future enforce the law by which offenders were to be imprisoned, and kept without flesh during imprisonment. His Majesty commanded the Lord Mayor to appoint fit persons, to be nominated by the Fishmongers' Company, to make search and present offenders, and to see them punished, certifying every fourteen days to the Council. The officers of the ecclesiastical Courts had been commanded by the King to take order, according to their jurisdiction, that offenders were punished according to the Act 5th and 6th Edw. VI., c. 3. That the reforming of one abuse might not give advantage to the practising of another, the Court of Aldermen should take such course with the Fishmongers' Company that the prices of fresh or salt fish were not enhanced, and that the markets were well served. The King's desire to see a reformation of these abuses by a fair way might thus be perceived; but if he found no speedy effect, he would think of a sharper course to bring such wilful contemners of the laws and of his commands to better conformity." Political events which need not here be dwelt upon left Charles but little further opportunity to follow out that line of thought. The tyranny in

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which those silly dietetic commands were a part was fast becoming intolerable to those who suffered under it; side-glances were beginning to be cast towards that "two-handed engine" which was to be the bitter medicine of redress; and for some sixty years from the date of the last-quoted ordinance, the national questions which were in debate were not questions between fish and flesh and fowl.

Repeated
visitations
of Plague,
and the
proceed-
ings there-
on con-
sequent.

1580-4.

On several occasions during the years to which the *Remembrancia* relate there was prevalence of Plague in London; and whenever this was or threatened to be the case, the City authorities corresponded about it with the Lords of the Council, and were directed by them what to do in the circumstances. One severe invasion by plague was that of the years 1580-3. In 1580, the disease is raging at Lisbon; and the Lord Mayor, on his application to Lord Treasurer Burghley, is authorised by him to take measures in concurrence with the officers of the port to prevent in regard of arrivals from Lisbon the lodging of merchants or mariners in the City or suburbs, or the discharge of goods from ships until they have had some time for airing, and in the meantime to provide proper necessities on board ships detained. The Lord Mayor also requests the aid of the Council "for the redress of such things as were found dangerous in spreading the infection, and otherwise drawing God's wrath and plague upon the City, such as the erecting and frequenting of infamous houses out of the liberties and jurisdiction of the City, the drawing of the people from the service of God and honest exercises to unchaste plays, and the increase of the number of the people." Evils which he particularly proposes to restrain by regulations are:—the crowding of inmates in places pretending to be exempt from City jurisdiction, and the pestering of such places with strangers and foreigners artificers, and the presence of strangers in and about London of no Church,—the increase of buildings, notably in the exempt and some other places, and the building of small tenements, or the turning of great houses into small habitations, by foreigners,—the haunting of plays out of the liberties,—the killing of cattle within or near the City. In 1584 "for the stay of infection in the City . . . it had been thought good to restrain the burials in St. Paul's

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Churchyard which had been so many, and by reason of former burials so shallow, that scarcely any graves could be made without corpses being laid open. Some parishes had turned their churchyards into small tenements, and had buried in St. Paul's Churchyard. It had been determined to restrain from burial there all parishes having churchyards of their own. . . . The City desired the Council to issue directions to the authorities of the Cathedral accordingly: the order not being intended to prevent any person of honour or worship being buried there, but only the pestering of the Churchyard with whole parishes." Then the Oxford Corporation writes to the Lord Mayor, with reference to the approaching Frideswide Fair, to which it was customary for Londoners to repair with their wares and merchandise, and from which now the Lord Mayor is begged to restrain all citizens in whose houses and families there was infection, or who had not obtained his certificate. With reference to assizes about to be held at Hertford, the Queen through the Lords of the Council expressly commanded the same sort of care to be taken by the Lord Mayor. In 1583, the infection having much increased, the Council pressed upon the City Her Majesty's commands "that they should see that all infected houses were shut up, and provision made to feed and maintain the sick persons therein, and for preventing their going abroad; that all infected houses were marked, the streets thoroughly cleansed, and a sufficient number of discreet persons appointed to see the same done. They desired to express Her Majesty's surprise that no house or hospital had been built without the City, in some remote place, to which the infected people might be removed, although other cities of less antiquity, fame, wealth, and reputation, had provided themselves with such places, whereby the lives of the inhabitants had been in all times of infection chiefly preserved." The City authorities, soon after this communication, inform Sir Francis Walsingham that they have published orders which they intend to execute with diligence; but that, in respect of certain inconveniences—assemblies of people at plays, bear-baiting, fencers, and profane spectacles at the Theatre and Curtain and other like places, to which great multitudes of the worst sort of people resorted, restraints in the City were useless, unless like orders were carried out in the places adjoining; and

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1606-7.

the Lord Mayor therefore moves the Council to take steps in regard of that difficulty.

