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PROPOSAL

FOR

Making an Effectual Provision

FOR THE

P O O R,

FOR

Amending their MORALS,

AND FOR

Rendering them useful MEMBERS of the
SOCIETY.

To which is added,

A PLAN of the BUILDING's proposed, with
proper Elevations.

Drawn by an Eminent Hand.

By HENRY FIELDING, Esq;

Barrister at Law, and one of his Majesty's Justices of the
Peace for the County of Middlesex.

*Ista sententia maxime et fallit imperitos, et obest sapissime
Reipublicæ, cum aliquid verum et rectum esse dicitur, sed
obtineri, id est obfisti posse populo, negatur.*

Cic. de Leg. lib. 3.

L O N D O N :

Printed for A. MILLAR, in the Strand.

MDCCLIII.

EXPLANATION of the PLAN.

- A Mens Courts, containing 3000 Persons.
- B Womens Courts, containing 2000 Persons.
- C Chaple.
- D Prifon Court, containing 1000 Persons.
- E Justice Hall.
- F Governor's Houfe.
- G Deputy Governor's.
- H Chaplain's Houfes.
- I Treasurer's Houfe.
- K Receiver's Houfe.
- L Sutleries.
- M Burying-grounds.
- N Womens Airing-ground.
- O Mens Airing-ground.
- P Sutlery-grounds.
- Q Front Grounds.
- R Elevation of the Governor's Houfe.
- S Front of the Deputy-Governor's.
- T Ditto of the Chaplains.
- a Principal Gate.
- b Place of the Steeple.
- c Mens Way to the Chapel.
- d Prifoners Chapel.
- e Prifoners Way to their Chapel.
- g Gates.
- h Prifons, or Fasting-Rooms.
- i Cells.
- k Whipping Poft.
- l Keepers Houfes.
- m Lodges for the Affiftants.
- n Womens Infirmary.
- p Matron's Houfe.
- r Officers Houfes.
- f Stairs.
- t Mens Infirmary.
- y u Privies.
- w Workrooms, above which are the Lodging-wards,
160 in Number.
- x Lodges for the Watchmen and Affiftants.
- y Storehoufes.

TO THE RIGHT HONOURABLE

HENRY PELHAM,

Chancellor of his Majesty's Exchequer.

S I R,

I N addressing to you the following Sheets, I only embrace an Opportunity of expreffing the deep Senfe I have of the Obligations you have conferred on me: For it would be unreafonable to expect, that one in your Station fhould find fufficient Leifure to weigh and confider duly the Subject here treated of. While your Attention is fo much engaged in Matters of higher Moment, it would feem hard, that no other fhould be willing to undertake this inferior Province of Government, or fhould indeed be equal to it; but that one Man fhould be obliged to fupport the whole.

AND yet, if ever there was a Time when a Minister of State might find fuch Leifure, I think it may be the prefent. It is true, indeed, that when a fhilful Governor of a Ship hath brought his Veffel through Rocks, Quickfands and Storms, to ride fafely before the Wind, he hath a Right to enjoy that Safety which he hath procured, and to indulge

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dulge his own Ease; and yet even then, if he is informed that his Vessel is leaky, or some of the minutest Tackling in Disorder, should not he give some Attention to those inferior Matters which others neglect, which retard the Vessel in her Course, and may perhaps, however slowly, at last produce her Destruction?

THERE is, perhaps, Sir, something above the Stile of Prose in this Allusion, but there is nothing in it beyond that of Truth.

To return, however, to the plainest Stile: I here present you with that Plan which I had the Honour once to mention to you, and of which I have given a former Hint to the Public. If this be carried into Execution, it will in its Consequence, I am convinced, remove almost every Evil from the Society of which honest Men at present complain; will complete the Obligations which Posterity shall owe to the present Age; and will heap Praises on that Name which shall be then as much loved and honoured by Mankind; as it is now by,

S I R,

Your Most Obliged,

Most Humble,

And Most Obedient Servant,

Jan. 19. 1753.

HENRY FIELDING.

PROPOSAL

For making an effectual Provision for the POOR, &c.

INTRODUCTION.

THAT the Strength and Riches of a Society consist in the Numbers of the People, is an Assertion which hath obtained the Force of an Axiom in Politics. This, however, supposes the Society to be so constituted, that those Numbers may contribute to the Good of the Whole: for could the contrary be imagined; could we figure to ourselves a State in which a great Part of the People, instead of contributing to the Good of the Public, should lie as a useless and heavy Burden on the rest of their Countrymen, the very Reverse of the above Maxim would be true; and the Numbers of such a People would be so far from giving any Strength to the Society, that they would weaken and oppress it; so that it would, in a merely civil

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vil Sense, be the Interest of such a Society to lessen its Numbers, and by some means or other to shake or lop off the useles and burthenfome Part.

Numbers of Men, says Mr. Locke, are to be preferred to Largeness of Dominions; and the Reason, as he well observes, is, for that Labour puts the Difference of the Value on every thing. 'Let any one consider, says he, what the Difference is between an Acre of Land, planted with Tobacco or Sugar, sown with Wheat or Barley; and an Acre of the same Land lying in common, without any Husbandry upon it; and he will find, that the Improvement of Labour makes the far greater Part of the Value. I think it will be but a very modest Computation to say, that of the Products of the Earth, useful to the Life of Man, &c. are the Effects of Labour: Nay, if we will rightly estimate things, as they come to our Use, and cast up the several Expenses about them, what in them is purely owing to Nature, and what to Labour, we shall find in most of them &c. are wholly to be put on the Account of Labour. In this alone, as he demonstrates, lies the Difference between us and the Americans; who are furnished by Nature as liberally as ourselves with all the Materials of Plenty, yet have not the one hundredth part of the Conveniences we enjoy; and among whom a King of a large and fruitful Territory feeds, lodges, and is clad worse than a Day-Labourer in England.*

It is not barely, therefore, in the Numbers of People; but in Numbers of People well and

* Essay on Civil Government, II. Vol. of Locke's Works, page 178, 179.

properly

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properly disposed, that we can truly place the Strength and Riches of the Society.

From the Universality of the Maxim which I have mentioned, qualified (I mean) as above, it seems to follow, that a State is capable of this Perfection, and that some States have actually been so constituted. Of this Kind particularly seem to me the Egyptian Policy of old; and that of Holland in modern Times. I do not mean to say that any Human Society is so absolutely capable of this Perfection, that every Individual shall contribute some Share to the Strength of the Whole; Nature hath denied us this, by laying certain Individuals, in every Society, under a natural Incapacity, not only of administering to the Goods of others; but even of providing for, and protecting themselves. Such are the Incapacities of Infancy, and of old Age, and of Impotency, either of Mind or Body, or natural or accidental.

Of all these, Policy, perhaps, would dictate to us only to preserve the first, and accordingly we read of Nations, among whom those Numbers who were either by Age, or any incurable Infirmity rendered useles and burthenfome to the Public, were without Mercy cut off by their Laws. But this neither Religion or Humanity will allow; and therefore to this Burthen, which is imposed on us by God and Nature, we must submit; nor will the Evil, while confined to such absolute Incapacity, be very grievous or much to be lamented.

From what I have here advanced, it seems, I think, apparent, that among a civilized People that Polity is the best established in which all the Members, except such only as labour under any

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utter Incapacity, are obliged to contribute a Share to the Strength and Wealth of the Public: 2dly, That a State is capable of this Degree of Perfection, and, consequently, that to effect this is the Business of every wise and good Legislature.

And this seems to have been the great Aim of the first Founders of the *English* Constitution; by the Laws of which no Man whatsoever is exempted from performing such Duties to the Public as befit his Rank; according to the Observation of that most wonderful young Prince, *Quem tantum terris fata ostenderunt*. 'As there is no Part, says he, admitted in the Body that doth not work and take Pains, so ought there no Part of the Commonwealth to be, but labour-some in his Vocation. The Gentleman ought to labour in the Service of his Country; the Serving-man ought to wait diligently on his Master; the Artificer ought to labour in his Work; the Husbandman in tilling the Ground; the Merchant in passing the Tempests; but the Vagabonds ought clearly to be banished, as is the superfluous Humour of the Body; that is to say, the Spittle and Filth; which, because it is for no Use, is put out by the Strength of Human Nature.* Thus far this *incomparable* young Prince, as the excellent Historian of the Reformation calls him; who was, says the Bishop, the *Wonder of his Time*, and indeed will be so of all succeeding Ages.

To divide the same kind of Labours equally among all the Members of Society, is so far from being necessary, that it is not even con-

* King *Edward's* Remains preserved at the End of the 11d. Vol. of Bishop *Burnet's* History of the Reformation, page 70.

venient;

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venient; nor could it indeed be possible in any State, without such a perfect Equality in all its Branches as is inconsistent with all Government, and which befits only that which is sometimes called the State of Nature, but may more properly be called a State of Barbarism and Wildness.

Those Duties, however, which fall to the higher Ranks of Men, even in this Commonwealth, are by no Means of the lightest or easiest Kind. The Watchings and Fatigues, the Anxieties and Cares which attend the highest Stations, render their Possessors, in real Truth, no proper Objects of Envy to those in the lowest, whose Labours are much less likely to impair the Health of their Bodies, or to destroy the Peace of their Minds; are not less consistent with their Happiness, and much more consistent with their Safety.

It is true, indeed, that in every Society where Property is established and secured by Law, there will be some among the Rich whose Indolence is superior to the Love of Wealth and Honour, and who will therefore avoid these Public Duties, for which Avarice and Ambition will always furnish out a sufficient Number of Candidates; yet however idle the Lives of such may be, it must be observed, First, That they are by no Means burthenfome to the Public, but do support themselves on what the Law calls their own; a Property acquired by the Labour of their Ancestors, and often the Rewards, or Fruits at least of Public Services. 2dly, That while they dispose what is their own for the Purposes of Idleness, (and more especially, perhaps, if for the Purposes of Luxury,) they may be well called useful Members of trading Commonwealths, and

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truly said to contribute to the Good of the Public.

But with the Poor (and such must be in any Nation where Property is, that is to say, where there are any Rich) this is not the Case: For having nothing but their Labour to bestow on the Society, if they withhold this from it, they become useless Members; and having nothing but their Labour to procure a Support for themselves, they must of Necessity become burthensome.

On this Labour the Public hath a Right to insist, since this is the only Service which the Poor can do that Society, which in some Way or other hath a Right to the Service of all its Members; and as this is the only Means by which they can avoid laying that Burthen on the Public which in case of absolute Incapacity alone it is obliged to support.

Here then seems to arise a twofold Duty to the Legislature; First, To procure to such the Means of Labour; and 2dly, To compel them to undertake it. The former, indeed, naturally precedes the latter, and is presupposed by it: For if the Means of employing them be not to be found, the ablest Hands will be in the same Condition with the weakest, and will alike become a necessary Burthen on the Community; which is so far from being at Liberty to punish a Man for involuntary Idleness, that it is obliged to support him under it.

Both these, therefore, are the proper Business of every Legislature, and both for above a hundred Years together have been very much the Business of ours. If they have succeeded, I am sure I shall egregiously throw away my Time in composing the following Sheets; in which, however,

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ever, I shall have the Consolation of much good Company to keep me in Countenance. To say Truth, if the Errors in our present Provisions are not very great and fatal, or if the Remedies proposed do not seem perfectly adequate to the Removal of them, I would not, by no Means, advise any great Alteration: For, as the Greek Historian* observes of Laws in general, 'That City which is governed by the worse Laws, but those firm and stable, is in a safer Condition than the City where the Laws are better and more eligible in their original Institution, but where they are administered in a loose and fluctuating Manner.'

Which Fluctuation in our own Laws hath been, I find, an old Complaint in this Kingdom. *Holing shed* tells us long ago, 'that our great Number of Laws was said to breed a general Negligence and Contempt of all good Order; because we have so many, says he, that no Subject can live without the Transgression of some of them; and in this respect the *often Alteration of our Ordinances doth much Harm.*'

But if there was any Occasion of this Complaint in his Time, I am sure there is much more now; for as to our Statutes, they are increased much more than tenfold since the Reign of *Henry the VIII.* with such Variety of Alterations, Explanations, and Amendments, that in many Cases no good Lawyer will pretend readily to say what the Law at present is. Even in *Queen Anne's* Time there was a Cause determined in the *Queen's Bench*, expressly against the Letter of an Act of Parliament; which, as *Cartbew*, who reports it, tells us, was not once mentioned, ei-

* *Thucydides.*

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ther at the Bar, or on the Bench; the Reason of which must have been, because it was unknown.

Nor is there any Walk in all this Wilderness of Laws more interfectd or more perplexed with Mazes and Confusion, than this which leads to the Provision for the Poor; and hence it is, that through no other Way a more plentiful Harvest hath of late Years been brought into Westminster-Hall.

Sensible as I am of this Mischiefe, I should not venture to propose any further Experiments, if I was not also sensible, that the Disease is become absolutely intolerable; and had not at the same Time very sanguine Hopes that the Remedy, which I shall propose, will prove in the highest Degree effectual.

That the Poor are a very great Burthen, and even a Nufance to this Kingdom; that the Laws for relieving their Distresses, and restraining their Vices, have not answered those Purposes; and that they are at present very ill provided for, and much worse governed, are Truths which every Man, I believe, will acknowledge. Such have been the unanimous Complaints of all the Writers who have considered this Matter down from the Days of Queen Elizabeth; such is apparently the Sense of our present Legislature, and such is the universal Voice of the Nation.

