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*By Sir Roger Mosely Bart.*  
H E A D S

OF A

B I L L

FOR THE BETTER

Relief and Employment of the POOR,

AND FOR THE

Improvement of the POLICE of this Country.

Submitted to the Consideration of the MEMBERS  
of both HOUSES of PARLIAMENT.

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By T. GILBERT.

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M,DCC,LXXXVI.

## P R E A M B L E.

WHEREAS the Poor, within that part of *Great-Britain*, called *England*, are become a grievous and an encreasing burthen. The Laws provided for their relief and employment, tho' wisely calculated, in their original institution, having been grossly perverted; the money raised for their support frequently misapplied; and the alterations which have been made by parliament, at different times, in order to correct the evasions and abuses of those laws, so far from abating, having in many instances, thro' the artifices and designs of crafty, and interested persons, contributed to encrease the evil.—And moreover, several charitable donations which have been made by pious, and well-disposed people, for the use and benefit of poor persons, having by divers unlawful means, either been totally with-held from such poor objects, or grossly misapplied.—FOR REMEDY of these evils; and particularly—in order to form proper districts in every county, for carrying into execution the various purposes of this act (the parochial divisions, being in general too small for the extensive objects which it comprehends). And in order to appoint, by ballot, Committees consisting of persons of character, integrity, and ability, suited to the several purposes of the act.—To name officers of experience, judgment, and integrity, for executing and discharging the important services, and trusts required of them.—And in order to repeal all the said laws which are now subsisting (after incorporating in this or another act, such parts of them, as may be useful in the execution of the several provisions herein contained.)—And in order to make, and establish one law of police, which may prevent idleness, drunkenness, and vagrancy, which may encourage poor persons, whilst in health, to contribute a small part of their earnings, to a fund for maintaining them when oppressed with sickness and infirmity, without being driven to the disagreeable necessity of asking parish relief; and which may correct all abuses in charitable trusts.—Be effectual to encourage labour and industry: To compel those to labour who are able to work: To protect, support, and educate the infant poor, in principles of religion and morality. To punish such of the poor as are idle, profligate, and abandon'd, and to support and cherish those who are really necessitous, infirm, and impotent.

May it please your majesty that it may be enacted, &c.

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## COMMISSIONERS.

The act in the first clause to nominate seven persons for each county, who are seized of estates of the clear yearly value of 300l. who should with their own consent be constituted commissioners for setting out and dividing the respective counties, ridings, and divisions; and all the peculiar jurisdictions, cities, franchises, and liberties within that part of *Great-Britain* called *England*, which have separate justices of peace, and quarter sessions under particular commissions, or by charter, and are too large for one district, into so many districts, consisting of a certain number of parishes and townships, lying near or contiguous to each other, (not less than five, nor more than ten) as the said commissioners shall judge proper. (The townships which maintain their own poor separately from the parish at large, and also all extra parochial places, to be included in those districts within which they lie, or to which they are most conveniently situated.) And if any of the said commissioners, after having been so appointed, shall die, or become incapable of acting by sickness or infirmities, the remaining commissioners, or the major part of them, should appoint another fit person qualified as aforesaid to act in his stead. (See note No. 1.)

That the commissioners should meet as soon as convenient after passing the act, and when they have taken the oath to be prescribed in the act, for the due discharge of their duty; they should proceed to elect a chairman, to appoint a clerk or agent to attend and assist them in the business, and in procuring from the several overseers of the poor, who should be directed to assist them, a plan, or particular description of the several parishes, townships, and places which maintain their own poor, shewing their situation and contiguity.

The commissioners, or any five or more of them, when they have formed their districts, should fix the salaries for the district agents, and the number and qualifications of the committee men: also the qualifications of those who are to elect them for each district, having regard to the situation and extent of the district, and to the circumstances and number of persons residing within it, who may be proper to constitute such committee; also to fix the time and place for taking the ballot for the first committee.

To require the commissioners, when they have finished the business appointed for them, to report the whole of their proceedings by writing under their hands and seals, to the justices at their quarter sessions, and forthwith deliver such report to the clerk of the Peace for the county, &c. who should be directed to cause it to be printed, as soon as possible, and to send a copy thereof to every acting justice, and also to every high constable within such limit, who should be required to communicate it to the overseers of the poor within each district,

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district, and describe to them the names of the parishes and places which form the district wherein they are situated.

To restrain the commissioners in setting out and dividing the districts, from altering the boundaries or otherways interfering with any hundreds, districts, or places, already incorporated by act of parliament, for the purposes of providing for the poor, unless such commissioners shall obtain the consent of the majority of the governors, guardians, or other persons having the power of making bye laws, rules, orders and regulations, within such hundreds, districts or places, to be signified under the common seal of such respective corporations, in which case they should be at liberty to alter the same, and make such regulations as should be agreed upon, by their common consent.

To direct that the justices of peace at the next quarter-sessions, after the commissioners shall have made their report, shall order their treasurer to pay to the commissioners, such sums of money, for their reasonable expences, as they shall bona fide have expended, and also to pay such sums to the respective clerks of the peace, and other persons employed by the commissioners as aforesaid, for their trouble and expences in the execution of the act as to them shall seem reasonable; and the treasurer should be allowed the same in his accounts.

The Justices should at the same time fix the day for the ballot for the first county committee. (See Note, No. 2.)