In connexion with a smaller outbreak which occurred in 1606-7, we find the Lord Mayor informing the Lords of the Council that the following additional order had been passed:—"that every infected house should be warded and kept with two sufficient watchmen, suffering no persons to go more out of the said house, nor no searcher to go abroad without a red rod in their hand." And a marshall and two assistants had been appointed to keep the beggars out of the city.

1625.

In 1625, when there seems to have been a great outbreak, the Lords of the Council "could not hear that any good course had been taken for preventing it by carrying infected persons to the pest-house, or setting watch upon them, or burning the stuff of the deceased;" and they require the strictest course to be taken in these matters. Somewhat later, His Majesty was absent, and the Council were forced to disperse themselves, but they direct the Mayor and Aldermen to be very careful not to abandon the government of the city committed to their charge, and to continue and increase all usual means, &c. It appears that, during the epidemic of 1625, the Lords of the Council issued orders in restraint of the traffic of carriers and higglers with London; and the Lord Mayor presses on the consideration of their Lordships that if, in consequence of these orders, the City should be restrained of victuals, it was to be feared it would not be in the power of himself, or the few magistrates who remained, to restrain the violence hunger might enforce."

1629-31.

In 1629-31, Plague was again in ascendancy. In October 1629 precautions were to be taken against arrivals from Holland and France; but at least six months before this, the disease was already spreading in London, and the Lords of the Council advising about it. They had issued a book of instructions. At first they had shut up the sick in their houses, but, on further deliberation, had thought it better the houses should be voided and shut up, and the inmates sent to the pest-houses. Referring to the poor Irish and other vagabond persons, pestering all parts of the City, they advised steps to be taken to free the City and liberties from such persons: also to see the streets kept sweet and clean, and the ditches in the suburbs within the liberties

thoroughly cleansed, and they command the Commissioners of Sewers and the Scavengers respectively to perform their duty. Also, being informed that inmates and ale-houses were in excessive number, they required the law to be enforced against these excesses. They require that infected houses should have guards set at the door, and a red cross or "Lord have mercy upon us" set on the door, that passers-by might have notice. They direct the City Authorities and the Justices of Middlesex and Surrey to prohibit and suppress all meetings and stage-plays, bear-baitings, tumbling, rope-dancing &c. in houses, and meetings for prize-fencing, cock-fighting and bull-baiting and those in close bowling-alleys, and all other meetings whatsoever for pastime, and all assemblies of the inhabitants of several counties at the common halls of London pretended for continuance of acquaintance, and all extraordinary assemblies of people at taverns or elsewhere. And His Majesty was pleased that the College of Physicians should meet and confer upon some fit course for preventing the infection. At the same time, there being much increase of sickness at Greenwich "all fitting means" are to be used "to stop and cut off all intercourse and passage of people between that town and the City;" and question arises of restricting elsewhere, as from London to Exeter, and from Cambridge to London, the passage of things and persons. Mixed with proceedings as to infected houses and persons, are proceedings as to the eating of flesh on fish-days:—in the latter (as well as the former) respect the City Authorities "had commenced their search, and committed offenders to prison, and had appointed some fishmongers to search, who, for their own interest, would give them best notice." In a statement dated December, on proceedings which had been taken in the City under an order made some weeks previously by the Council, the Lord Mayor reports, among other things, these: "that antient women, reported to be both honest and skilful had been appointed for visited houses, who appeared by certificate to have carefully discharged their duties; that infected houses had been shut up, the usual marks set upon them, and strict watches appointed so that none went abroad; that persons who had died of the infection were buried late at night; that people who would have followed them had been sent away by threatening and

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otherwise, and that very few or none went with the bodies but those appointed for the purpose. Some persons had been punished for removing the inscriptions set on infected houses, and others had been bound over to the sessions to be proceeded against according to justice." Eating flesh on fish-days and the eves was being so well restrained by the punishment of some offenders, that few delinquents were found.