The Facts must be very glaring that can produce this unanimous Concurrence in Opinion, and so in Truth they are. Every Man who hath any Property, must feel the Weight of that Tax which is levied for the Use of the Poor; and every Man who hath any Understanding, must see how absurdly it is applied. So very useless indeed is this heavy Tax, and so wretched its Disposition,

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position, that it is a Question whether the Poor or the Rich are actually more dissatisfied, or have indeed greater Reason to be dissatisfied; since the Plunder of the one serves so little to the real Advantage of the other: for while a Million yearly is raised among the former, many of the latter are starved; many more languish in Want and Misery; of the rest, Numbers are found begging or pilfering in the Streets To-day, and To-morrow are locked up in Goals and Bridewells.

Of all these deplorable Evils we have constant Evidence before our Eyes. The Sufferings of the Poor are indeed less observed than their Misdeeds; not from any Want of Compassion, but because they are less known; and this is the true Reason why we so often hear them mentioned with Abhorrence, and so seldom with Pity. But if we were to make a Progress through the Outskirts of this Town, and look into the Habitations of the Poor, we should there behold such Pictures of human Misery as must move the Compassion of every Heart that deserves the Name of human. What indeed must be his Composition who could see whole Families in Want of every Necessary of Life, oppressed with Hunger, Cold, Nakedness, and Filth, and with Diseases, the certain Consequence of all these; what, I say, must be his Composition, who could look into such a Scene as this, and be affected only in his Nostrils*?

That such Wretchedness as this is so little lamented, arises therefore from its being so little

* Some Member of Parliament actually made this Progress in Company with Mr. Welch, and owned the Truth exceeded their Imagination.

known;

I N T R O D U C T I O N .

known; but if this be the Case with the Sufferings of the Poor, it is not so with their Misdeeds. They starve, and freeze, and rot among themselves; but they beg, and steal, and rob among their Betters. There is not a Parish in the Liberty of *Westminster* which doth not raise Thousands annually for the Poor, and there is not a Street in that Liberty which doth not swarm all Day with Beggars, and all Night with Thieves. Stop your Coach at what Shop you will, however expeditious the Tradesman is to attend you, a Beggar is commonly beforehand with him; and if you should not directly face his Door, the Tradesman must often turn his Head while you are talking to him, or the same Beggar, or some other Thief at hand, will pay a Visit to his Shop! I omit to speak of the more open and violent Insults which are every Day committed on his Majesty's Subjects in the Streets and Highways: They are enough known, and enough spoken of. The Depredations on Property are less noticed, particularly those in the Parishes within ten Miles of *London*. To these every Man is not obnoxious; and therefore it is not every Man's Business to suppress them. These are however grown to the most deplorable Height, insomuch that the Gentleman is daily, or rather nightly, plundered of his Pleasure, and the Farmer of his Livelihood.

But tho' some of these Articles are more universally notorious than others, they are in general enough known to raise an universal Indignation at a very heavy Tax levied for the Use of those who are no less a Nuisance than a Burthen to the Public; and by which, as woful Experience hath taught us, neither the Poor themselves, nor the Public are relieved.

With

I N T R O D U C T I O N .

With regard to the Evil, Men will agree almost unanimously; but with regard to the Remedy, I shall expect no such general Concurrence. Nay, the more deplorable and desperate the Case is, the more backward may we presume Men will be to allow the Possibility of any Cure, or the Efficacy of any Remedy for that Purpose.

It may very reasonably be presumed, that so national and atrocious a Grievance, and which it is the Interest of all Men of great Property to redress, would not have subsisted so long, had it been capable of being redressed. And this Presumption may very fairly be confirmed by the many Endeavours which our Parliament have used, and the indefatigable Pains they have taken in this Matter.

If, after all these Endeavours, the Evil should not be removed or even abated; on the contrary, if it should be even increased, surely no Man can be blamed who shall conclude it to be irremediable; and shall compare it to some inveterate Defect in our animal Constitution, to which, however grievous, an honest Physician will advise us to submit, there being no Cure for it in the Art of Physic.

This is indeed so rational, and at the same Time so decent a Conclusion, that, far from blaming it, I am almost overborne with it. I am almost deterred from prosecuting the Attempt any farther, and in some Degree conscious of the Immodesty of my Undertaking. For tho' some few of Tempers perhaps equally sanguine with those who still hope to see the Longitude discovered, may not despair of seeing this great Evil one Day redressed, how little can a Man as I am, without Authority, hope to gain even their Attention on this Subject?

Let

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Let it be remembered however in my Favour, that some of the noblest and most useful Discoveries have been made by Men of little Note or Authority in the World; for which perhaps a handsomer Reason than the bare Intervention of Chance might be assigned. Men of the greatest Abilities are not always the forwardest to push themselves into the Public Notice. If eminent Fortune, or eminent Friends do not throw open to us the first Gates which lead to Fame and Greatness, a thousand mean Tricks and Arts must be submitted to, to procure us an Admittance. These are easily known, and as easily practised by Persons of small Parts and much Cunning, while they are overlooked and despised by real Genius, which is generally attended by a fullen Pride, that disdainng to seek after the World, expects to be sought out by it. Such are the Men who, as *Horace* expresses it, deceive Mankind, and pass through the World without being known by it. A Temper of Mind which may be as happy for the Possessor, as *Horace* and *Epicurus* seem to think it, but which very unhappily for the Public, is bestowed by Nature on the wrong Persons.

But there is a second Reason less refined, and consequently more obvious; this is the Force of a long and constant Application to any one Subject: Very moderate Parts, with this Assistance, will carry us a great Way, indeed may in Time perform Wonders; and to this I can, with great Truth, and I hope, with equal Modesty, assert the strongest Pretensions; having read over and considered all the Laws in any wise relating to the Poor, with the utmost Care and Attention, and having been many Years very particularly concerned in the Execution of them. To these
I have

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I have likewise added a careful Perusal of every thing which I could find that hath been written on this Subject, from the Original Institution in the 43d of *Elizabeth* to this Day; and upon the Whole it appears to me, that there are great Defects in these Laws, and that they are capable of being amended.

Whether I have discovered what these Defects are, and have been yet farther so fortunate as to find out the Method of removing them, I now submit to the Public, after this Preface, and this short Apology for an Undertaking which I allow to be of very great Difficulty, and to which I shall, of consequence, neither be surprized or offended, if I am thought unequal. The Attempt, indeed, is such, that the Want of Success can scarce be called a Disappointment, tho' I shall have lost much Time, and misemployed much Pains; and what is above all, shall miss the Pleasure of thinking that in the Decline of my Health and Life, I have conferred a great and lasting Benefit on my Country.

P R O.

PROPOSALS

FOR

ERECTING

PROPOSALS

FOR ERECTING

A County Work-house, &c.

PAR. I. **T**HAT there shall be erected, for the County of *Middlesex*, at some convenient Place ^{County-house, and} within the said County, a large Building, ^{County} consisting of three several Courts, according ^{House of} to the annexed Plan. The two outermost ^{Correc-} of the said Courts to be called the County- ^{tion to be} house, and the innermost Court to be called the County-House of Correction; with a Chapel and Offices, according to the said Plan.

II. That the said County-house shall be large enough to contain Five Thousand Persons, and upwards; and the said County House of Correction large enough to con- ^{What} tain Six Hundred Persons, and upwards. ^{Poor they} shall con- ^{tain.}

Note, the Arguments in support of these Proposals are printed at the End of them, to which the Reader is desired to refer as he proceeds.

C III. That

Men and Women to be kept separate. III. That both the said Houses shall be so contrived, that the Men and Women may be kept entirely separate from each other.

Of what Buildings the County-house is to consist. IV. That the said County-house shall consist, 1. Of Lodgings for the Officers. 2. Of Lodging-rooms for the Labourers. 3. Of Working-rooms for the same. 4. Of an Infirmary. 5. Of a Chapel. 6. Of several large Store-rooms, with Cellarage.

Of what the County House of Correction. V. That the said County-House of Correction shall consist, 1. Of Lodgings for the Officers. 2. Of Lodging-rooms for the Prisoners. 3. Of Working-rooms for the same. 4. Of an Infirmary. 5. Of a Fasting-room. 6. Of several Cells or Dungeons. 7. Of a large Room with Iron Grates, which shall be contiguous to and look into the End of the Chapel.

Additional Buildings. VI. There shall be likewise built one House for the Governor, one for the Deputy Governors, one for the Chaplains, one for the Treasurer, and one other for the Receiver General of the said House. There shall be likewise built on each Side of the said County-house, Nine Houses for the providing the Labourers and Prisoners with the Necessaries of Life.

VII. That

VII. That the said Eighteen Houses shall be leased to proper Persons, by the Governor for the Time being, for the Term of Seven Years, subject to a Condition of Forfeiture and Re-entry on the Breach of certain Rules and Statutes of the said House, herein after particularly mentioned.

VIII. That the Lodging-rooms of the County-house shall be furnished with Beds, allowing one Bed to two Persons; one large Joint-stool, and two small ones, for each Bed. And that the Working-rooms of the said House shall be provided with all Kinds of Implements and Tools, for carrying on such Manufactures as shall from Time to Time be introduced into the said House.

IX. That the Lodging-rooms of the County House of Correction shall be furnished with a Coverlet and Blankets, for the Prisoners, and Matting to lie on; and the Working-rooms shall be provided with Implements for beating Hemp, chopping Rags, and for other of the hardest and vilest Labour.

X. That A, B, &c. shall be Commissioners for carrying this Act into Execution. That the said Commissioners, or three of them, shall meet once a Week, at such Places

Places within the said County as they shall think most proper, from *Lady-day* 1753, to *Michaelmas* 1753; and once a Fortnight from *Michaelmas* 1753, to *Lady-day* 1755; then to make up their Accounts before a Committee of the House of Commons, if then fitting; if not, at the next Sessions, after which the said Commission to cease and be determined.

Sum to be raised. XI. That, in order to defray the Expence of the aforesaid Building, and provide the same with all necessary Furniture, as well as to provide Implements and Materials for setting the Poor to work, and for other Expences during the first Year, a Sum not exceeding shall be immediately raised.

XII. That the following Officers shall be appointed for the Government and Care of the said Houses; and these Officers shall be allowed the following Salaries:

COUNTY-HOUSE.

- One Governor
 - Two Clerks
 - Two Deputies
 - One Clerk each
 - Treasurer
 - Receiver
- Three

- Three Clerks
- Store-keeper
- Three Clerks
- Two Chaplains
- Six Keepers
- Six Assistants
- One Superintendent to every Room
- Four Watchmen
- Clerk
- Sexton

HOUSE OF CORRECTION.

- One Keeper
- Three Under-keepers
- Six Assistants
- Superintendent to every Room
- Two Watchmen

INFIRMARY.

- Surgeon
- Apothecary
- Matron
- Nurses

XIII. That the Governor shall sue and be sued by the Name of the Governor of the County-house of *Middlesex*. And that besides all other Powers to be given him; he shall have Power, as Governor of the said House, to make Contracts with all Persons whatever, and to draw on the Treasurer for

any Sums of Money so contracted for, in Payment for any Implements or Materials of any Kind of Manufacture, Trade, or Mystery. He shall likewise have full Power to exercise and carry on, in either of the said House, any such Manufacture, Trade, or Mystery, as may be lawfully exercised and carried on within this Kingdom; and may once every Month hold a grand Market at the County-house, or in some convenient Place near adjoining thereto, for the Disposal of such Wares and Manufactures as shall be wrought by the Labourers in the said Houses. And that every particular Article of such Sale, with the Price for which it was sold, shall be entered in two Books; one of which shall be kept in the Receiver, the other in the Store-keeper's Office, as hereafter is more particularly expressed.

Who shall be committed to the County-house, &c.
 1. Persons within the Vagrant-Act.
 2. Or those liable to be sent to the House of Correction.

XIV. That when any Person shall be brought before a Justice of Peace for the County of *Middlesex*, and shall be convicted before him, on the Oath of one credible Witness, of any Offence by which he is made a disorderly Person, or a Rogue and Vagabond, by a certain Act passed in the 17th of his present Majesty, called the Vagrant Act; or shall be so convicted of any other Crime, for which he is liable to be committed to the House of Correction for any fixed Time, or

at

at the Discretion of one or more Justices, by any Law now in being, it shall be lawful for the said Justice to commit such Person to the County-house, or the County House of Correction, at his Discretion; which Commitment shall be in the following Form:

Receive into your Custody the Body of J. S. herewith sent you, convicted before me, on the Oath of J. N. a credible Witness, of an Offence within the Statute of _____ commonly called _____ and him safely keep in your said Custody until the next general or Quarter-Sessions. — (or for any shorter Time, to be specified in the Commitment.) Given, &c.

And this Mittimus, if to the County-house, shall be directed to the Governor of the County-house, his Deputy, &c. if to the County House of Correction, to the Keeper of, &c. And whereas it will happen, that such Prisoners will be frequently conveyed to the said Houses from distant Parts of the County, the Justice shall endorse on the Back of his Commitment the Sum to be paid by the Receiver of the County-house, as an Allowance for the Charges of conveying the said Prisoner or Prisoners, such Allowance not to exceed 6 d. by the Mile; and if Need be,

C 4

6 d.