## DISTRICT COMMITTEE.

The act to direct the Justices of peace at their respective quarter-sessions, which shall be holden next after the commissioners shall have made their report, to nominate two justices of peace who act within each district, to preside at the ballot for choosing the committee within their respective districts; and also to nominate a proper person to take the poll at such ballot within each district, and to certify his name and place of abode to the said two justices; and also to the high constable acting within each district, who should communicate the same to every overseer of the poor within their districts.

That every person attending the meeting, and qualified according to the commissioner's report, to ballot for the choice of the district committee, should deliver into a box or glass to be provided for that purpose by the persons appointed for taking the poll, the names, additions, and places of abode of so many persons qualified as aforesaid, as the committee according to the said report is to consist of, fairly written upon paper and folded up, including one person at least, residing within each of the parishes, within the district. And the better to enable persons who intend to offer their poll at such ballot, to form

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a judgment of those who may be thought proper for the office, the names of all persons within the district, who are qualified to be ballotted for, should be required to be transmitted to the clerk so appointed to take the poll, by the overseer within each parish and township, six days at least before the day appointed for taking such poll, which clerk should be required to enter their names immediately after they shall be delivered, in a book to be kept for that purpose; but not to insert one name more than once, though it should appear in different lists; and to shew the said book to any person qualified to vote, and to deliver a copy to any such person if required; after the time of delivering in such lists of names shall be expired, written in alphabetical order, upon being paid for the same, after the rate of 2d.—for every twenty names which such list shall contain; and a proper allowance should be ordered for such clerk, by the justices presiding at such ballot, to be paid by the county treasurer.

That as soon as the poll shall be closed the justices presiding thereat, should be directed to nominate two persons then present, as scrutineers, and deliver to them the lists, so presented, with directions forthwith to proceed upon the scrutiny, and cast up the number of votes for each committee candidate, and report the names of those persons who appear to be elected, according to the qualifications, and directions, in the act, to the said justices, at such time and place as they shall appoint to receive them.

The person appointed for taking the poll should attend the justices at the time of their receiving the report; when they should immediately appoint the time and place for the first meeting of the committee, and direct the clerk who took the poll, to give notice thereof to every person elected upon such committee.

The act to direct that the district committee shall meet at the time and place appointed by the two justices, and after taking an Oath to be prescribed by the act, (which will be specified in the Appendix, see note, No. 3.) for the proper discharge of their duty, they should proceed to elect a chairman, and afterwards a district agent, by ballot, in manner aforesaid, and to fix the place for the residence of such agent, and for the committee to meet at, as near the centre of the district, as conveniently may be; and also to fix the days for holding their meetings in every month in the year; and that they should also at such first meeting, nominate by agreement among themselves, or by their chairman, if they differ in opinion, five at least of the committee, to attend the 2d meeting, in which number, two at least who attended the former meeting should be included; and in like manner with respect to every subsequent meeting; and the district agent should be required to give notice, from time to time, to every person included in that number, who should not be present at such nominations, (which are only

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only intended to procure meetings of a sufficient number of the committee-men, competent to the business that shall come before them, and in no degree to preclude others from attending;) and the better to enforce due attendances, a clause should be inserted in the act, inflicting a penalty of 5l. for every default of the committee-men, so named; in their attendance, at the day and hour appointed, unless prevented by sickness, or some unavoidable accident; to be paid into the hands of the district agent, and to be applied by him towards discharging the expences of the committee meetings; and in case such forfeitures shall not be sufficient to pay the whole expences, the remaining part should be paid by the district agent, who should be reimbursed by the county treasurer, out of the poor's rates; but if such forfeitures shall exceed the expences, the remainder to be applied in such manner as the committee shall direct.

They should also direct the salary of the district agent, and the rent of the office for transacting the business of the district, and of the room for the committee to meet at, to be paid by the county treasurer, and charged in his accounts.

They should also at their first meeting, direct their district agent to transmit to the county clerk and treasurer, an accurate account of the medium poor's rates for each parish and place, calculated from the returns lately made to parliament, after they shall have been inspected and examined by the district agent, and settled and corrected where necessary by the district committee.

The district committee, after calling upon the agent, for his return of the state of the poor, of the work houses, rates, and other things, which he is required to lay before them, should proceed to consider the same, and particularly the state and condition of the infant, aged, infirm, and impotent poor, within each parish; and if there shall be work houses suitable for them within the district, to order such of the poor as may be proper to be placed in houses, to be sent thither, or if there are none, to be put into houses to be hired for that purpose, untill more convenient accommodations can be provided for them; and the district committee, if they find a deficiency of work houses, for employing the poor, should be empowered to build new ones, or hire buildings which may be convenient, and convert them into work houses, for the employment of such poor persons as may be fit to be placed in workhouses; or they may at their discretion make contracts with manufacturers, or other persons, for employing any poor persons either within, or out of the workhouses.

The district committee should have power to discharge the overseer, so directed to be chosen, as hereafter mentioned, for neglect of duty, or other misbehaviour.

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The district committee should also receive from their clerk, at every meeting, an account of the number, condition, and employment of their poor, examine the accounts of the expences attending them, and give such directions to the agent for the future management, and employment of them, as they shall judge most proper.

They should also examine the accounts of the district agent, and the overseers, and allow the same, if they approve them.