1636.

In 1636, when there was again much plague, the Lords of the Council ordered "the levying of rates in Middlesex and Surrey for the erection of pest-houses and other places of abode for infected persons; also directing the Justices of the Peace for Middlesex to join with the Lord Mayor and Aldermen in making additional orders, to be printed, for preventing the increase of the infection, and authorising them to make such further orders thereon as they should see fit; also directing the Churchwardens, Overseers and Constables of every parish to provide themselves with books for their directions, and requiring the Physicians of the City to renew the former book touching medicines against infection, and to add to and alter the same, and to cause it to be forthwith printed." With reference to the marking and guarding of infected houses, they complain that the prescribed marks—the red cross and the inscription "Lord have mercy upon us," were placed so high and in such obscure places as to be hardly discernible; and that the houses were so negligently looked to that few or none had watchmen at their doors, and persons had been seen sitting at the doors. The crosses and inscriptions must be put in the most conspicuous places, the houses strictly watched, and none permitted to go out or in or sit at the doors. Such as wilfully did so should be shut up with the rest of the infected persons. Officers who had failed in their duties should be committed to Newgate. The Attorney General is to draw up a proclamation for the King to sign for putting off Bartholomew Fair on account of the plague.

1663-4.
Develop-
ment of
Quaran-
tine.

Last come a few entries relating to the terrible visitation of 1663-5, and specially instructive as regards the steps which were now to be taken in the way of developing Quarantine. In October 1663, "the King had taken notice that the plague had broken out in some neighbouring countries, and desired to be

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informed what course had been taken and means used in like cases heretofore to prevent the conveying and spread of the infection in the City;" and the Lord Mayor, informed to this effect by a letter from the Lords of the Council, replies that "he had found many directions and means used to obviate the spreading of the infection at home, but no remembrance of what course had been taken to prevent its importation from foreign parts. The plague of 1625 was brought from Holland. The Court of Aldermen advised that, after the custom of other countries, vessels coming from infected parts should not be permitted to come nearer than Gravesend, or such like distance where repositories, after the manner of lazarettos, should be appointed, into which the ships might discharge their cargoes to be aired for forty days." As Amsterdam and Hamburg were known to be already under visitation by the pestilence, the matter no doubt seemed pressing; and so, next day, this letter received its answer:—"the King acknowledged and approved the Lord Mayor's proposal, but recommended that the lazarettos should not be nearer than Tilbury Hope, and that all ships, English or foreign, coming from infected ports, should be liable to be stopped and unloaded if necessary. The Mayor and Aldermen should consult with the Farmers of the Customs upon the subject." This consultation having been held, the following plan was recommended: "that the lazaretto should be at Moll Haven in a creek which would receive a hundred vessels; that one or more of His Majesty's ships might be placed conveniently below the haven to examine every vessel, whether from infected places or not, and to see that if infected they came to the haven; that a guard of twenty persons or more should be appointed to prevent any communication being held with the persons on shore. On the arrival of any infected vessel a list should be made of all persons on board, and, if any should die, the body should be searched before casting it overboard. At the end of forty days, if the surgeons reported the vessel free from contagion—(all the apparel, goods, household stuff, bedding, &c. having been aired in the meantime on shore) it should be allowed to make free commerce. In conclusion they recommended, as a cheap and easy course, that one of the King's ships should be anchored low down the river and stop every vessel: if they found

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by their papers that they came from any of the infected ports, they should be sent back to sea. His Majesty should also issue a manifesto to his allies, informing them that no ships or vessels would be allowed to enter the Port of London unless they brought with them a certificate from the port authorities whence they came."

Orders, more or less to the effect of the above recommendations, were now issued by the Council, and a first English Quarantine was thus established. It was not enforced during the winter, as the pestilence was for that season lulled; but about Midsummer it was again brought into requisition. On June 27, 1664 (and this is the last communication which appears in the *Remembrancia* on the present subject) the Lords of the Council inform the Lord Mayor that "the plague had broken out in the States of the United Provinces," and they direct "steps to be taken to prevent the infection from being brought into this country, either by passengers or merchandise, and all ships to be placed in quarantine, according to former orders, until the Farmers of the Customs gave their certificate."

1665-6.
The Great
Plague.