(24)

6 d. more for the necessary Refreshment of such Prisoner.

3. Or Persons appointed to be committed to the County Goal in Execution.

XV. That it shall be likewise lawful for the Justices to commit to either of the said Houses, all Persons convicted before them of any Crimes, of which, by the Laws now in being, any one or more Justices of Peace have Cognizance in a summary Way, out of their Sessions, and when the Offenders, being so convicted, are appointed to be committed to the County Goal by way of Punishment for their said Offences.

4. Or Persons accused of small Thefts.

XVI. That where any Person shall be accused on Oath of Petit-larceny before any Justice of Peace, and it shall appear to him that it was the Party's first Offence, and that the Theft was not exaggerated by any heinous Circumstances, the Justice may at his Discretion commit the Offender to either of the aforesaid Houses till the next Sessions, or for a less Time; or if he sees proper, may proceed to commit the Person to the County Goal, and bind over all the necessary Parties to prosecute, as he may lawfully do at this Time.

5. Or Wanderers without a Pass.

XVII. That it shall be lawful for any of his Majesty's Subjects to seize all suspicious Persons who shall be found wandering on foot about the Fields, Lanes, or Highways, or in the

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the Streets of any of the Towns, or Parishes of the said County, or within the Liberty of *Westminster*; and all Labourers or Servants, or Persons of low Degree, who, after the Hour of Ten in the Evening shall be found harbouring in any Alehouse or Victualling-house; and if such Persons shall not give reasonable Satisfaction to him or them, by whom he or she is apprehended, that he or she belongs to the said County, and is going on some lawful Errand or Business, or if he or she belongs to any other County, or is then six Miles distant from his own Habitation, and shall not produce a Pass or Certificate signed by some Magistrate, Minister, or Churchwarden, expressing whither or on what Account he or she is then travelling, it shall be lawful for the Party apprehending, to confine such Person till he or she can be delivered to the Constable, or other Peace-Officer, or shall be carried by the Party himself so apprehending such Person before some Justice of the Peace, who shall examine the said Person; and if he or she shall appear to be a Wanderer or idle Person, and shall have no legal Pass as aforesaid, such Justice may commit him or her to the County-House, or County-House of Correction, as he shall think proper, there to remain till the next General or Quarter-Sessions, or for any less Time, at his Discretion. And all Constables, Headboroughs, &c. are hereby ordered to apprehend

hend all such Persons of whom they shall have Notice, and to receive all such Persons into their Custody as shall be delivered to them, and to convey them before some Justice, under the Penalty of Five Pounds to be levied by Warrant from the said Justices, one Half to the Use of the Person complaining, the other Half to the Use of the said County-House. Provided nevertheless, that whoever shall presume maliciously to detain any Person contrary to the plain Intent of this Law, shall forfeit to the Person so aggrieved the Sum of ten Pounds, to be recovered by Action, &c.

Pass when and how to be obtained by the Party.

XVIII. And whereas it may often happen, that poor Persons have lawful Occasions to travel above six Miles from Home, and into a foreign County, on Errands of Business for themselves or others, or to procure Work, or sometimes to visit their near Relations, who live at a Distance from them---That any Magistrate of the County or Place, or Minister, or Churchwarden of the Parish being applied to, and properly informed of the Truth of such lawful Occasion, shall deliver to such Persons a Pass in the following Words, *Mutatis mutandis.*

Parish of *Middlesex* Permit *A. B.* the Bearer hereof, to pass to the Town of *Shaftesbury* in the County of *Dorset*, and there to remain during the Time limited

mitted in this Pass, he behaving himself orderly and according to Law.

Given under my Hand this 10th of Nov. 1752.

C. D. Minister of the said Parish.

This Pass to continue in Force one Month from the Date hereof inclusive, and no longer.

XIX. That it shall be lawful for any Gentleman, Farmer, Artificer, or Tradesman, to employ any Journeyman, Servant, or Labourer, of any other Parish or County besides his own, he having first obtained from such Magistrate, Minister, or Churchwarden as aforesaid, such Pass as aforesaid, which the said Magistrate, &c. are hereby required to grant, at the Desire of such Gentleman, Farmer, &c. Such Pass to be appointed to continue in Force for so long Time as such Gentleman, &c. shall require, during the Continuance of which Pass it shall not be lawful for any Person whatever, to molest or remove the said Journeyman or Labourer from his said Service, unless for some Crime cognizable before a Magistrate, any Law to the contrary notwithstanding.

XX.

Who may go voluntarily to the County-house, and how.

XX. And whereas many able and industrious Persons, who are willing to get a Livelihood by honest Labour, are often, for want of such Labour, reduced to great Distress, and forced against their Will to become chargeable to the Parishes to which they belong: That when any poor Person shall apply to the Minister, or Churchwarden of any Parish, and shew to either of them such their Inability to procure a Livelihood in their own Parish, or in any other Parish in that Neighbourhood, the said Minister or Churchwarden shall deliver to such poor Person a Certificate in the Words following:

To the Governor of the County-house of the said County.

I recommend to your Care *C. D.* the Bearer hereof, to be provided for in your County-house, he being an honest industrious Person, but incapable, at present, of procuring Work in this Neighbourhood.

Given under my Hand this 10th. Nov. 1752.

A. B. Churchwarden of the said Parish.

Which

Which said Pass being produced and sworn to, before any Justice of Peace of the said County, shall be countersigned by him. Provided that it shall appear to the Justice, that such Pass was obtained, at the Desire of the Party obtaining it, and that from absolute Want of Labour in the said Parish.

XXI. That whoever shall presume to counterfeit any such Pass or Certificate as aforesaid, or to personate him or her, to whom such Pass or Certificate was originally granted, is hereby declared to be guilty of a very high Misdemeanor, of which being convicted upon the Oath of one Witness, or by his own Confession, before one Justice of the County where he shall be apprehended, he shall be committed by the said Justice to the County-house of Correction, if within the County of *Middlesex*, or to the House of Correction in any other County, there to be severely whipt and put to hard Labour for any Time not exceeding twelve, or less than six Calendar Months.

XXII. That if any Person shall be absent from his Parish with a Pass, either obtained by himself, or at the Request of any other, and shall not return to his Parish at the Expiration thereof, (Sickness or other Inability excepted) such Person being

ing lawfully convicted thereof by Confession or Oath of one Witness, shall be sent to the County-house of Correction, if found in *Middlesex*, or being apprehended in any other County, to the House of Correction there, by any Justice of the said County, there to be whipt and to remain to hard Labour till the next Sessions; and then to be continued or discharged, at the Discretion of the Justices.

Manner of Admission of Volunteers into the County-house.

XXIII. That when any Person shall come to the County-house with a Certificate as above, the Governor or his Deputy shall examine the said Person as to his Age, Ability, and Skill in any Work or Manufacture, and shall then order the Receiver to enter in a Book, to be kept for that Purpose, the Name and Age of the said Person, the Parish to which he belongs, and the Day of his Admission into the County-house, together with the Kind of Labour to which he is appointed; and a Duplicate thereof shall likewise be entered in another Book, to be kept by the Store-keeper, after which the said Person shall be set to work, according to his Abilities, &c. In the said Book shall likewise be entered, an Account of the Moneys advanced to him by the Receiver, and of the Repayments to be made by him as hereafter is ordered and appointed.

XXIV.

XXIV. And if any such Person shall depart from the said House more than the Space of one Mile, or shall absent himself above one Hour from the said House, without the Leave of the Governor or Deputy Governor, such Person being thereof convicted upon the Oath of one Witness, or on his own Confession, before the Governor, his Deputy, or any one Justice of the Peace, shall be committed to the County-house of Correction, there to remain till the next Sessions, or for any less Time: Provided nevertheless that the Governor, or his Deputy, are hereby required to grant a Licence of Departure to all such Persons, whenever the same shall be demanded; unless such Persons shall not then have finished the particular Piece of Work in which he shall be employed, or unless he shall then remain indebted to the Receiver of the said House; such Licence of Departure to be in the following Words:

County-house of *Middlesex*. *A. B.* The Bearer hereof, who came voluntarily to the County-house aforesaid, is at his own Request discharged from the same, and at Liberty to return to his lawful Habitation.

How Volunteers to be detained.

bitation in the Parish of
in the said County.

C. D. Governor.

To which the Governor may, at his Discretion, add a Clause, signifying the Industry or good Behaviour of the said Party.

Manner of Admission of those committed to the County-house.

XXV. That every Person who shall be brought by Mittimus to the County-house, shall be examined, entered, and set to work as above; a Badge with these Words, *County-house*, in large Letters, shall likewise be sewed on the left Shoulder of the said Person, who shall be confined within the said House, till he is discharged in Manner as hereafter is expressed; and whoever shall presume to tear off, or otherwise destroy the said Badge, either from himself or any other Person, being thereof convicted by the Oath of one Witness, or on his own Confession, before the Governor or Deputy, shall be by him committed to the County-house of Correction, there to remain till discharged by due Course of Law.

Manner of admitting into the County-house of Correction.

XXVI. That when any Person shall be brought to the County-house of Correction, by a Mittimus to the said House, he shall be immediately confined within the Fasting-room, there to remain with no other Maintenance than Bread and Water during the Space

Space of Twenty-four Hours; after which he shall be put to hard Labour with the other Prisoners, unless he shall give any Marks, by his Words or Behaviour, of any outrageous Degree of Reprobacy; in which case the Keeper of the said County-house of Correction shall inform the Governor or his Deputy thereof, who shall convene the Party before him, and may at his Discretion remand the said Person to the aforesaid Fasting-room, or may confine him alone in a Cell, to be supported with Bread and Water only, till such Time as he shall behave in a more orderly Manner; or, in default thereof, till the next Sessions. And all Persons committed to the County-house of Correction, shall there remain and be put to hard Labour till they be discharged at the Sessions, in such Manner as in this Act is directed, unless in Cases where a shorter Confinement is appointed by the Act itself.

XXVII. That the Bell of the County-house shall be rung every Morning at four throughout the Year, and Prayers shall begin in the Chapel precisely at five; at the Conclusion of which, on every *Wednesday* and *Friday*, some short Lecture, or Exhortation of Morality shall be read to the People; and if any Person, unless on Account of Sickness, or for some other reasonable Cause to be allowed by the Governor or his Deputy,

Rules and Orders of the House.

Hour of Prayer.

D

puty,

puty, shall be absent. he shall be guilty of a Misdemeanor, to be punished as hereafter.

-of Work. XXVIII. That the Hours of Work in the County-house of Correction shall be every Day from six in the Morning to seven in the Evening, allowing half an Hour for Breakfast, and an Hour for Dinner; and in the County-house the said Hours of Work shall be daily from six in the Morning till nine, from ten to one, and from two till six in the Evening, except on *Thursdays*, when two Hours in the Afternoon are to be otherwise employed, as hereafter is appointed, such Holy-days likewise excepted; as hereafter are mentioned; that Prayers shall again be read in the Chapel every Evening at seven.

---of Rest. XXIX. That the Bell of the County-house shall be rung every Evening at nine, that all Fires and Lights shall be then put out, except in the Infirmary and in the Apartments of the Officers; that all the Gates and Doors of both Houses, except as aforesaid, shall then be shut and fastened, the Keys delivered to the Governor or Deputy, and the Watch shall be set.

XXX. That the Keepers or Under Keepers of both Houses, shall by Turns constantly attend and supervise the Labourers, and shall take an Account of any Neglect of Work, or other Misbehaviour; the Keepers of

of the County-house shall likewise take Account of any extraordinary Diligence in any of the said Labourers, and shall faithfully report the same twice in every Week, to the Governor or his Deputy, at their Court, which is hereafter appointed to be holden, and that one of the Labourers of the best Morals and Demcanor, shall in every Room be appointed to supervise the Conduct of the other Labourers, and to report the same.

XXXI. That as often as may be, the Labourers in the County-house shall be permitted to refresh themselves in the inclosed Ground, contiguous to the said House, in the Presence of two at least of the Keepers and Under Keepers, particularly on *Sundays* and on every *Thursday* in the Year, when two Hours Labour in the Afternoon shall be remitted for that Purpose; the same Liberty shall be granted to any one or more of the Prisoners in the House of Correction, provided that the Surgeon or Apothecary shall certify to the Governor or his Deputy, that such Refreshment is necessary for the Health of the said Prisoners, who shall on all such Occasions be sufficiently guarded, and none of the Labourers to be present at the same Time, provided that *Christmas-day*, and the three subsequent Days, *Twelfth-day*, *Ash-wednesday*, *Good Friday*, *Monday in Easter Week*, *Monday in Whitsun Week*, *Michaelmas-*

mas-day, Gunpowder-Treason-day, and his Majesty's Birth-day, shall be Holydays in the County-house, and the Labourers may recreate themselves on those Days; which shall likewise be Days of Rest in the County-house of Correction.

Order for the Sick.

XXXII. That no Person shall be removed from either of the said Houses, to the Infirmary, unless by an Order signed by the Governor or his Deputy, to be obtained by the Certificate of the Surgeon or Apothecary, that such Person is in a sick and languishing Condition; and that Notice of such Removal, shall be immediately given to the Receiver and Store-keeper, who shall minute the Day of such Removal, as they shall likewise the Recovery or Death of the Party, (of which they shall also have Notice) in the same Page where the Persons Name shall have afore been entered.

and dead.