They should also consider the state of the different work-houses within the district, the number of persons contained therein, and the manner in which they are employed; and find, if possible, better means of employing them by contract, for their labour, (*See Note, No. 4.*) or in such other manner as they shall think fit. They should enquire particularly into the age, and state of the infant poor, and procure them to be examined, at proper times, by able and judicious persons, respecting their ability and aptitude for receiving instruction, who should report their observations upon them to the committee; and the committee should consider which of them in each district, may be proper to be continued, and employed in the work-houses, or otherwise within the district; and which of them, if any, may be proper to be taken into a county house or seminary, when any such shall be provided, in order to receive a different education, which may qualify them for the sea, or other public service; and the committee should report such special matter, with their opinion thereupon to the county committee.

Every district committee should also, ten days at least before the end of the year, apply to two justices of the peace, acting within their district, to preside at the new ballot, for the district committee, and after consulting them, cause notice to be given, in manner before directed as to the first committee, of the time and place for taking such new ballot, which justices, should give such directions for the ballot, and preside at the poll, in like manner as herein before mentioned concerning the said first ballot.

That in every such subsequent annual ballot, the district agent, for the time being, should give the notices, receive the previous lists, take the poll, and do every thing which the clerk is hereby directed to do at the said first ballot; and every person balloting for such new committee, should include in his list, one half of the old committee, and one half of other persons, qualified as aforesaid; but none of the old committee should be obliged to serve more than two years successively, without their consent, and the chairman presiding at such ballot should appoint the scrutineers, as soon as such poll shall be closed, and proceed in the same

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same manner as herein before directed, with respect to the chairman at the said first ballot.

The district committee should also at the end of every three months, (a fortnight at least before the meeting of the county committee, as hereafter appointed,) make up an account of the money received and expended within the district during that time, and also prepare an estimate, in the best manner they can, from the returns of the overseers of the poor, or any other information they can get, of the probable expences on account of the poor, for the three months then next following, and report the same to such county committee.

#### DISTRICT AGENT.

The district agent who is to be chosen by the first committee, should be continued; if approved, or another elected, in the same manner as the first, by every new committee, and should give such security as the committee should approve, for his duly accounting for the money he receives.

His duty should be from time to time to visit and superintend the workhouses, to make as soon as possible, a state in writing of all those within the district; and also of the circumstances and situation of every poor person, who receives or is in need of parish relief, within each parish or place, describing whether within or out of the work house, and whether they have any, and what employment; or any and what property of their own; also the ages or infirmities of each person, and the number and age of their children, if any: Also what pensions or allowances have been made them, by the overseers, and every other particular which he may think necessary for the information of the committee, or which they may require from him.

He should also state the expences of the poor in the preceding Month, and the probable expences in the succeeding Month, in order that the committee may give the necessary information thereof to the county committee.—He should also call upon the overseers for the assessments and accounts of the expences attending the poor in every parish, &c. within the district, during the three years for which the returns have been made to parliament, and also for the last year, which accounts the overseers or persons who have the custody of them, should be required to produce; and when he has compared the three years accounts upon which the returns were made, with such returns; if there shall appear any omission or misrepresentation, he should report them to the district committee, who should enquire into the same, and be empowered to investigate and correct them, and if they find any thing which appears wilful, and of magnitude sufficient to be reprehended



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hended and punished by legal proceedings, the district committee should report it to the county committee.

The district agent should hear the complaint of paupers and relieve them, or give directions to the overseer for that purpose, if necessary, before the meeting of the committee; and if any person travelling on the road, or through any town or place, upon his lawful occasion, should by accident, or sickness, be rendered unable to proceed on his journey, he should be immediately relieved, in such manner as his necessities require, by the overseer of the place where he shall then be; and such overseer should with all convenient speed, represent the same to the district agent, who should see that every proper accommodation is provided for him.

The district agent in all matters of doubt and difficulty, should consult any member or members of the committee, who may happen to be near him, and act under their advice, till the next committee meeting, and then report such matters to the committee, with all the circumstances attending them.

The district agent, as soon as he receives from the committee the order for the quarterly contributions from the district for which he acts, should immediately calculate and compute the proportion, which each parish, township, and place, maintaining its own poor, is to contribute to the sum with which the said district is charged; and after such proportions have been made by him, and examined and allowed by the committee, he should signify the amount thereof to the overseer of every such parish, township, or place, who should collect the same, by three monthly assessments, by virtue of an order from the district committee. (See note, No. 5.)

He should, previous to the monthly meeting of the district committee, examine and settle the several overseers accounts, and receive the ballances of money which shall appear to be in their hands, and apply the same in such manner as the committee shall direct; and he should lay an abstract of such accounts before the committee, together with an account of all money owing in respect of the poor, and of the rates unpaid, if any, in each parish, township, or place, within the district, (which accounts every overseer should be required to make out and deliver to the district agent).

### O V E R S E E R.

The act to direct that the occupiers of lands, &c. in each parish, &c. paying to the poor rates for lands, &c. of the yearly value of 15l. should meet in vestry, at the usual place of such meetings, on Monday next after the 25th day of March in every year, at eleven o'clock in the

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the forenoon; and after choosing by majority of voices, some person then present, to preside at such meeting, should proceed in like manner to fix a proper allowance by way of salary, to the overseer of the poor, in case the gratuities and allowances provided for him by this act, shall not be judged by them an adequate compensation for his trouble, in executing that office; and to nominate the person whom they shall judge best qualified, and who shall be willing to undertake it; and the person so presiding, should immediately enter the name of the person so nominated, in a book to be provided and kept for that purpose; and if in the judgment of the vestry the parish should be too extensive for the duty of overseer to be properly discharged by one person, they should have power to make a proper allowance to him to pay an assistant, whom he should provide, with the approbation of the district agent.