Those endeavours to exclude by Quarantine the contagion of the Plague were as ineffectual as if their intention had been to bar out the east wind or the new moon; and, in the sanitary records of the Metropolis, the year 1665 has its special mark as emphatically the year of the Great Plague. Before the middle of the year, the disease was known to be spreading in London: where, as the season advanced, it became more and more prevalent, till, in August and September, when the epidemic was at its height, the deaths by it, within the London Bills of Mortality, averaged in each week not fewer than six or seven thousand, and may perhaps once or twice have been as many as ten thousand within the week. What may have been the total fatality of the London Epidemic cannot be exactly known; but the estimate which Macaulay adopts is, that it swept away, in six months, more than a hundred thousand human beings.

1666. The
Great Fire.

The subsidence of that terrible epidemic continued during the winter and spring of 1665-6, till the weekly deaths were fewer than fifty; but, as summer advanced, the infection again began to spread; and the London world was fearing what worse renewal

of the pestilence might yet come, when suddenly the most drastic of sanitary reformers appeared on the scene, and what had remained of the Great Plague yielded at once to the Great Disinfecter. A fire—"such as had not been known in Europe since the conflagration of Rome under Nero, laid in ruins the whole City, from the Tower to the Temple, and from the river to the purlieus of Smithfield": within which area of destruction, measuring 436 acres, and including 400 streets, were consumed, in addition to the public buildings, 13,200 dwelling-houses.* How true a blessing, or at least how great an opportunity, came to the Metropolis in that guise of awful disaster, can be well judged in the light of modern science. The parts of the metropolis which had perished were distinctively its ancient parts. That many-gabled convivial old city must have been a stronghold of stinks and unwholesomeness. No wonder that pestilence lingered in it. From time immemorial, successive generations of inhabitants, densely gathered there, had more and more befouled the ground. In great measure it had been as some besieged camp, where the surface incorporates every excrement and refuse, and where the dead have their burial-pits among the living. It had no wide streets for wind to blow through. In general it had only alleys rather than streets: narrow irregular passages, wherein houses of opposite sides often nearly met above the darkened and foetid gangway. The houses themselves, mostly constructed of wood and plaster, had hereditary accumulations of ordure in vaults beneath or beside them. Unsunned, unventilated dwellings, they, from when they were built, had been saturating themselves with steams of uncleanness, and their walls and furniture must have stored an infinity of ancestral frowsiness and infection. That destruction by fire had come to so ill-constructed and ill-conditioned a city, was the best of opportunities for reform. The nests of pestilence had gone to naught; and even out of the soil, congested to its depths with filth, the filth had been burnt away as in a furnace.†

* Macaulay's few words which I borrow, together with the figures quoted from the inscription of the *Monument*, tell the sanitary gist of the story, beyond which my text needs not enter on particulars; but details, pictured with extraordinary vividness, are to be found, as I need hardly note, in the diaries of Pepys and Evelyn.

† Pepys, under date of March 16, 1667, notes: "within these eight days I

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The new
London

The opportunity which the circumstances afforded for the construction of a fitter city was to some considerable extent turned to account; but, in view of what improvement must cost, improvement was extensively stinted; and especially the public grudged the large expenditure which alone could have bought uncrowdedness of building. Wren, after his survey of the ruins, had designed a scheme of re-construction which would have made the new city a fitting nucleus for the metropolis of later times: would have made it of harmonious plan, with wide convenient thoroughfares, with proper standing-room for its chief buildings, with spacious public quays along the river, and even with reasonable interspaces of mere pleasure-ground; but the largeness of his proposal was beyond his contemporaries. To such purse-keepers as saw little beyond the moment, and cared only to escape immediate outlay, the proposal of course seemed extravagant; and at that particular time—(just when the worthless dirty reign of Charles the Second was bringing on his subjects some of their worst humiliations)—even larger-minded citizens might excusably not have had much heart to spare for local questions of commodiousness and adornment. But, though the matter was not to be dealt with as liberally as Wren had proposed, provision was made that, in several very important respects, the new city should be better than the old; and the statutes which provided to that effect, and for the future paving, cleansing and sewerage, of the City, are documents of much mark in the history of London.* Among the improvement-intentions of the Act of 1667, the most important were these:—that streets, specially needing enlargement, should be enlarged; that, in all the new houses, the outsides and party-walls should be of brick or stone; and that in the height of stories, the strength of scantlings, and other such matters, all the new houses should be constructed in

did see smoke remaining, coming out of some cellars from the late great fire, now above six months since." He had previously on several occasions referred to the long-continuance of the fire.