XXXIII. And as often as any of the Labourers or Prisoners, in either of the said Houses shall happen to die, the Governor shall take Order for their Burial in the cheapest Manner consistent with Decency, in the Burying ground belonging to the said House; unless any of the Relations of the Deceased shall be desirous of removing the Body to be buried elsewhere at their own Expence:-- After which an Account shall be taken of any

any Cloaths, Money, or other things, of which the Deceased shall die possessed, as well as an Account taken of what was due from the Receiver to him, or from him to the Receiver; and if on the Balance any thing shall appear to have been due to the Deceased, such Balance, together with his Cloaths, &c. shall carefully and faithfully be delivered to his lawful Representative: All which shall be entered in the Book of the Receiver and Store-keeper, in the same Page where the said Party's Name was above ordered to be entered.

XXXIV. That as often as any Person shall be committed or admitted to the County-house, the Receiver shall immediately advance to him or her, if desired, the Sum of two Shillings, and so weekly the same Sum, until the first Sale of the Manufacture wrought by such Person; after which it shall not be lawful for the said Receiver to make any farther Advancement, without a special Order from the Governor or Deputy, specifying the Sum to be advanced, opposite to which shall be entered the Letter O; and such Order shall likewise be filed, as a Voucher for that Purpose. All these Advancements to be afterwards deducted by the Receiver, after the Rate of Fourpence in the Shilling, out of the Monies due to the said Labourer from

the Sale of his Manufacture, till the whole shall be repaid.

---To the Prisoners in the County House of Correction. XXXV. That to all Persons committed to the County House of Correction, at their Commitment thither, shall be advanced by the said Receiver the Sum of one Shilling, and so weekly the said Sum during their Continuance there.

Deductions from the Labourers. XXXVI. That from all those who are committed to the County-house, the Sum of Twopence in every Shilling shall be deducted out of the nett Profits arising from their Labour ; but from those who voluntarily come thither, no more than one Penny in every Shilling.

Accounts to be kept XXXVII. That immediately after every Sale the Receiver shall make up the Accounts thereof with the Governor or Deputy, which Accounts shall be examined with and chequed by those kept by the Store-keeper; after which the Receiver shall presently distribute to the several Labourers in the County-house, all such Sums as shall by him be received for their several Manufactures, having first made such Deductions as are herein before appointed; all which Deductions shall be forthwith paid into the Hands of the Treasurer of the said House.

XXXVIII.

XXXVIII. That the Receiver and Store-keeper shall keep an exact Account of all Implements, Materials, &c. from Time to Time brought to the said House, of those which are delivered to the Labourers, and those which remain in the Hands of the said Store-keeper. The same exact Account to be likewise kept of all the Manufactures which shall be wrought in the said House, and by whom; with the Prices for which the said Manufactures were sold, the Monies paid to the Labourers, and the Deductions: All which shall be entered in two Books by the Receiver and Store-keeper, allowing a separate Page to every Man.

XXXIX. That all such Accounts shall be examined by the Governor, and shall be afterwards laid before every Quarter-Sessions; at which Time the Receiver and Store-keeper shall swear to the Truth thereof: To which said Sessions the Treasurer shall likewise transmit an Account of the Monies then in his Hands, and if there shall at any Time appear to be less than the Sum of one Thousand Pounds remaining with the Treasurer, the Deficiency shall be made up by a County-rate, together with so much more, as by the best Computation shall be thought necessary for mean Expenditures, so that there may still remain the said Sum of one Thousand Pounds Capital Stock in the Hands of the said

faid Treasurer, at the ensuing Quarter-Sessions: And if any considerable Excess of the faid Capital Stock, over and above what shall be necessary for paying the Salaries of the Officers, and other Expences concerning the faid Houses, shall be in the Treasurer's Hands, such Redundancy shall then be applied in aid of the parochial Rates, in the several Parishes of the faid County.

How Redundancies employed.

Teachers of Manufacture to be hired.

XL. That for the better Instruction of the Labourers in the Manufactures and Mysteries now exercised in this Kingdom, as well as for the Introduction of foreign Manufactures and Mysteries into the faid Kingdom, it shall be lawful for the Governor to expend annually, during the first three Years, the Sum of _____ and every subsequent Year annually the Sum of _____ for the Pay and Encouragement of Persons to teach our own and foreign Manufactures to the faid Labourers. All such Disbursements to be entered in a Book to be kept for that Purpose, attested by the Party receiving the same, and by the Governor and one Deputy at least, as well as by the Receiver; and such Book to be constantly inspected and examined into by the Justices as they shall think fit.

Labourers may be let out to Service.

XLI. Upon Application made by any Nobleman, Gentleman, Merchant, Tradesman, Farmer, or substantial Householder, dwelling with-

within the County of *Middlesex*, or within twenty Miles of the faid County-house, to the Governor or Deputy, signifying that such Nobleman, &c. is desirous to take into his Service any Labourer or Labourers then confined in the faid County-house, it shall be lawful for the Governor or Deputy, and he is hereby required to deliver over the faid Labourer or Labourers to such Person so applying, and to deliver to each of the faid Labourers a Certificate, in the Words following,

County-house *Middlesex*,

A. B. is delivered to *C. D.* as his Servant, to serve him until _____ and then to return to the faid House. Dated the 5th of *August*, 1753.

E. F. Deputy-Governor.

Provided nevertheless, that where such Servant shall be hired for a Year certain, the Clause relating to his Return shall be omitted; and when any Labourer shall be so hired as aforesaid for any less Time than one Year, the Person so hiring such Labourer shall deposit in the Hands of the Receiver of the faid House one Half of the Labourer's Wages for the Time he shall be so hired: And if he shall be hired for any longer Time than two Months, then one Month's Wages to be deposited; which Money so deposited shall be paid by the Receiver to every such Labourer

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bourer immediately upon his Return to the said House, deducting one Penny in every Shilling. And if such Labourer shall depart, or be lawfully discharged from his said Service, before the Wages so deposited shall become due, the Receiver shall return the whole to the Person depositing the same, deducting only as above; but if the said Labourer shall abide with his said Master during the limited Time, and shall not return within two Days after the Expiration thereof, (Sickness, or other lawful Impediment excepted) then shall the Money deposited be forfeited to the Use of the said House; of all which Retainers, Deposits, Repayments, and Forfeitures, a double Entry shall be made by the Receiver and Store-keeper.

And if any Person so hiring any Labourer as aforesaid, shall discharge the same before the Expiration of the Term for which he was so hired, he shall forfeit the whole Money deposited by him as above; which Money shall be paid to such Labourer, at his Return to the said House.

Provided that it shall be lawful on reasonable Cause shewn to the Satisfaction of any one Justice of the Peace, either by the Master or Labourer, for such Justice to discharge such Labourer, and to send him back to the County-house, or order him to the County-house of Correction, at his Pleasure; and if such Labourer shall have been hired into any fo-

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foreign County, the Justice of such County may, if he pleases, commit him to the House of Correction there: Provided likewise, that if such Labourer shall by Sickness or any Accident be rendered incapable of working, it shall be lawful for his Master, at his Expence, to return him to the County-house, to be provided for in the Infirmary of the said House; in which Case, the Money deposited shall be paid to him to whom it shall appear to be due.

And if any Labourer so hired as aforesaid for less Time than one Year, shall not, at the End of his Term, return to the said House; or if any Labourer whatsoever, so being hired, shall run away or depart from his Master's Service before the Expiration of his Term, unless for some Default in his Master or Mistress or shall assault his Master or Mistress, or shall refuse to work at the Command of his said Master, or his Agent, or be guilty of any Misdemeanor in his said Service, it shall be lawful for any Justice of the Peace, if such Masters shall reside in the County of *Middlesex*, to commit the said Labourer to the County House of Correction, there to be first severely whipt, and to remain to hard Labour till the next Sessions, when he may be farther dealt with by the Justices at their Discretion: Or if the said Master shall reside in any other County, then to be sent by a Justice of that County to the House of Correction there, to be severely whipt, and to

to remain for any Time not exceeding three, nor less than one Calendar Month. Provided that no Person who comes voluntarily to the said House shall be forced into such Service contrary to his own Consent and Option.

Crimes cognizable before the higher Courts of Justice.

1. Conspiracies to break the Prison.

2. To beat, wound, &c. the Officers.

XLII. That if any Persons, to the Number of three or more, shall conspire together to break the said County-house, or County House of Correction, and shall have provided themselves with any Kind of Arms or Weapons for that Purpose, and shall all or any of them do any Act whatsoever in pursuance of such Conspiracy, and with a manifest Design of executing the same, in consequence of which Act any Officer belonging to either of the said Houses shall be killed, maimed, or wounded, this shall be Felony without Clergy in all the Conspirators.

XLIII. That if any Persons, to the Number of three or more, whereof all or any Part shall be confined within either of the said Houses, shall maliciously beat and bruise, or wound any Officer belonging to either of those Houses, in such manner that the Surgeon or Apothecary appointed to attend the said Houses shall on Oath declare, that the Life or Limb of such Officer was brought into Danger thereby, such Persons being lawfully convicted of such Offence, shall suffer Death as Felons without Clergy.

XLIV.

XLIV. That every Person confined with-^{3. Assaults on the Governor, &c.} in either of the aforesaid Houses, who shall assault the Governor, Deputy Governor, or Chaplains, tho' not then in the Execution of their Office; or who shall assault, beat, and bruise, or wound any of the Officers belonging to either House, any wife, on account of, or in the Execution of their several Offices; or who shall actually break either of the said Houses, and escape therefrom; being lawfully convicted of any of the said Offences shall be transported for fourteen Years.

XLV. That all Persons who shall convey^{4. Conveying Arms, &c. into the Houses} any Fire-arms, or any mischievous Weapon or Tool, to any of the Labourers or Prisoners within either of the said Houses, without the Privity of the Governor or Deputy-Governor, shall be guilty of Felony; and being lawfully convicted thereof, shall be transported for seven Years.

XLVI. That all Persons committed to the^{5. Refusal to work.} County House of Correction, who shall absolutely refuse or neglect to labour, after a Fortnight's Confinement in the said House; and having during that Time received the Discipline of the same, being lawfully convicted of such absolute Refusal or Neglect, before Justices of Oyer and Terminer, or Goal-delivery, shall be transported for Years; provided that it may be lawful for any Officer of the

the Army to receive the Body of such Offender, and to convey him to serve his Majesty in any of his Forces in the *East* or *West Indies*.

6. Frauds in the Officers. XLVII. That any Receiver, Storekeeper, Clerk, or other Person, who shall knowingly, and with a fraudulent Design make any false Entry in any of the Books by this Act ordered to be kept, and in which Entries are here ordered to be made, such Offender being lawfully convicted thereof, shall be deemed guilty of Felony, and transported for seven Years.

Accused Persons to be committed to the County Goal. XLVIII. That all Persons lawfully accused, by the Oath of one credible Witness, of any of the aforesaid Crimes before the Governor or his Deputy, shall by him be committed to the County Goal, there to remain till discharged by due Course of Law. In the same Manner shall be committed all Persons accused of Felony in either of the said Houses, or of giving any Maim, dangerous Wound, Bruise, or Hurt, to any Person within the said Houses.

Lesser Crimes. 1. Introducing spirituous Liquors into the Houses. XLIX. That if any of the Officers, or any Person having Liberty to sell their Wares within the said Houses, shall sell or give to any of the Labourers in either of the said Houses, any Quantity, how small soever, of spirituous Liquors, without the Order or Direction

rection of the Surgeon or Apothecary, such Persons being lawfully convicted thereof before the Justices at their Sessions, shall be deemed guilty of a Misdemeanor, punishable by the Justices with Fine and Imprisonment: And all such Persons being so convicted, shall be incapable of bearing any Office, or selling any of their Wares within either of the said Houses for the future: And all those who shall be charged on Oath before the Governor with the said Crime, shall be bound with sufficient Sureties to appear and answer the same at the next Sessions.

L. That all Persons wilfully and maliciously destroying, spoiling, or injuring any of the Furniture belonging to either of the said Houses, or any of the Implements, Tools, Materials, Manufacture, or Stock being therein, shall, when lawfully convicted thereof before the Justices at their Sessions, be deemed guilty of an infamous Crime, and may, besides Fine and Imprisonment, receive any corporal Punishment, not extending to Life or Limb, at the Discretion of the said Justices.

LI. That every Person escaping from the County-House of Correction, shall, on his being apprehended, be brought before the Governor or Deputy, and being thereof convicted before him, shall be by him recommitted

mitted to the said House ; there to be severely whipt, and then confined during the Space of ten Days in one of the Cells belonging to the said House, and to have only Bread and Water for his Support : After which he shall remain in the House of Correction subject to the Rules of the House as before, with this likewise, that he shall on no Account be liable to be discharged from the same until the next Sessions which shall be held after the Expiration of six Calendar Months.

—From the County House. LII. That every Person escaping from the County-house shall be committed to the County-House of Correction, and shall be whipt at his Entrance into the same.

Jurisdiction of the Governor. LIII. That twice in every Week, that is to say, on every Monday and every Thursday in the Forenoon, the Governor or his Deputy shall hold a Court within the said County-house ; in which the said Governor or his Deputy shall have Power to hear and determine any of the following Offences.

Petty Offences. 1. Quarrels amongst the Labourers, where no Maim, Wound, violent Bruise, or other dangerous Hurt is given or done ; but where the Injury consists in some slight Blow or Kick, or of contumelious and provoking Language.