Upon the death or removal of any such overseer, the inhabitants of the parish or place for which he served, should forthwith proceed in like manner to elect another in his stead.

The overseer should explain to the district agent, and also to the district committee, if required, the account of the three years expenses, in respect of the poor, which have been returned to parliament.

He should send to the district agent copies of those returns, also a copy of the assessments for the year ending at *Easter*, 1786; and of the overseer's accounts, for that and the three preceding years, and he should be allowed in his accounts what is reasonable for transcribing them by the district agent.

He should represent the state and situation of such paupers as shall from time to time ask for relief to the district agent, and in cases of necessity and present distress, he should relieve them before he obtains an order for that purpose.

He should make the assessments monthly, in the usual manner, for the sum directed to be raised by the order of the district committee, (which is to be certified to every overseer by the district agent, when the same has been examined and approved by the said committee) and he should apply it in such payments as he shall be directed to make, by the district committee, or the district agent.

He should give security to the satisfaction of the district committee, for his duly accounting for all the money which he shall receive.

He should keep and enter in a book to be provided for that purpose, in a form to be settled by the district agent, and approved by the district committee; an account of all receipts and payments, in respect

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respect of the poor, to be settled by the district agent: and the balance should be paid into his hands by the overseer, at the end of every month; and the district agent should abstract them into one account, and lay such abstract before the district committee; at the end of every quarter, ten days at least before the meeting of the county committee.

The overseer should also collect and receive the several new taxes by this or any subsequent act, authorised to be laid and imposed upon persons keeping dogs, and upon funday turnpike tolls, and also the several forfeitures and penalties which by virtue of this or any subsequent act of parliament may be thought fit to be appropriated, for the benefit of the poor, and for an encouragement of the great objects to which they are made applicable, as hereafter-mentioned; he should obey all orders and directions which he shall receive from the district committee, or the district agent; he should hear the complaints of the poor people, and visit those who are sick and want relief, and report their situation to the district agent.

And every overseer should be allowed to receive <sup>in the</sup> pound, out of the money so collected for his trouble therein. (See note, No. 7.)

The act should direct by proviso, that nothing therein contained should alter or affect the powers, which overseers under their present appointments; are invested with, in cities, boroughs, or towns corporate, respecting the rights of citizens, freemen, or burgesses, in matters of election of members of parliament, or of any officers within such cities, boroughs, or towns corporate, but that overseers in all such places, should be nominated, elected, and appointed for those purposes, in the manner they have usually been,

#### C O U N T Y C O M M I T T E E.

The act should direct a county committee to be chosen, which should consist of so many members as there shall be districts, within the county &c. qualified with estates of the clear yearly value of 300l. they should be elected by the persons who constitute the several district committees, within each county, &c. on a day and at a place to be fixed by the court of quarter sessions for each county, &c. as aforesaid, by ballot, to be taken in the manner herein before directed, concerning the district committees; and that for the information of the persons who are to preside at such ballot, a list of the members of every district committee within the county, should be transmitted to each clerk of the peace, by the several district agents, six days at least before the day fixed for taking such ballot; and that on the day of election, (previous to the ballot,) the several persons present, who shall be members of the said

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said district committees, should choose from amongst themselves a chairman, to preside at such ballot, and the clerk of the peace for such county &c. should be directed to take the poll, & at the close thereof, the chairman should nominate two persons present, for scrutineers, who should immediately proceed in the manner herein before directed, concerning the district committees, and make their report to the chairman, at the time and place he shall appoint for receiving the same; which committees should continue till new ones should be chosen, in like manner, in the year following, upon the like notices, and with the like qualifications; and so successively from year to year; but in every such new committee, one half of the gentlemen constituting the preceding committee, should be named in every list, to be delivered in at such ballot; and no gentlemen should be obliged to serve on that committee more than two years successively, without his consent; nor should any person be elected upon the county committee, who shall have been chosen for that year upon any district committee.

The county committee should be directed to meet at a day to be named by the chairman who presided at the ballot, (which should be notified to each of the committee, as also their election, by the clerk of the peace for the county,) and afterwards they should meet quarterly, the day before each general quarter sessions of the peace, at the place where such quarter sessions shall be holden, to receive reports from the several district committees, as to the several matters herein before directed, and all others which they shall find necessary to lay before them; they should at their first meeting elect a chairman to preside at their meetings; and also the clerk of the peace, treasurer of the county, or some other proper person, to be their clerk and treasurer; and they should fix the salary for him, not exceeding <sup>per annum,</sup> nor less than <sup>per annum.</sup> The elections of such chairman, and of the clerk and treasurer, to be made by a majority of voices.