* See especially the first Rebuilding Act—19th Ch. II. cap. 3, which received the royal assent Febr. 8, 1667; also, three years later, the additional Act, 22nd, cap. 11; and, next year, the Act, 23rd, cap. 17, "for better paving and cleansing the streets and sewers in and about the City of London." Before the first of these, there had been an emergency Act (19th, c. 2) to provide a Court for the prompt determination of legal differences which might arise.¹

conformity with standards fixed for them (in classes) according to the dignity of the streets in which they were to be built. The streets to be enlarged were certain named main streets, and also such streets as had less than fourteen feet of width. For the ground which would be required for such enlargements, due compensation was to be paid to those whom the improvement would displace; and, to ensure that all new constructions should be done according to rule, special surveyors were to be appointed. The Act was to be worked by the Lord Mayor Aldermen and Common Council of the City; who, for certain of the purposes, might commission "persons" to act for them; and, for the improvement-expenses which had to be met, the Act assigned to the Corporation the proceeds of a special tax (then first imposed) to be levied on all coal brought into the port of London. Of the subsequent Acts, needs only be observed that the Act of 1670 named some more streets for enlargement, in addition to those which the original Act had named; and that the Act of 1671 which gave the Corporation some new ædile duties, extended to those duties, and confirmed as permanent, the sanction given by the original Act to the Corporation's working by Commission.* The business of the re-construction proceeded in due course: and the end was reached surprisingly soon. Bishop Burnet no doubt expressed the general exultation of his contemporaries, when he recounted, how—"to the amazement of all Europe, London was in four years rebuilt, with so much beauty and magnificence, that we, who saw it in both states, before and after the fire, cannot reflect on it without wondering where the wealth could be found, to bear so vast a loss as was made by the fire, and so prodigious an expense as was laid out in re-building it."

Of the re-constructed city not much remains to be said in the present chapter: nor, as regards the mere construction, will the succeeding chapters have much to say: for, such as the City was left by its re-builders under Charles the Second, such, in the main, it continued till sixty years ago, and such, in considerable parts, it still continues. There, of course, even from

* My reason for particularly noting this provision is, that I understand it to represent an early stage of the legislation under which at the present time the Sanitary Authority of the City of London is a body of Commissioners appointed by the Common Council to be Commissioners of Sewers for the City.

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the first, were changes made in particular spots, as particular new erections or other demands from time to time required: such as, above all, the openings necessary for the Blackfriars Bridge of 1760-8, for the Southwark Bridge of fifty years later, and at last, on a still larger scale, for the "new" London Bridge of 1825-31; but those changes, taken together, had not been of nearly such effect on the general plan of the City as have been the many large changes of later years; and old men of the present time, who knew London in the days before railroads, can re-picture to themselves a city which, at least in its central parts, was the City which had disappointed Wren.

Subse-
quent facts
as to the
Public
Health.

As regards the Health of the Population, it is commonly said that London, with its new City, entered on a new era; and undoubtedly the events which have been described did give to London a great fresh start in its sanitary interests: but the gains were not all of a sort to transmit themselves unconditionally to future times, and it must be remembered that, among the worst evils which the fire had burnt away, were some which would by degrees re-accumulate. It would be most interesting, were it possible, fully and exactly to compare London during some decennia before the fire with London during some decennia after the fire, in respect of the quantities of death occasioned in each decennium by each chief sort of disease, say, per 1,000 of living population; but there exist no nearly sufficient means for any such statistical comparison; and from materials which exist, it is impossible to compare the two periods except in very general terms. It may be taken for certain, that London after the fire never experienced such mortality as it had experienced at particular plague-times before the fire,—never, for instance, made any approach to such mortality as it had suffered in 1665; but it seems equally certain that, at least during considerable stretches of time in the eighteenth century, the death-rate of London (more than double that which prevails at our present time) was quite as heavy as it had been in the less afflicted part of the former period: that, for instance during the term 1728-57, which began some sixty years after the re-building of London, and again during the term 1771-80, London diseases were as fatal as they had been in the septennium 1629-