2. Pro-

2. Profane Swearing or Cursing, or other profane Discourse, and all Kind of Indecency in Word or Act.

3. Drunkenness.

4. Absence from Chapel without Cause, or irreverend Behaviour there.

5. Absence from Work, Idleness at it, or negligently spoiling the same.

6. Obstinate Disobedience to any of the Rules of the House.

All which are hereby declared to be Offences against the true Intent and Meaning of this Act, and to be punishable by the said Governor or Deputy, by Rebuke, small Fine, or Confinement for any short Time, not exceeding three Days ; allowing only such Sustainance as shall be thought proper for the first Offence ; for a second Offence the Confinement may be enlarged to a Week ; and for a third, the Offender may be committed to the House of Correction, there to remain till the next Sessions, or for any less Time ; and may likewise be ordered to be whipt. And in case of a third Offence committed by any of the Prisoners in the House of Correction, the Governor or Deputy may, besides the Punishment of whipping, confine such Person in one of the Cells, there to remain till the next Sessions ; or if such Offence be an absolute Refusal or Neglect of Work, may commit him to the County Goal, there to remain till he be discharged by due Course of

Law: Provided that the second and third Offence above mentioned is here intended to be an Offence of the same Kind with the first. All Convictions to be on the View of the Governor or Deputy, Confession of the Party, or on the Oath of one credible Witness.

Of what the Governor, &c. to enquire.

2dly, The Governor or Deputy shall at such his Court enquire of all Persons who have behaved themselves so as to merit Reward, and shall minute their Names in a Book to be kept for that Purpose, which shall be produced to the Justices at the next Sessions.

3dly, They shall enquire of the Conduct of all the Officers under them, and if they find any of them deficient in their Duty, or guilty of any Cruelty, Corruption, or other atrocious Fault, such Officer shall be suspended from his Office till the next Sessions, when the same shall be presented before the Justices.

4thly, They shall enquire of all Offences within this Act, and of all other Offences of which the Persons lawfully accused are to be committed to the County Goal; and such as are so accused they shall commit thither.

5thly, They shall from Time to Time enquire into the Prices of Provisions brought into the said House, and regulate the same, subject to the Supervisal of the Sessions. And if any Exactions shall have been made on the La-

Labourers or Prisoners, or any unwholesome Provisions introduced into the said Houses, or other Default be in the Victuallers, they shall report the same to the Sessions.

LIV. That on one of the Days on every ^{Jurisdic-} Sessions to be holden at *Hicks's-Hall*, the said ^{ion of the} Sessions shall be adjourned to the County-^{Session.} house, there to be holden within five Days next after such Adjournment; at which Sessions at the County-house the Justices shall have Power to enquire,

1st, Of all Neglects, Corruptions, or other Misdemeanors, in any of the Officers of the said Houses, and to punish the same, (unless in the Governor or Deputies, or Chaplains of the said House,) by Reproof, Fine, or Dismission, as they shall think meet; and if by Dismission, then to place some other fit Person in the Room of the Officers so dismissed.

2dly, They shall enquire into the general Conduct of the said House, and if they shall find any Default in the Governor, Deputy-Governors, or Chaplains of the same, they shall report such Default before their Brethren at the next ensuing Sessions at *Hicks's-Hall*, where the Governor, &c. shall have Notice to appear, and make his Defence; and if such Default shall seem to the Majority of the Justices of the said Sessions to be well proved, and to be of such a Nature as to merit any severe Censure, they may, if they

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please, report the same to the Lord High Chancellor of *Great Britain*, who shall have full Cognizance of the Matter, and may remove the Governor, &c. from his Office, or fine him at his Pleasure.

3dly, The Justices shall enquire of the Prices of Provisions, &c. which shall be brought into the said Houses, and shall regulate the same at their Discretion, altering, if they see fit, the Orders taken by the Governor herein; and may hear the Report of the Governor touching any Default in the Victuallers, and may punish the same by Fine or by turning out such Victualler at their Pleasure.

4thly, They shall enquire of the Behaviour of all Persons confined within the House of Correction, and such as they shall find, by the Report of the Keeper on his Oath, or by other Evidence, to have behaved themselves orderly, and to have applied closely to their Labour, the Justices may enlarge from that Confinement, and commit them to the County-House, to be there kept till the ensuing Sessions; and such as they shall find to have behaved in a less orderly Manner, or to be lazy or negligent in their Work, they may order to remain till the next Sessions in the House of Correction, where they then are; but such as they shall find to be utterly reprobate and ungovernable, and to refuse all Kinds of Labour, the Justices are hereby required

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to commit to the County Goal, there to remain till discharged by due Course of Law.

4thly, The Justices shall likewise enquire by the Recommendation of the Governor, Deputy-Governor, or Rector, or by the Oath of other Evidence, of the Behaviour of the several Labourers then confined within the County-house; and such as shall appear to have behaved themselves decently and orderly, and to have been diligent in their Work, the Justices may, at the Desire of the Party, enlarge from their Confinement: Provided, that such Party shall make out to their Satisfaction, that there is any reasonable Cause to hope or expect that such Labourer will be able to maintain himself in an honest Manner at his own Home; in which Case the Justices shall give the Party a Pass, to enable him to travel thither without Molestation: Provided that no Person shall be discharged from the County-house while he shall remain indebted to the Receiver of the said House.

And such Persons as shall have behaved themselves in a less becoming Manner, or who shall have been idle and negligent in their Work, or who shall not be able to make it appear to the Satisfaction of the Justices, that they would be capable of procuring an honest Livelihood at their own Homes, or shall remain indebted to the said Receiver, the said Justices shall order to continue in the said County-house till the next

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Sessions.

Sessions. And if it shall appear to the said Justices, by any of the means aforesaid, that any of the said Persons have behaved themselves in a notorious and outrageous Manner, or have totally neglected or refused to work, then it shall be lawful for the said Justices to commit such Persons to the County-House of Correction, there to remain till the next Sessions, with hard Labour, and with other such Correction and Punishment as they shall think proper.

5thly, The Justices shall inspect all the Accounts relating to the said House, and shall have Power to examine on Oath the Treasurer, Receiver, Store-keeper, with their several Clerks, or any other Person touching the same; and if the said Accounts shall appear to them to be fair and just, they shall then sign the same: Which Accounts having been first examined and signed by the Governor or Deputy, and so passed and countersigned by the said Justices, shall be good and effectual to all Manner of Purposes: But if there shall appear to the Justices upon their said Examination to have been any gross Mistakes, or any Kind of false Entry, Fraud, or Collusion, shall appear upon the Face of the said Accounts, the said Justices may, if they please, examine into and finally determine the same; as likewise may suspend or dismiss any Officer who shall to them appear to have been guilty of any such false Entry, Fraud, or Collusion.

Collusion; or may, if they shall see more convenient, adjourn over the further hearing and Determination of the same to the next Sessions: To which they may bind over all Parties, and in the mean Time may, if they shall think fit, suspend the suspected Person from the Exercise of his Office, and may appoint another to officiate in his Room.

Lastly, They shall have Power to enquire into the Behaviour of any of the Labourers, who shall have so behaved themselves as to merit Rewards, and may proceed to order them severally such Reward as to them shall seem proper: All which shall be publickly paid to the said Labourers in open Court by the Governor, who shall draw on the Treasurer for the same; such Reward to be paid in the Presence of all who are to receive any Punishment at that Time.

LV. Whereas the Punishment of Whip-Governor, ing is inflicted in some Cases in this Law, ^{&c. to in-} _{spect Pu-} which Whipping is always intended to be ^{nishments:} severe and exemplary, the Governor, or his Deputy, is always to be present at the inflicting the same.

LVI. That the Governor, Deputy-Governors, Chaplains, Treasurer, Receiver, ^{How the} _{Officers to} Keeper of the House of Correction, and all ^{be chose.} other the Officers and Ministers attending the same, shall be chose at the Sessions at Hicks's-Hall,

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Hall, by the Majority of the Justices there present, by Ballot; and before any of the said Justices shall be admitted to ballot he shall take the following Oath:

You do swear that you will give your Suffrage in the Ballot now to be made, impartially, not out of Favour or Affection, nor on account of any Promise made by you or to you, nor by the Force of any Recommendation whatsoever; but as you are persuaded to the best of your Knowledge or Belief, that the Person for whom you shall give your Suffrage is better qualified than any other of his Competitors (*if there be any, otherwise say only, is qualified*) for the Discharge of the Trust for which he now appears a Candidate. So help you God.

In like Manner shall all Vacancies be supplied from Time to Time.

Fines, &c. how disposed. LVII. That all Fines and Forfeitures to be imposed or to accrue by Virtue of this Act, not otherwise disposed of, shall be paid to the Treasurer of the County-house, and be applied to the Use of the said House.

By-Laws. LVIII. The Governor may make By-laws with the Consent of the Justices, the same to be approved by the Lord Chancellor.

LIX. Persons tried, &c. shall plead this Act, &c.

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ARGUMENTS

I N

Explanation and Support

O F T H E

Foregoing PROPOSALS.

Paragraph I, &c. to XIV. *The Appointment of a County-house and County-house of Correction, with the Regulation thereof.*

PAR. I. **I**N Middlesex, &c.] It is proposed to make the Trial first in the County of *Middlesex*, as I am best acquainted with the State of the Poor in that County, and as the well regulating them there is of the greatest Moment to the Public; but if the Plan should be approved by Experience, it will be very easy to extend it over the Kingdom.

Ibid. In some convenient Place.] This should be at some little Distance from *London*; nor will it be difficult among the many Wastes which lie within a few Miles, to fix on some convenient Place for the Purpose. I do not know myself any so proper as a Common near *Aston-Wells*, the Purchase of which, tho' of three Hundred Acres Extent, would be very reasonable; it being at pre-

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present allotted to the Use of the Poor of *Fulham*, who derive very little Benefit from it. I may add, that this is a very healthy Spot, and most commodiously situated; being at no great Distance from any Part of *Middlesex*, and not five Miles from *Hyde-Park* Corner.

II. *The County-house to be large enough, &c.*] As whatever is perfectly new is apt to affect us with Surprise, and as this Surprise is increased and attended with Doubt and Incredulity in proportion to the Greatness of the Object, I am well aware of the Impression with which the Largeness of this Building will strike many Minds: The Idea of a Body of Men united under one Government in a large City, must have been amazing when it was first propounded to Men who lived a wandering Life, scattered in single Families, or collected in very small Numbers together; tho' indeed our Astonishment is not quite so excuseable, as we see not only the Possibility of such Union, but the Advantages arising from it.

In the present Case, however, I think to make it appear from Reason, Authority, and Experience, that to answer the Ends proposed, *to make the Poor useful Members of the Society*, we must bring them as much as possible together; at least so as to collect the Poor of a single County.

First, It is a great Work, and requires many great Qualifications in the Person who is principally to direct it: Such Men are not to be found in every Parish in a County; nor if they were found, could they be induced to employ their Time this Way by any Reward which the Parish could bestow on them: For not much less Time and Trouble will be requisite to the directing and
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supervising a small Body of Men, than a Body twenty Times as large, when once this is brought into Regularity and Order. The same Abilities and the same Trouble which can well order and govern a small State, will suffice for the Government of a large Kingdom. To manage the Poor so as to produce the Ends proposed in this Undertaking, is a Task to which very few are equal; and those who are equal to it will scarce undertake it, unless they are well paid for their Pains.

2dly, The Expence and Difficulty of carrying this Purpose into Execution will always increase in proportion to the Smallness of the Body of People by whose Hands it is to be executed. And this is the Reason why Work-houses (more properly called Idle-houses) have by Experience been found to produce no better Effect: For if the Masters of these Houses had a real Disposition to set the Poor to work, and if they had all adequate Capacities for that Purpose, they would by no Means be able to effect it. One or two or three Manufactures will not suffice to employ the various Talents, Skill, and Strength of a small Body of Men, especially when this Body is eternally changing. Many Inconveniences will necessarily attend such Houses: The Manufacturer will sometimes stand still for Want of Work; and at others, the Materials will be spoiled for Want of Hands; whereas in such a Number of Persons as are here proposed to be collected together, some will be found capable of every Manufacture, and of every Branch of it; and as from a Certainty of finding such Hands, all Kind of Materials and all Kind of Tools will be provided, both the Mischiefs above complained of will of course be avoided. I have here supposed the Existence of Parish
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Work-houses at least, (whereas in Reality there are but few of these where any Number of Poor are lodged, and much fewer where they are in any Manner employed) for as to those Parishes where the Poor are left at large, it is utterly impossible that they should be made in any Degree useful, or indeed any other than a heavy Burthen on their Neighbours; some of whom, (by the Way) are often little richer than themselves. In a large Body alone the Materials can be sufficiently supplied, the Hands properly adapted, new Manufactures taught, and the Work well disposed of to the Emolument of the Public, and the proper Encouragement of the Labourer.

3dly, As the Industrious cannot so well be employed, so neither can the Lazy be so efficaciously compelled to work in Parish Work-houses; the Care of which must be intrusted to Persons of mean Consideration, where there can be no proper Authority to inflict Punishment, nor any adequate Force to execute it on those who are most reprobate and desperate.

4thly, The Poor cannot be so well nor so cheaply provided for in many Bodies, as they may be when collected into one.