That after appointing such chairman, and the clerk and treasurer, they should nominate, by agreement amongst themselves, or by the chairman, if they differ in opinion, seven at least of the committee, to attend the second meeting; in which number three at least, who attended the former meeting, should be included; and in like manner with respect to every subsequent meeting; and the clerk and treasurer should be required to give notice from time to time, to every person included in that number, who should not have been present at such nominations. (which are only intended to procure meetings of a sufficient number of the committee men, competent to the business that shall come before them, and in no degree to preclude others from attending;) and the better to enforce due attendancies, a clause should be inserted in the act, inflicting a penalty of 10l. for every default of any committee-man so named, in his attendance at the day and hour appointed; unless prevented by sickness, or some unavoidable

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dable accident; to be paid into the hands of the clerk and treasurer, and to be applied by him towards discharging the expences of the committee meetings; and in case such forfeitures shall not be sufficient to pay the whole expences, the remaining part should be paid by the county clerk and treasurer, out of the poor's rates; but if such forfeitures shall exceed the expences, the remainder to be applied in such manner as the committee shall direct.

The county committee should order the county clerk and treasurer, fairly to enter the account before directed to be made out and delivered to him by the district agent, in a book or books to be provided and kept for that purpose, that they may have recourse to them when necessary.

The county committee after examining and considering the reports from the several district committees, respecting the returns made to parliament by the overseers; if they observe any omissions, misrepresentations or errors therein, should take every proper means to investigate the same, and to cause the medium proportions for the said three years to be made as perfect as possible; and if there shall appear to have been any wilfull mistakes, concealments or misrepresentations therein, they should direct the necessary proceedings for enforcing the penalties and punishments, authorized and directed to be levied and inflicted upon the offenders for the same.

The act to direct that every parish and place maintaining its own poor, shall contribute to the general county poor rates, in proportion to the sums which they paid on account of their poor, on a medium of the said three years, for which the said returns were made to parliament, after the same shall have been inspected, settled, and adjusted in the manner hereby directed.

The county committee, after considering the several returns, and examining and correcting the errors, if any, should fix and ascertain the proportions which every district shall in future contribute to a given sum, viz. (100 l.) and certify the same to the district agent, who should forthwith settle and adjust the proportions, which each parish and place should contribute thereto, according to the medium so to be fixed as aforesaid, and lay them before the district committee for their inspection and approbation.

The county committee should at their quarterly meetings examine and inspect the accounts of the county clerk and treasurer, and allow the same if they find them just; and they should also inspect and superintend the accounts of the district agents, and the overseers of the poor, and if they observe any mistakes or inaccuracies therein, they should represent the same to the district committee, that they may be more minutely examined and corrected by them.

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The county committee should consider, from the reports of the district committees, and from their own observations; what public buildings, as hospitals for the sick and infirm poor, or as seminaries for the instruction and education of poor children, or as hospitals for the reception of idiots, lunatics, or insane persons may be necessary to be provided, for the general use of the county, in order to carry the several purposes of the act more completely into execution; and should have power, after fully considering the same, and procuring proper plans and estimates to be made, to contract for the building, fitting up, and furnishing such buildings, in the plainest and most economical manner; and the county committee should have power to borrow money at interest, on the credit of the county poor rates, hereby authorized to be laid, and of the casual and contingent fund, hereby provided for the building, furnishing, and maintaining such hospitals, or seminaries, as they shall so judge necessary and convenient to be built and provided; but no county poor rate should be made applicable to those purposes, when it shall exceed three fourth parts of the sum so to be fixed as aforesaid, as the medium annual sum for contribution for the districts, parishes, and places aforesaid. (*see note, No. 6.*)

The county committee should at their quarterly meetings after examining and considering the reports from the several district committees, and the several estimates, which may be laid before them; fix and assess the gross sum to be raised for the poor within their respective Counties, during the three months then next ensuing, and the county clerk and treasurer should certify the same to every district agent, and the proportion thereof which each district should contribute thereto, according to the proportions so to be fixed as aforesaid, which district agent should forthwith communicate the same to every overseer of the poor within his district as herein-before mentioned.

The county committee should also make an order upon the county clerk and treasurer, directing the application of so much of the money arising from the said casual and contingent fund, as they shall find convenient and necessary, for the various purposes to which the same is made applicable by this act.

The act to direct by proviso, that no person above seventy years of age, should be oblig'd to serve upon any of the committees, unless he chooses it.

And also that no person should be capable of holding any office under this act, who keeps an inn or public house, or is a retailer of spirituous liquors.

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## PENALTIES AND FORFEITURES.

To enact that from and after the 29th day of Sept. 1787, there be paid to every overseer of the poor and his successors, in every parish, township and place, within that part of Great Britain call'd England; in order to establish a casual and contingent fund, for the purposes hereafter mentioned; (in case his majesty shall be graciously pleased to consent thereto) all penalties and forfeitures incurred or to be incurred by persons upon forfeiture of recognizances, given or to be given on obtaining licences for selling ale and victuals, of recognizances given or to be given, for good behaviour and keeping the peace, or for prosecuting felons.—Also all penalties and forfeitures incurred or to be incurred, by virtue of any law now in being, or hereafter to be made, for the preservation of deer, and game, or touching or concerning vagrants, or common beggars.—And also all penalties and forfeitures to be incurred under, or by virtue of this act, (*here may be enumerated many other penalties and forfeitures under such particular acts, as are beneficial to the community, and lose much of their effect, for want of having those penalties and forfeitures enforced*) which penalties and forfeitures should be collected and received by the overseer of the poor, for the time being, (who should be allowed in the pound for collecting them.) Every overseer should take such measures for the recovery thereof, as the law directs, and keep a separate account of the money so to be collected, and pay it from time to time, into the hands of the county treasurer, who should apply the same under the direction of the county committee, for the purposes herein-after mentioned. (See Note, No. 7.)