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35.* One great fact however which remains, and which must not be underrated, for it probably expresses the main difference between the respective worsts of the two periods, is: that, after the date of the Great Fire, Levantine Plague was no longer to be counted among our London diseases. The Fire had probably exerted a critical influence in relation to the then existing remains of the great epidemic of 1665-6; and we may assume that, for many years, the re-built City would have been far less apt than the old City to develop any new contagions of Plague which had come into it: but yet we must not attribute too much to the Fire. That our English metropolis became free from plague was not a solitary fact of such emancipation; and it is impossible to believe that the exemption we have now enjoyed for two hundred and twenty years is a privilege due to the Fire of 1666. Not for London alone, but equally for the rest of England,—and not for England exclusively, but also for Europe at large,—the decennium 1660-70 seems to have been a turning-time in the invasional affinities of the plague. From causes not understood, but which certainly were of wider range than any destruction of particular cities, the visitations which Western Europe suffered in that decennium proved in many cases to be parting visitations: in the course of twenty years from 1661, the till then familiar disease had disappeared from Italy, England, Western Germany, Switzerland, the Netherlands, and Spain: and though, in the first quarter of the eighteenth century, two great spreadings of infection took place elsewhere, one in Eastern Europe, and the other in Provence, the disease did not on either occasion extend to those previously emancipated parts of Europe, nor has it ever since appeared in any of them.

Here, for the present, the narrative may cease to speak in detail of the Metropolis. It has no intention of attempting to follow minutely the course of metropolitan sanitary fortunes, and such further references to them as must be made will be in connexion with the story of much later times. Meanwhile, as regards London at the close of the Stuart reigns, very few words

Queen
Anne's
London.

* The figures on which I base my statements are those given by the late Dr. Farr, in a paper which he contributed to McCulloch's *Descriptive and Statistical Account of the British Empire*: see that work, 4th Edition, vol. ii. p. 613.

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will suffice to summarise the chief fact which the narrative is concerned to carry on. Whatever sanitary gains may have accrued from the destruction and rebuilding of the City, London, at the beginning of the eighteenth century, was but an ill-conditioned place of residence. Provided hitherto with hardly the rudiments of such sewerage and water-supply as are needful for the health of cities,—with no systematic organisation for removal of refuse,—with pavement grossly insufficient,—with such neglect of scavenging, and such accumulations of uncleanness, as made fun for native satirists, while they scandalised foreign visitors,—London under Queen Anne, the London of Gay's *Trivia* and Swift's *City Shower*, was not entitled to expect immunity from the diseases which associate themselves with filth. And such as we leave it in those last Stuart days, we shall find it again, without any essential sanitary change, after more than a century of Hanoverian rule.

Part Third.—NEW MOMENTA.

CHAPTER VII.

THE RISE AND EARLY PROGRESS OF BRITISH PREVENTIVE MEDICINE.

DOWN to the end of our Stuart times, what little had been done for the Sanitary Interests of the Community had rested on scarcely any better medical knowledge than was common to doctor and laity. Such arts of healing as had prevailed during the Middle Ages had been exercised from the widely-different standpoints of the ecclesiastic, the barber, and the grocer.* The truth which we by degrees have learnt, that Medicine in its main significance is but an applied Physiology, could not in those earlier times be imagined; and it was only by slow succeeding steps, extending over centuries, that Medical Science, in our meaning of the term, could come into self-conscious existence. But, during the Tudor and Stuart reigns, changes, which we from our after-times can recognise to have been the beginnings of Modern Medicine, had been tending to define themselves as in embryo. The so-called revival of learning in Europe, with the various literary and artistic enthusiasms which at first seemed to be its only fruit, had been followed by a strange eventful quickening of man's deeper interrogative faculties; and this new intellectual spirit, destined to be of far-reaching revolutionary effect in affairs of Church and State, had sounded also a first reveil to the sincere scientific study of Nature. From the fifteenth century onwards, as that most ennobling of studies grew, fresh and fresher lights gathered rapidly to a dawn of the happiest day of human knowledge. In the sixteenth century, in countries other than our own, Copernik, soon to be followed by Galileo, had started the

* See above in chapter v. In the present nearly last decennium of the nineteenth century, certain antient rights of conquest of these three orders of practitioners are, alas, still held to justify the sixty-odd varieties of title under which men may be found practising medicine within the United Kingdom.