5thly, They will not be so commodiously confined. In small and crowded Work-houses, where there are no Courts nor Outlets to admit the Air, the Poor are often so distempred, that their Keepers are obliged by common Humanity to let them frequently out; in which Case, the certain and immediate Use which these Wretches make of their Liberty, is to increase the Number of Beggars.

6thly, The Proposal for Amendment of their Morals, by instilling into them Notions of Religion

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gion or Morality, (a Matter as it appears to me of the highest Consequence) is only consistent with the Scheme of bringing them together; to which Scheme indeed all the Rules and Orders of this Plan are directed, and with which alone they will, on Examination, be found compatible. Every Thing, therefore, which I shall say on the present Occasion, may be applied as an additional Reason on this Head.

And in this Case, Authority will be found to be on the same Side with Reason. My Lord Chief Justice *Hale*, perceiving that the Poor of a single Parish could not be well provided for by themselves, advises a Coalition of several Parishes for this Purpose. This was clearly seeing the Defect in the Statute of *Elizabeth*, tho' it was not carrying the Remedy far enough.

The Author of an Essay on the Bills of Mortality (said to be the famous Sir *William Petty*, under the borrowed Name of *Graunt*) having discoursed on the Evil of Beggars, of reforming their Morals, curing their Impotencies, and teaching them to work according to the Condition and Capacity of every Individual, concludes in these Words, 'But I say none of these can be effected without bringing them together; or if it could be effected at all, neither so well nor so cheaply*.'

The great Sir *Josiah Child* (for great in his Province he certainly was) proposes, 'that the Cities of *London* and *Westminster*, Borough of *Southwark*, and all other Places within the usual Lines of Communication described in the weekly Bills of Mortality, may, by Act of Parliament, be associated into one Province, or Line of Communication for the Relief of the Poor.'

* *Graunt* on Bills of Mortality, Chap. 3.

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He proceeds, among other Powers to be given to his Corporation, ' that they, and such as they shall authorise, may have Power to purchase Lands, erect and endow Work-houses, Hospitals, and Houses of Correction, &c.

Here is almost as populous, if not as large a District, as the County of *Middlesex* itself. It is true, he doth not expressly mention the bringing these Work-houses, Hospitals, and Houses of Correction together into one Place; but this will appear, I think, to have been his Intention, or he would not have concluded in the following Manner:

' If it be here objected to the whole Purpose of this Treatise, that this Work may as well be done in distinct Parishes, if all Parishes were obliged to build Work-houses, and employ their Poor therein, as *Dorchester* and some others have done with good Success:

' I answer, that such Attempts have been made in many Places, to my Knowledge, with very good Intents and strenuous Endeavours; but all that ever I heard of proved vain and ineffectual, except that single Instance of the Town of *Dorchester*, which yet signifies nothing to the Kingdom in general; nor does the Town of *Dorchester* entertain any but their own Poor only, and whip away all others: Whereas that which I design, is to propose such a Foundation as shall be large, wise, honest, and rich enough to maintain and employ all Poor that come within the Pale of their Communication, without enquiring where they were born, &c.*

These are great Authorities, and will, I doubt not, much more than counterbalance any Opinions

* *Child on Trade, &c. Chap. 3.*

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which can be produced on the other Side, if indeed there are any such.

Lastly, Experience, the Instructor of those who can learn of no other Master, might, of itself alone, convince us of the Truth for which I am contending. I will not here repeat what I have said in the Introduction, relating to the wretched State of the Poor under the present Establishment; all which may be urged as an Argument on this Head, since it will, I think, appear, that the scattered State in which the Poor were left by the Statute of *Elizabeth*, is the principal Reason why this Law hath produced no better Effect. It is true indeed, the Management of the Poor was by that Statute intrusted to very improper Hands; but this will not universally account for the Evil; since many worthy and good Men have, in divers Places, taken upon themselves the Charge of the Poor, and have employed much Time and Trouble therein to very little or no Purpose. The true Reason therefore that the Poor have not yet been well provided for, and well employed is, that they have not yet been drawn together. Of this Opinion were the great Writers whom I have cited, and both Reason and Experience may convince us, that the Matter can be accomplished no other Way.

But perhaps an Objection may suggest itself of the contrary Kind, and to which it may at first Sight appear more difficult to give an Answer. It will perhaps be said, that I have computed the Poor at too small a Number, and have not proposed a Method of providing for one half of them. Indeed if we are to estimate the Poor by the Overseers Books in the several Parishes as they now stand, and add to these the Inhabitants of *Bridewell*,

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well, with all those who ought to be Inhabitants of that Place, I readily grant I have not provided for Half, nor perhaps for half a Quarter of the Poor of this County. But the Objector will be pleased to observe, that a great Number of the latter Part do not properly belong to this County; but are Vagabonds from all Parts of the Kingdom: Witness the great Expence to which this County is put, by passing one in a Hundred perhaps back to their own Homes. Some of these are at present drawn hither from those Counties where their Labour is often wanted; by the great Encouragement which this Town affords to Beggars and Thieves. Others come up with honest Views at first, in which being commonly disappointed, they betake themselves to the same Means of procuring the Bread of Idleness: but when instead of such alluring Prospects, a Workhouse or a *Bridewell* shall present itself to their Eyes, this Swarm, it may easily be supposed, will soon cease, and the two Houses will be little filled with such Vagabonds. And as to the proper Poor of the County, when we deduct the Aged, the Infant, and the accidentally Impotent, who are not the Objects of my Plan, the Building proposed will perhaps be found capable of receiving the rest. But let us allow the Objection its full Force, and what doth it assert? Why, that there are more able Poor in the County of *Middlesex*, who are at present idle, tho' capable of being employed, than I have provided an Accommodation for. The Result of this would certainly be, that the Means of Accommodation should be enlarged; and this I apprehend, if it should appear to be necessary, may very easily be effected.

III. Men

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III. *Men and Women to be kept separate.*] The Utility of this Provision needs no Comment: Our present Houses of Correction, for Want of this Regulation, are Places of the most infamous and profligate Debauchery.

IV. &c. to the IXth inclusive. These are only loose Sketches of what it may perhaps be unnecessary to insert in the Bill, and which may be left to the Discretion of those to whom the Legislature shall think proper to intrust the Care of the Building. The Nomination of the Commissioners I likewise submit to the Legislature.

XI. *A Sum to be raised.*] I have not ventured to particularize any Sum; but it must undoubtedly be a large one. And yet large as it will be, when we consider the great Utility proposed, of effectually providing for the Poor, and of relieving the Public from Beggars and Thieves, it must appear moderate, or even trifling.

But farther: It is not only the Redress of an Evil, by the relieving the Poor from their Misery, and the Public from the Poor, which is the Object of this Plan; much of positive Good is designed by it to the Society. If 6000 Hands which now sit idle can be employed, the Advantages resulting hence to the Public need not be explained to any who have the least Notion of Trade, or of the Benefits arising from it.

An excellent Writer on our Constitution observes, that *of the three main Supports of the Riches of a People, two of them consist in improving their natural Commodities, and in setting the Poor to*

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work*. The former indeed is only the Consequence of the latter; nay, as he himself says, *The Improvement of the natural Commodity can never enrich the Kingdom so long as many Mouths are fed upon the main Stock, and waste the same in Idleness and Prodigality.*

The great Mr. Law, in his little Treatise called Money and Trade considered, explains this more fully. His Words are these, 'An Addition to the Money adds to the Value of the Country. So long as Money gives Interest, it is employed; and Money employed brings Profit, tho' the Employer loses. If 50 Men are set to work to whom 25 s. is paid *per Day*, and the Improvement made by their Labour is only equal to, or worth 15 s. yet by so much the Value of the Country is increased; but as it is reasonable to suppose their Labour equal to 40 s. so much is added to the Value of the Country, of which the Employer gains 15 s. 15 may be supposed equal to the Consumption of the Labourers, who before lived on Charity, and 10 s. remains to them over their Consumption †.

Nor will it bear, I think, any rational Doubt, whether Employments may be found for this, or indeed a much larger Number of Hands. Sir William Petty, in that excellent Work called his Political Arithmetic, affirms, and proves too, that there were in his Days spare Hands among the King's Subjects to earn two Millions more than was actually earned. He farther affirms, that there was two Millions Worth of Work to be done, which the King's Subjects did neglect to

* Bacon's Disc. on Law and Government, Part II. p. 39.

† Money and Trade considered, p. 22.

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do*; for without this latter could be proved, the former, as he himself admits, would serve to little Consequence.

Now the Number of Hands here to be provided for, may surely be computed at a very low Rate (for so I would make the Computation) to do, one with another, Work to the Value of 10 l. *per Annum*; this will amount to 60000 l. the Advantage of which to the Public will be readily acknowledged. Here then the Evil of the Poor will not only be removed, but it will be converted into a very great Emolument.

But there is yet another Light in which this Sum may perhaps appear more palatable; and that is, by comparing it with the Sum now paid to the Poor-Rate, which in this County of *Middlesex* amounts annually to upwards of 70,000 l. as I am informed: Of which five Parts in six are, I believe, applied to the Use of those Poor who are the Objects of the Law proposed in this Plan.

They are the able Poor, either such as cannot procure Work, or such as will not do it, who are the great Burthens of the Society. Of those who are absolutely impotent, the Number is truly inconsiderable. Sir William Petty, whom I shall beg Leave to cite once more, in his Political Anatomy of *Ireland* †, computes, that there is in Nature but one in 500 at most who is blind, lame, or under any incurable Impotence, as old Age, &c. To every Individual of these he allows 6 l. *per Annum*; which, he says, would maintain them without Scandal. A very large Allowance, when we consider the Place of which he

* Polit. Arithmetic, Chap. VIII.

† Polit. Anat. of *Ireland*, p. 11.

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speaks,

speaks, and the Time in which he wröte. A less Sum would, I believe, answer the Purpose among us.

According to this Computation, if the People in *Middlesex* amount to 1,200,000, the impotent Poor will be 2400; the Expence of maintaining which Number will be 13,600*l.* The above excellent Author estimates the Children under seven Years of Age at the Rate of one Fourth of the People; These then, according to my Estimate in *Middlesex*, will be 300,000. Of these, I presume, not above one in 150 will be a Burthen on the Public. This Number then will be 3000; for whom 3*l.* each, one with another, will be sufficient; and which will make the Sum of 9000*l.* The whole Expence therefore of the impotent Poor in *Middlesex* will be 22,600*l.* about the fourth Part of what it now is. And if the Number of Hospitals, Infirmaries, and various donative Charities within this County of *Middlesex*, do not reduce this Sum, so as to bring the whole Expence to one Sixth Part of what it now is, I am greatly deceived; or those must be grossly misapplied.

I have endeavoured in a former Essay* to shew, that such Objects as these, so cheaply to be provided for, might with great Safety be left to voluntary Contributions; Nor shall I add any thing more to the Arguments I have there used, especially as this Part of our Poor have since fallen under the Consideration of two very honourable and learned Persons, for whom I have a very high Respect and Esteem.

If either of these Bills, with that proposed in this Plan, should pass into a Law, the Poor Rate would then entirely cease of course; and the Sta-

* Enquiry into the Cause of the Increase of Robberies, &c. tute

tute of *Elizabeth*, with all Laws for providing for the Poor as to this County, might be utterly repealed. The same indeed would be the Case, if the impotent Poor were trusted to voluntary Contributions, as they possibly might, tho' with less Advantage to the Public; especially as to the Education of the Infants, which is a valuable Part in the Schemes of those honourable Persons.

I conclude this Head therefore with asserting, (for so I surely may) that whoever considers my Plan only in this last Respect, and compares the Expence proposed in it with that which is at present annually incurred; must view the Sum of 100,000*l.* (beyond which the whole Expence of building, furnishing, and providing all Kind of Implements, will not rise) as a trifling Sum well laid out in a cheap and valuable Purchase. Private Interest, from this Respect alone, will to every wise Man recommend a Scheme, by which he may propose to be so great a Gainer, to his fullest Consideration; and this Motive, in proportion as he is a good Man, will be greatly enhanced by those Arguments which relate to the Public. There are none so stupid as not to prefer the Payment of 20*l.* once, to the yearly Payment of that Sum; and few so entirely void of all public Spirit, as to be totally indifferent whether that Money which is levied on them be applied to the Good of the Community, or squandered away, as it now is, to no Manner of Purpose.

If there be any Enemies therefore to my Plan, they must be such only as doubt its Efficacy. To these I answer, that absolute Certainty with regard to a future Event, is not in the Nature of Human Affairs; but let them examine the Plan with Fairness, Impartiality, and Candour; let them

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them well and duly weigh every Part of it, and I am greatly deceived if the Result will not be a strong Opinion of the Probability of its Success; tho' indeed a very small Degree of this Probability would in our present Situation be almost a sufficient Encouragement to the Undertaking.

I have hitherto supposed, that this Sum was to be immediately raised among the present Inhabitants of *Middlesex*, by an additional Poor-Rate: But this is not necessary; for as the Benefit of this Plan is to extend to Posterity, it is equitable that they should contribute towards the Expence. If the Money therefore was granted by a Vote of Credit, at Three and an Half *per Cent.* and only a twentieth or thirtieth Part of the Principal paid off yearly with the Interest, the annual Charge on the County would be so small, that it would scarce be felt; nay, perhaps, if this was done by way of Lottery, it might be so contrived, as to reduce the whole Expence to little or nothing.