## TAX UPON DOGS.

To enact that from and after the 29th Day of Sept. 1787, there be paid unto the overseer of the poor, and his successors, in every parish, township and place, within that part of Great-Britain, called England, by every person who shall keep any hound, greyhound, setting dog, pointer, spaniel, or other dog, the several yearly sums following, as an encouragement of the several objects hereafter-mentioned, to which those sums are hereby directed to be applied, that is to say,  
 For every pack of fox hounds consisting of ten couple or more number For every pack of harriers, For every hound under that number For every greyhound For every setting dog, or dog used for the net For every pointer, spaniel, and other dog, used for finding or running game And for every other dog of what kind or species soever To be assessed, collected, and levied by the overseer of the poor, in such manner as the poor's rates are by virtue of this act authorized and directed to be assessed, collected and levied, and he should be allowed 1s. in the pound for his

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his trouble in assessing and collecting that tax and the Sunday tolls, (See Note, No. 9.)

## SUNDAY TOLLS.

It should also enact, that there be paid to every overseer of the poor, or to such person as he shall authorize to receive the same, by every person who shall ride, lead, or drive any horse, carriage, or cattle thro' any toll-gate or toll-bar, erected, or to be erected, upon, or belonging to any turnpike road within the limits aforesaid, on the Sabbath-day, an additional toll, equal to that which is or shall be authorized to be collected and received for the use of such turnpike road, except in respect of persons going to, or returning from their parish church, or other usual place of worship, and except at toll-gates, or toll-bars, where additional tolls are already authorized and directed to be taken on Sundays, for particular purposes by virtue of any law now in being; and that all the powers and authorities contained in such turnpike acts, for collecting such tolls, and punishing persons who neglect or refuse to pay the same, shall be applied to the additional tolls hereby authorized to be taken as fully and effectually, as if the said powers and authorities had been hereby repeated and re-enacted; which money arising from the tax upon funday tolls, should be paid by the overseer, into the hands of the county clerk and treasurer, and constitute part of the casual and contingent fund herein before mentioned. (See Note, No. 9.)

## APPLICATION of the CASUAL and CONTINGENT FUND.

To enact that the money arising from the forfeitures and penalties, tax upon dogs, and funday tolls before-mentioned, and all other money directed by the act to constitute the casual and contingent fund, shall be applied from time to time under the direction of the county committee, to the following purposes, viz. for the encouragement of the Friendly Societies, and Sunday Schools, in the manner herein-after directed; for erecting buildings for the education and employment of poor children; for erecting hospitals, for the reception and accommodation of the sick, aged, infirm, and impotent poor, who may be proper to be removed from the districts wherein they reside; for contributing with other Counties, to the erection of hospitals, for the reception and accommodation of ideots, lunatics, and insane persons, where they shall be wanted; for paying salaries to the overseers, as herein-mentioned, and for paying the compensation to his majesty for the diminution of the revenue of excise, by reducing the number of ale-houses; (the surplus, if any, to be applied in aid of the poor's rates.)

B

FRIENDLY

( 18 )

### FRIENDLY SOCIETIES.

To enact for the purpose of encouraging sobriety, labour, and industry, that in all cases where friendly clubs or societies, have been established, under such rules, orders, and regulations, as shall be approved by the county committee, after they have been transmitted to them, by the president, master, steward, or other person who shall then be at the head of such club or society, the county committee should have power to order such sum as they shall think proper, not exceeding one shilling per week, to be paid to every poor person who shall have contributed to the fund belonging to the society whereof he is a member, for years or more, so long as such poor person shall from sickness, lameness, or other infirmities, by the rules of the said society, be entitled to a weekly allowance out of the fund or box of such society, over and above the allowance which he shall receive from the said club or society, and shall direct the same to be paid by their treasurer, out of the casual or contingent fund, hereby established.

And to enact as a further encouragement of the said friendly societies, that as soon as any new club or society shall be established, consisting of one hundred members or more, and the rules and orders made for the government of them, shall be transmitted to, and approved and confirmed by the county committee; they may direct their treasurer to pay to the steward of every such society, any sum they may think fit, not exceeding on having security given for the due application thereof, in aid of the benevolent purposes of such society.

That in order to give force and effect to the several rules, orders, and regulations, which have been, and shall be formed and established by any friendly club, or society, after the same shall be approved and confirmed by one of his majesty's judges of assize; powers should be given by the act to the president, master, steward, or other person, who shall be placed at the head of any such club or society, to enforce the payment of any fine, forfeiture or penalty, to be incurred by any person or persons for a breach of any such rules, orders, and regulations, and to recover from the treasurer, or any other person authorized to receive money for the use of such club or society, all sum and sums of money which shall be due from them to the said club or society, by distress and sale of the goods and chattels of the persons so indebted, by virtue of a warrant from a justice of the peace, after the party has been summoned, and the debt duly proved; which summons and warrant the justice should be authorized to grant.

SUNDAY

( 19 )

### SUNDAY SCHOOLS.

To enact, that for instilling principles of religion into the minds of poor children, and for instructing them in their religious and moral duty, in the early part of life, and to encourage the Sunday schools, which have been established under the patronage, and at the expence of many respectable persons, the county committee should procure a collection of such books, as may be fit for those purposes, and the expence to be paid by the county treasurer, out of the money arising from the poor's rates, and that a sufficient number of such books should be placed in the hands of every district agent, and to be sent by him to the patrons of those schools, upon their request in writing, specifying the number they want; and those patrons should distribute them amongst the poor children, in such manner as they shall think fit. (See note, No. 10.)

### CHARITABLE DONATIONS.

The county Committee should, after inspecting the reports made by the district committee, investigate all such matters, respecting the charitable donations, as should appear doubtful or obscure in the returns made, and be enabled to call for such further evidence as may be necessary to explain them; and if there is just cause to suspect any fraud or concealment, they should be empowered to pursue such legal methods, as the law allows, for making such discoveries, punishing the offenders, and enforcing the objects of such donations. And if it shall appear to them that there are any estates in land or money, which had been given to charitable purposes, and the profits or produce of them have been withheld, or have been received, by persons who have not accounted for them, nor have any right to retain them, for their own use, they should direct such prosecutions as may be effectual for recovering the same, and applying them to the uses pointed out, or intended by the donor; the expences of all which prosecutions, and proceedings, should be paid by the county treasurer out of the poor's rates, or the casual and contingent fund, as the county committee shall judge proper. (See Note No. 8.)

### COUNTY CLERK and TREASURER.

The act to direct that the county clerk and treasurer shall pay, and apply all the money he shall receive from the poor rates, and also all the other money arising from the said casual and contingent fund, to such persons, for such purposes, and in such manner as he shall from time to time be directed by the county committee.

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He should also be required to give such security for his duly accounting for the money which shall come to his hands, as the county committee shall direct. He should constantly attend the meetings of the county committee, and lay before them the reports from the district committees. He should also lay before them, a state of the general accounts, shewing what money has been collected and paid, within each district, and what remains in the hands of each district agent.

He should carefully and punctually discharge the several duties laid upon him by the act, and enter and keep in separate books one distinct account of money received and paid, in respect of the poor; and another in respect of the said casual and contingent fund.

He should also make up all his accounts, and lay them before the county committee, at the end of each quarter, and should particularly state to them the sums of money then remaining in his hands, upon each of the said accounts; all which accounts should be fairly transcribed, and laid before the county committee at their quarterly meetings, for their inspection and consideration, and if approved, they should allow them.

#### A L E H O U S E S.

In order to reduce the number of inferior ale-houses, which are for the most part, kept by very mean persons, and are the general sources of idleness, debauchery, and poverty. To enact that from and after the first day of *September*, 1787, no licence shall be granted to any person for keeping an ale-house, inn, or victualling-house, unless it shall appear by a certificate from the commissioners, or some proper officer of the excise, that the person to whom such licence is to be granted, or the person who was licensed to the same house, for the year next preceding, had paid duty for, or sold barrels of ale, at least, for which duty had been paid. And further to enact, that to make up the deficiency which may be occasion'd in the duty of excise, upon ale or beer, by such reduction of the number of ale-houses, there shall be paid to his majesty and his successors, an additional duty of upon every licence to sell ale, which shall be granted in future.

And the county committee should be directed to order a payment to his majesty, and his successors, out of the said county poor rate, and the said casual and contingent fund. at the end of every year, of a further sum, which shall be equal to one part of the duty which was paid within each county, from the houses so to be reduced, in the year ending the 5th day of *July*, 1787.

And

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And for the information of the justices of peace, who are by law to grant the licences for such ale-houses, the proper officer of the excise, should be directed to send a list of the names of all such persons, as appear by the excise books, or from information which the commissioners of excise shall receive, upon a proper requisition for that purpose from the excise officers, within the several divisions in each county, to have paid duty for no more than barrels of ale, or beer, in the year preceeding, (see note No. 11.)

#### S M A L L D E B T S.

It may be proper to make provision in this or a separate act, for the more easy recovery of small debts, and for preventing the evils and distresses which poor persons and their families are subject to on that account. (See Note No. 12.)

#### V A G R A N C Y.

In order to prevent vagrancy, the bill may enact, that no person who has a wife, child, or children, chargeable to any parish or place, shall be permitted to leave them, and go to reside in any other parish or place, at the distance of miles, without first obtaining a certificate, or testimonial in writing, under the hand of the overseer of the poor of the parish or place where he so resides, specifying the causes of his departure from such parish or place, and the name of the parish or place to which he intends going, the rout or course he means to take, and also the time when he purposes to return to his family, which testimonial should be allowed by the district agent, by writing indorsed thereupon, and signed by him, before it shall have any effect.

Also to enact, that if any person shall depart from his wife or family, who are chargeable to the parish, without first obtaining such testimonial, or if any such person able to work and maintain his family, shall not work to the extent of his ability, but live in a habit of idleness, or spend the money he earns in ale-houses, or places of bad repute, and suffer his wife, child, or children, to be chargeable to the parish or place where they are settled or reside, he should, upon complaint made to a justice of peace, if the facts above alledged are proved, be committed to the house of correction, and there kept to hard labour three months for the first offence, six months under close confinement for the second offence, and for the third offence, he should (if able to serve his majesty as a soldier) be compelled to serve as a soldier in some garrison or place beyond the seas, for five years; and if not able to serve his majesty in that capacity, he should be confined a close prisoner, in such house of correction, and kept to hard labour for 12 months, and afterwards should continue so confined and employed,

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employed, for any further time which the justices in their quarter sessions shall think fit, not exceeding 12 months.