XII. *The Appointment of Officers.*] Any Alteration may be made with regard to these, if it shall appear proper. The Number, I think, which I have here mentioned will not be found extravagant, any more than the Salaries allotted to each, when we consider the Trust which they are severally to undertake.

XIII. *The Powers of the Governour.*] Perhaps some further Powers may be found necessary; as to that of holding a Market, &c. such open Sale of the Commodities will give great Encouragement to the Labourers, and may be moreover one Means of preventing Frauds, which, in all public Institutions, can never be too well guarded against,

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against, too often, or too strictly enquired into, or too severely punished.

Par. XIII. &c. to XXIII. *Who to be sent or admitted in the County-house, &c. with the Manner of sending them.*

XVI. *Persons accused of Petit-Larceny to be committed to the said Houses, &c.*] By the common Law Petit-Larceny is Felony, and it is not within the Power of the Magistrate to compound the Offence, tho' it be ever so trifling, or the Party should appear to be in the highest Degree an Object of Mercy. The Prisoner is therefore to be committed to Goal, where he must often lie in *Middlesex* many Weeks, in other Counties many Months before he is brought to his Trial. During this Time, his Morals, however bad, are farther corrupted; his Necessities, however pressing before, are increased; his Family, if he hath any, made more wretched; and the Means of providing for himself and them rendered more difficult, if not impossible, for the future, by the total Loss of his Character. If he be acquitted on his Trial, as he often is by the Mercy of the Jury, against clear and positive Evidence, he is again turned loose among the Community with all the Disadvantages I have mentioned above; to which, if he be convicted and whipt, I may add the Circumstance of Infamy, the Marks of which he will be sure to carry on his Forehead, tho' the Hangman very seldom, I believe, leaves any on his Back. What must be the Situation of this Wretch I need not mention; such in Truth it is, that his second Theft is in reality less criminal than the first. This was perhaps Choice; but
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that will be Necessity. A late Act of Parliamen-
hath indeed put it in the Power of the Court to
transport these Pilferers; but this, tho' probably
it may be real Mercy, hath such an Appearance
of extreme Severity, that few Judges are willing
to inflict such a Punishment on such an Offence.
But if it should be the Interest of a Wretch in
these Circumstances, to be banished from a Coun-
try where he must steal or starve, it is scarce the
Interest of the Public to lose every Year a great
Number of such able Hands. By the means I
have proposed, it seems to me, that the Offender
will receive a Punishment proportionable to his
Offence; he and his Family may be preserved
from utter Ruin, and an able Member, instead of
being entirely lost to the Public, will be rendered
more useful to it than he was before.

XVII. *That it shall be lawful to seize all suspi-
cious Persons; &c.*] I have observed in another
Place*, that tho' we have had several Laws against
Vagrants, by which many Misdemeanours have
been called and constituted Acts of Vagrancy; yet
Vagrancy itself, or wandering about from Place to
Place, is not of itself alone punishable. This is
an egregious Defect in this Part of our Constitu-
tion; and hath been one great Cause of the In-
crease of Beggars and Thieves. To prevent the
wandering of the Poor was the great Purpose, as
I have shewn, of the Laws of *Alfred*. It was this
which gave that Strength and Energy to those In-
stitutions, which have been praised by so many
Pens, both of Lawyers and Historians. Hence
it was, that Travellers, as we are told, might pass
through the whole Kingdom with Safety; nay,

* Essay on Robberies.

that

that Bracelets of Gold might be hung up in the
public Roads, and found at a distant Time by the
Owner in the Place where they were left. Upon
these Principles I have formed this Clause, and
without it I will venture to say, no Laws what-
ever for the Suppression of Thieves and Beggars
will be found effectual.

I should scarce apprehend, tho' I am told I
may, that some Persons should represent the
Restraint here laid on the lower People as deroga-
tory from their Liberty. Such Notions are in-
deed of the enthusiastical Kind, and are inconsis-
tent with all Order and all Government. They
are the natural Parents of that Licentiousness, which
it is one main Intent of this whole Plan to cure;
which is necessarily productive of most of the
Evils of which the Public complains; of that Li-
centiousness, in a Word, which among the many
Mischiefs introduced by it into every Society
where it prevails, is sure at last to end in the De-
struction of Liberty itself.

As the Clause now stands, I have drawn it with
much Caution, and have qualified it with such Re-
strictions, that I own I cannot see any Inconve-
nience which can possibly attend it; if any such
should appear, it may be qualified yet farther.
But if we must on no Account deprive even the
lowest People of the Liberty of doing what they
will, and going where they will, of Wandering and
Drunkenness, why should we deny them that Li-
berty which is but the Consequence of this; I
mean that of begging and stealing, of robbing or
cutting Throats at their good Pleasure: For if
these be Evils, they cannot be effectually abolished
but by some such Law as this; a Law which hath
not only the Sanction of such an Authority as *Al-
fred*,

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fred, but of an Act of Parliament in the Reign of Queen *Elizabeth*.

XVIII. *The Poor to travel with a Pass.*] This Method of permitting the Poor to go abroad to work, &c. under a Pass, is taken from an Act of Parliament of *Elizabeth*. I have through this Plan proposed short Precedents of Orders, &c. a Method which it would be well if the Legislature would pursue in all Acts relating to the Office of a Justice of Peace.

XX. *Poor to be passed to the County-house.*] Tho' every Commitment by the Magistrate may carry with it some Notion of Delinquency, yet I would not have the County-house supposed to be a Place of Infamy, or a Confinement there to be so much intended for Punishment as Preservation. It is true indeed, that I have, to avoid Confusion, left it in the Breast of the Magistrate to which House he will commit; but surely he will never extend this discretionary Power so far, as to send Persons to the County-house who are convicted of any higher Crimes than barely Wandering and Idleness; which are not infamous in themselves, and therefore should not, nay, cannot be rendered so by any Punishment. The County-house is indeed a Place contrived for the Promotion of Industry only, and is therefore a proper Asylum for the Industrious of their own Accord to fly to for Protection.

XXIII.

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XXIII. to XLIII. inclusive. *The Method of receiving the Poor, putting them to Work, and ordering them in these Houses.*

XXIII. *Double Entry to be made.*] Through this whole Plan I have endeavoured as much as possible to guard against Fraud, to which human Nature, without proper Checks, is but too liable.

XXIV. *None to depart, &c.*] As it would be hard absolutely to confine Volunteers like Prisoners, so on the other Hand it would be altogether inconvenient to give such Persons full Right of rambling where they please. This might fill the Highways with Thieves and Beggars, and one great Evil which the Plan intends to abolish, might be increased by it.

XXV. *A Badge to be worn.*] As Persons sent hither by the Justices, must be supposed guilty of some Crime (Idleness at least) it may be proper to distinguish them from those Labourers who are entirely guiltless. And this Distinction is moreover necessary to inform the Officers, whom they are to let out at their Pleasure.

XXVI. *Prisoners to be confined on Bread and Water during twenty-four Hours.*] Scarce any Person will be committed hither who would not by the Law as it now stands have been committed to *Bridewell*, where the Allowance is no more than a Penny Loaf a Day, with Water. To be confined therefore with such Sustenance for twenty-four Hours, cannot be well thought a severe Punishment. The particular
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Reason why I have inserted it here, is, that the Party, before he be let loose among the other Prisoners, should be perfectly cool; which is seldom the Case when profligate Persons are brought before the Justice, and by him committed to the House of Correction. And if at the Expiration of that Term, the Prisoner should still retain any Signs of outrageous Reprobacy, it will be much more proper to confine him by himself, than to suffer him to reinfect those who may possibly have made some Advancement in their Cure: And indeed there can be no more effectual Means of bringing most abandoned Profligates to Reason and Order, than those of Solitude and Fasting; which latter especially is often as useful to a Diseased Mind, as to a distempered Body. To say Truth, this is a very wholesome Punishment, and is not liable to those ill Consequences which are produced by Punishments attended with Shame: For by once inflicting Shame on a Criminal, we for ever remove that Fear of it, which is one very strong Preservative against doing Evil. Indeed however this may have been admitted into the Punishments of all Countries, it appears to me to contain in it no less Absurdity, than that of taking away from the Party all Sense of Honour, in order to make him a good Man.

XXVIII. *Prayers every Morning, &c.*] Nothing can I think appear more strange, than the Policy of appointing a Chaplain to *Newgate* and none to *Bridewell*. On a religious Account it is surely very fit to have a proper Person for preparing Men for Death; but in a political View it must seem most extremely absurd to provide for the

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Regulation of those Morals in which the Society are no longer concerned, and entirely to neglect the Correction and Amendment of Persons who are shortly to be let loose again among the Public, and who are even confined for the Purpose of Correction. The Correction of the Body only was doubtless not the whole End of the Institution of such Houses; and yet it must be allowed a great Defect in that Institution, to leave the Correction of the Mind to the same Hands. In real Truth, Religion is alone capable of effectually executing this Work. This *Solomon* asserted long ago, and the excellent Archbishop *Tillotson*, in a Sermon on his Words, which *Solomon* might have himself preached, hath very nobly expatiated on the Subject. *Religion*, says he, hath a good Influence on the People, to make them obedient to Government, and peaceable towards one another. To make them obedient to Government, and conformable to Laws, and not only for Wrath and out of Fear of the Magistrates Power, which is but a weak and loose Principle of Obedience, and will cease whenever Men can rebel with Safety, and to Advantage; but out of Conscience, which is a firm, and constant, and lasting Principle, and will hold a Man fast when all other Obligations will break. He that hath entertained the true Principles of Christianity, is not to be tempted from his Obedience and Submission by any worldly Considerations; because he believes, that who ever resisteth Authority, resisteth the Ordinance of God, and that they who resist shall receive to themselves Damnation.

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Religion tends to make Men peaceable one
 towards another, for it endeavours to plant all
 those Qualities and Dispositions in Men which
 tend to Peace and Unity, and to fill Men with
 a Spirit of universal Love and good Will. It
 endeavours likewise to secure every Man's Inter-
 est, by commanding the Observation of that
 great Rule of Equity, whatsoever ye would that
 Men should do unto you, do ye even so to
 them, by injoining that Truth and Fidelity be
 inviolably observed in all our Words, Promi-
 ses and Contracts; and in order hereunto, it
 requires the Extirpation of all those Passions
 and Vices which render Men unfociable and
 troublesome to one another; as Pride, Cove-
 tousness and Injustice, hatred and Revenge
 and Cruelty; and those likewise which are not
 so commonly reputed Vices, as Self-Conceit
 and Peremtoriness in a Man's own Opinions
 and all Peevishness and Incompliance in Things
 lawful and indifferent.

And that these are the proper Effects of true
 Piety, the Doctrine of our Saviour and his
 Apostles every where teaches us. Now if this
 be the Design of Religion to bring us to this
 Temper, thus to heal the Natures of Men
 and to sweeten their Spirits, to correct their
 Passions, and to mortify all those Lusts which
 are the Causes of Enmity and Division, then it
 is evident, that in its own Nature it tends to
 the Peace and Happiness of human Society?
 And that if Men would live as Religion requires
 they should do, the World would be a quiet
 Habitation, a most lovely and desirable Place
 in Comparison of what it now is; and indeed
 the true Reason why the Societies of Men are

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so full of Tumult and Disorder, so troublesome
 and tempestuous, is because there is so little
 of true Religion among Men; so that were
 it not, for some small Remainers of Piety
 and Virtue which are yet left scattered among
 Mankind, human Society would in a short
 Space disband and run into Confusion, the
 Earth would grow wild and become a great
 Forest, and Mankind would become Beasts
 of Prey one towards another, &c.

So far this great Preacher, the Truth of whose
 Doctrine I might confirm by Quotations from
 almost every good Writer, who hath treated
 of the Rules and Laws of Society, as well as
 by the Example of all those Legislators by
 whom the several Societies, which have ever
 been extant in the World, were first instituted;
 and therefore, as the learned *Diodorus* long
 since observed, all great Lawgivers, among
 whom he includes *Moses*, derived their Com-
 missions from Heaven, and mixt religious
 Rites with civil Institutions, well knowing
 how necessary the former were to strengthen
 and give a proper Sanction to the latter. Nay
 the very Deist and Atheist himself, if such a
 Monster there be, must acknowledge the Truth
 of this Doctrine, since those who will not al-
 low Religion to be a divine, must at least con-
 fess that it is a political Institution, and designed
 by the Magistrate for the Purpose of guarding
 his Authority, and of reducing the People to
 Obedience; therefore, (says the learn'd Arch-
 Bishop) Magistrates have always thought them-
 selves concerned to cherish Religion, and to
 maintain in the Minds of Men the Belief of a
 God in another Life; nay that common Sug-
 gestion

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jection of atheistical Persons, that Religion was at first a politic Devise, and is still kept up in the World as a State Engine to awe Men into Obedience, is a clear Acknowledgment of the Usefulness of it to the Ends of Government, &c.

Indeed if this solemn Truth wanted any further Proof, it might be easy to make a Melancholy Experiment of it on the present Occasion; since whoever should attempt, without the Assistance of what I here contend for, to preserve any Order or Decency among such a Body of People as is proposed to assemble together, would, I am convinced, find himself very egregiously, and perhaps very unfortunately Mistaken. If indeed such a Body of Men could be kept together at all, and refrained from the most violent and inordinat Outrages, this could be only effected by a strong and constant military Force; in short by the same Degree of Coercion, as would restrain the Fury of wild Beasts, which are possibly as easy to be governed as wild Men.

That Religion is a very cold and unavailing Motive to Action in the World, is, I am afraid neither easy to be denied, or difficult to account for. Some there are who are too wise, (I mean in their own Opinions) to believe any of the Truths of it; many more are too far immers'd in the Pursuits of Business or Pleasure, and many, almost all indeed who are the Objects of this Plan very seldom or never hear the Word Religion mentioned; but Heaven and Hell when well rung in the Ears of those who have not yet learn'd that there are no such Places, and who will give some Attention to what they hear, are by

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no Means Words of little or no Signification. Hope and Fear, two very strong and active Passions, will hardly find a fuller or more adequate Object to amuse and employ them; this more especially in a Place where there will be so little of Temptation, to rouse or to gratify the evil Inclinations of human Nature; where Men will find so few of Those good things, of this World, for which the other is every Day bantered; and where they will have no Encouragement, from the Example of their Betters, to make so prudent an Exchange. In such a Place, and among such a People, Religion will, I am satisfied, have a very strong Influence in correcting the Morals of Men; and I am no less persuaded, that it is Religion alone which can effectually accomplish so great and so desirable a Work.

XXVIII. XIX. Need no Explanation, but may be altered, as the Legislature pleases.

XXX. *The Keepers, &c. to report the evil or good Behaviour of the Labourers.* Tho' it be the Duty of every Man to obey the Laws of his Country, and no Man is entitled to any Reward for the Performance of his Duty; and therefore Legislators are not to be accused of Severity in annexing Punishment to the Breach of their Laws, while they have assigned no Reward to the obedient. However, I am inclined to think they have not omitted the latter so much from this Persuasion, as from foreseeing the great Difficulties in which it would have involved them: for tho' it be impossible in large and extended Societies, to preserve a general Course as well of rewarding as punishing, yet

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the wisest Governments have endeavoured as far as in them lies, to avail themselves of the Force of Allurement, as well as of Terror. Hence, that Indulgence in all Nations to the Wealth and Luxury of their great Men, which *Gallus Affinius* in *Tacitus* calls *Delinimenta Curarum & Periculorum*. Hence all those Titles and Honours, with which Politicians have baited for the Ambition of Mankind; and hence, when the public Stock could afford no more of real Value, those gew-gaw trifling Distinctions, which, in spite of all the Ridicule of the Witty and Scorn of the wise, the greedy Appetite of Vanity will be always ready to swallow.

In large Societies, however, all these can reach but a little Way, and can be shared by very few. Of great Armies, scarce the hundredth Part can partake of any Reward for the most notable Exploits, and most complete Victories. The rest must content themselves with the Consciousness of having done their Duty, and of having escaped that Punishment to which Cowardice would have subjected them, and of which they fail not of seeing sufficient Examples.

I much question whether the outrageous Indecency of the lowest Part of Mankind among us, can be derived from a truer Cause than this: As they have no Hopes of Reward, be they as good as they will, why should we wonder that they are as bad as they can be, when they have no Fear of incurring Punishment? And very bad indeed they may often be, without any such Danger. For their Idleness at least this will very sufficiently account. From this there is neither Hope of public Reward to allure, nor Fear of public Punishment to deter; What Wonder then,

if those who are inclined to Idleness, should indulge their Inclination, and betake themselves to begging; a better Trade perhaps than any to which Industry can tempt them to turn their Hands.

Now, in the Society here proposed, there will be no less Opportunity of rewarding Industry, than of punishing Idleness; nor need these Rewards be very expensive to the public Chest, since they will be so extremely honourable to those who receive them. By a very moderate and judicious Distribution of such Rewards for Industry, and a very gentle Infliction of Punishment for Idleness, I make no Doubt but that in the County House the former might be rendered as honourable, and the latter as infamous as any Virtue and Vice have ever been held in any Nation upon Earth.

XXXI. The Utility, and, I think, Necessity of this Paragraph may be suffered to speak for itself, and so shall the two next.

XXXIV. *Money to be advanced, &c.*] As many of the Persons to be committed hither, or who may voluntarily come hither, will possibly be Penniless, some Advancement to them will be necessary for their Support. The *Quantum* is submitted to the Legislature, as well as the Method which I have proposed for the Re-payment.

XXXV. *Prisoners to be allowed one Shilling weekly.*] This is somewhat less than *2d per Diem*; which is much larger than the present Bridewell Allowance; but as the Intent is, that they

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they shall be really kept to hard Labour, it will be necessary to support them somewhat better, than when they were suffered to remain in Idleness.

XXXVI. *Deductions to be made, &c.*] As the Society have a Right to the Labour of Delinquents, by Way of Punishment, allowing them only a necessary Support; and as they here exercise this Right in the Case of those who are committed to the House of Correction; so the Defalcation from Persons committed to the County House, will, I believe appear very reasonable; as these are in some Degree Offenders, and the Objects at least of some small Punishment. As to the Deduction of one Penny from the Volunteers, it should be considered as a reasonable Price for Lodging, Fire, Candles, &c. which are here provided for them.

XXXVII. *The Receiver to make up his Accounts after every Sale.*] I have endeavoured to shut out Fraud as much as possible through this whole Plan, if any stronger Bars can be added, I hope they will.

XXXVIII. *An Account to be kept in separate Pages.*] In order to have these Accounts well and often inspected, they must be rendered easy. The Method I have chalked out, was the best I could invent for this Purpose; but perhaps a much better may be found by some who are more versed in these Matters.

XXXIX. The several Branches of this Paragraph need no Comment.

XXXV. *The*

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How can you and of would a gentleman be
XL. *The Labourers to be instructed in all kinds of Manufactures.*] Upon the right Management of the Power given in this Paragraph, depends in a great Measure the Utility of the whole Plan; and the Improvement of those Advantages which I propose from bringing the Poor together. It is this principally which will require great Capacity in the Governor; and that he should be always a Man of much Knowledge and Experience. Which Qualifications if he should possess, and will do his Duty in applying them, I doubt not but most of the advantageous Manufactures of Europe, may be by these Means introduced into the Nation.

XLII. to XLVI. *inclusive, Crimes with their Punishment.*

XLIII. XLIV. As the Crimes mentioned in these two Paragraphs must be guarded against with the utmost Precaution, the Punishment of them cannot possibly be less than that *Ultimum Supplicium*, which is here allotted to them. This, I think, no Man can have any Doubt of, who considers the Numbers and Nature of the People here to be assembled. The same Consideration will remove all Appearance of Severity from the Punishments inflicted in the 38th and 39th Paragraphs.

XLVI. The Persons who are here to be transported, seem of all others the most proper Objects of that Punishment. This, however, some of them may possibly avoid by the Alternative proposed, which is perhaps the only Method

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of converting a Fellow to some Use, who would be otherwise good for nothing. It is to be hoped that the military Gentlemen will, on this Occasion, depart a little from their usual Nicety, with Regard to the Morals of their Recruits; since a Man may have great military Qualifications, and may yet be very properly turned out of a civil Society.

XLIX. This is taken from the last Gin Act, with little Variation, and is of the utmost Consequence to all the Purposes of this Plan.

L. LI. LII. Are submitted, without any Comment.

LIII. *Judicial Power of the Governour, &c.*

LIII. Nothing conduces more to the good Order of any Society, than the moderate Punishment of small Offences; this is properly called Correction, since by it the Manners of the Party are often corrected, and he is prevented from the Commission of greater Crimes. Such Punishments should be always attended with Reproof, and an Endeavour to persuade the Offender that he is corrected only for his own Good. It must be remembered however, that they are the better, and milder Dispositions which are to be much amended this Way; and therefore Shame should, as little as possible, be mixed with such Correction. The Articles here subjected to the Governour's Jurisdiction, are for the most part Peccadillo's, and therefore he can scarce be too mild or moderate in his Correction for the first Offence, especially if attended with Contrition. Indeed his Power of
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of punishing here is but small, and favours more of a Master than a Magistrate. On a second Offence he may be a little more severe, and it may commonly be proper to go to the Extent of his Power. But a third Offence of the same kind, and within the Time limited, argues an incorrigible Temper, and favours of the Spirit of Resistance to Government: Here he punishes as a Magistrate, and the Punishment is of the exemplary Kind, tending rather to raise Terror in others, than to work the Reformation of the Party himself.

Among other Powers, the Governor hath that of regulating the Price of Provisions. The Method of supplying the Labourers with these is a problematical Question, and it may admit of much Debate, whether it would be better to provide for them, or to suffer them to provide for themselves? In behalf of the former Method it may be urged, that many Persons joining together in a Mess, may be provided for at a much cheaper Rate than the same Number separately.

2. That possibly they may not of themselves chuse to join; and it may therefore be proper to compel them by a coercive Power.

3. That if they should for the most part agree to mess together, the Savings on that Account should be preserved to the Use of the House.

4. That some of them, when they are Masters of their own Money, will chuse to stint themselves of Food, in order to be more plentifully supplied with Drink; which, besides causing Disorders, will tend to weaken their Bodies, to incapacitate them for Labour, and render them sickly, &c.

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On the other Side it may be answered, 1. That allowing the Expediency of their meeting together, it can hardly be supposed but that in such a Body sufficient Numbers will always be found for that Purpose.

2. That when this is voluntary, it will be much more eligible than when it is by Coercion, which, where the Spirits of Men are so fired with Freedom as in this Nation, is never submitted to in small and unaccustomed Matters, without Uneasiness and Heart-burning.

3. That by the Power of constantly regulating the Prices of Provisions, condescending to particularize every minute Article, there will be little Difference between employing Servants or employing Sutlers, in the manner as is here appointed; and the latter will be attended with much the less Confusion.

4. That the Liberty of providing for themselves, at their own Discretion, and of laying out their own Money, is but a reasonable Liberty; and the Refusal of it favours too much of the Treatment of Children: Nor is it without some Tincture of Injustice, for those who eat less will by such Means be obliged to pay equally with those who eat more.

5. That as to the Restraint from laying out too much of their Money in Drink, this Restraint seems needless, while they receive the Allowance of the House; and when by their own Industry they become possessed of Money, it will be altogether as ineffectual: Besides, proper Care is taken on this Head, by absolutely prohibiting the Introduction of spirituous Liquors, and by punishing any Kind of Drunkenness.

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Upon the Whole, the Method here proposed seems to me the better; but perhaps it will be most proper to leave this Matter open to the Discretion of the Governor and Sessions, who may act therein as they shall find most convenient.

LIV. *The Jurisdiction of the Session.*

I submit this whole Paragraph, with any Alterations in it which may be thought proper, without a Comment: Nor doth the Residue of the Plan seem to want any Explanation.

Thus have I laid my Plan before the Public, with all that I have to say in its Support or Recommendation: They will, as they please, receive it in the Whole, or in Part; will alter, amend, or entirely reject it, at their Discretion. Whatever shall be the Fate of my Labour, it will not find me quite unprepared: and though my Plan should be treated by some as an impossible, by others as an absurd or ridiculous Scheme, it will neither spoil my Stomach, nor break my Rest. I do not affect an absolute or Stoical Indifference on this Occasion; I mean no more than to be as little solicitous as it is possible about Events, whatever Trouble I have taken in using the Means; a Temper of Mind for which I am not a little obliged to my great Master's Advice,

*Quem sors dierum cunque dabit, lucro
Appone.*

And again,

Grata superveniet quæ non sperabitur hora.

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The forming which into a general Precept, and then reducing that Precept into a Habit, hath cost me more Pains than I have employed in composing the foregoing Pages; nor is the former Labour thrown away, whatever may become of the latter.

Besides the fair Opponents mentioned in the Introduction, and those whom the Imperfections of my Plan may raise, I am to apprehend, I am well convinced, many who will be interested in the Opposition. Some are Enemies to all Schemes whatever, and some to all Schemes but their own; others there are, who find an Advantage in the present wretched State of the Poor, and in the numerous Laws concerning them. Lastly, I sometimes flatter myself, that I have some few Enemies; Men who do me the Honour of thinking better either of my Parts, or of my Fortune, than I do myself; and who consequently hate me from the only Motive which can prompt a Man to hate those who have done him no Injury: These will, I presume, not only deny all Merit to the Execution of my Design, but to the Design itself; and will discover, that instead of intending a Provision for the Poor, I have been carving out one for myself, and have very cunningly projected to build myself a fine House at the Expence of the Public. This would be to act in direct Opposition to the Advice of my above Master; it would be indeed

Struere domos immemor sepulchri.

Those who do not know me, may believe this; but those who do, will hardly be so deceived by that Cheerfulness which was always natural to me; and

and which, I thank God, my Conscience doth not reprove me for, to imagine that I am not sensible of my declining Constitution. In real Truth, if my Plan be embraced, I shall be very easily recompenced for my Trouble, without any Concern in the Execution. Ambition or Avarice can no longer raise a Hope, or dictate any Scheme to me, who have no farther Design than to pass my short Remainder of Life in some Degree of Ease, and barely to preserve my Family from being the Objects of any such Laws as I have here proposed.

Note. There are several little Mistakes in the foregoing Proposals, such as *his* or *her* for *their*, and *vice versa*; which escaped Correction in the Hurry in which this Pamphlet was printed: they will, it is hoped, be excused in a rough Sketch, where the Author intends only to convey his Meaning, to be amended and improved, and not to form the regular Draught of a Law.

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