To enact that if the overseer of the poor, or any constable, headborough, watchman, beadle, or other peace officer shall see any person begging, or asking alms, or charity from door to door, or in any street or highway, he should be required by the act to apprehend and convey him immediately to some justice of peace, who should on proof of the fact, commit every such person to the house of correction, there to be kept to hard labour, if able to work, for any time not exceeding three calendar months; and if any person who is not a peace officer, shall see any such person in the situation before described, he should be empowered to apprehend and deliver him into the hands of some constable, or other peace officer, who should be required to take him before a magistrate, and the person who apprehended him should attend as a witness, and the justice on proof of the complaint, should proceed in the manner before directed.

To enact that privy searches should be made by the constable, and other peace officers, whenever directed by warrant from a justice of peace; who shall have received information of rogues, vagabonds, or idle and disorderly persons, being in any place within his jurisdiction; and that all persons who shall be found on such searches, who do not give a good account of themselves, but shall appear to be idle and disorderly persons, should be apprehended and taken before a justice of peace, and if he sees just cause, he may commit them to the house of correction, to be employed in hard labour, untill the next quarter sessions, when the court may continue them confined to hard labour for a further time, not exceeding three months; and at the end of their confinement, order them to be conveyed from district to district, to the place where they were last settled.

And the bill should enact, that every person who shall receive, or harbour in his house, barn, or other Out-buildings, any person or persons of the description aforesaid, for a longer time than      hours, unless detained by sickness, or upon some lawful business, or occasion, shall forfeit a sum not more than 40s. nor less than 20s. at the discretion of the justice of peace by whom he shall be convicted.

B U R G L A R Y, F E L O N Y,

And H U E and C R Y.

The bill should also enact that whenever a burglary or felony shall have been committed, notice thereof shall be immediately given to the constable, or other peace officer of the parish or place where the offence was committed, who should be required forthwith to apprehend

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hend the offender, or to cause search to be made for him immediately, from parish to parish within the district; and if not found, to get a description of his person, and to cause the same to be printed, with his crime, and pursue him by hue and cry from district to district, till he shall be apprehended; in which hue and cry every district agent, overseer, constable, and peace officer, should be required to give his best assistance. That when taken, he should be prosecuted by the agent of the district, wherein the offence was committed, and the expences charged to the county treasurer, and paid by him out of the said casual and contingent fund. That if the offender should not be apprehended within three months from the time the offence was committed, the inhabitants of such parish or place should incur a forfeiture of 5l. (if it was a capital offence, and 2l. 10s. if an inferior offence) to be recovered by the overseer of the poor, and paid into the hands of the county treasurer, for the benefit of the said casual and contingent fund; and if not paid, to be levied by distress and sale, upon the goods and chattles of any one or more of the occupiers of lands and tenements within such parish and place, and the rest of the occupiers should be compelled to contribute thereto, in the proportions they are to contribute to the poor's rates, by virtue of this act. (see note No. 13.)

That if any person shall be found begging in the manner hereinbefore described, within any parish or place, and shall not be apprehended and prosecuted in the manner herein before directed, the inhabitants of such parish and place shall incur a forfeiture of 40s. for every such neglect, to be recovered, paid and applied in the manner and for the purposes before mention'd, respecting felons.

That the like method of hue and cry should be pursued for discovering and apprehending all persons who run away from their wives or children, and leave them chargeable to the parish or place where they were settled or resided, in case two justices of the peace before whom, information and complaint, shall be made of the offence, shall, upon considering the same, and the character and circumstances of the person so offending, think fit to order and direct such hue and cry to be made.

To enact, That the justices of peace shall have power to summon any person who makes default in payment of any of the rates and assessments authorised to be raised by virtue of the act, and if they do not shew good cause for their refusal, to levy the same upon their goods and chattels by warrant of distress and sale, and that any inhabitant of the county should be a competent witness, notwithstanding his contribution to the rates. — And that there shall be a power of appeal to the quarter sessions, as to any inequality in the assessment.

That

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That the justices shall also have power by the like means to enforce the payment of any forfeiture or penalty incurred by virtue of this act.

That in order to have the provisions of this act duly attended to, and enforced, returns of the money raised and expended within each county and district, should be made quarterly, by the direction, and under the inspection of the several district, and county committees, at a certain time in every year, to the clerk of the parliaments, in such method and order as shall be expressed in the schedule annexed to the act; that the same may be digested and printed, for the information of the members of both houses of parliament.

Powers should be inserted for the district committees to bind out poor children apprentice; to trade or husbandry, and to take proper covenants from the masters for their care and instruction; also to allow those bound to trades something towards putting them into business, when their time expires, if their behaviour deserves it. Also powers for the governors of work-houses, and other officers appointed under this act, to set up any trade, for employing the poor people by the direction of the committee.

The several powers and directions given [by 43. Eliz. c. 2, by 7 Jam. I. c. 3, by 3 Ann. c. 6, by 4 ann. c. 19, by 8 Ann. c. 9, by 20 G. 2, c. 19, concerning apprentices, and by the 7 sec. of 43 Eliz. for obliging parents and children to relieve each other. By the 5 G. 1, c. 8, to overseers, for receiving the rents and profits of estates, and to seize the goods of persons who run away, leaving their wife, child, or children, chargeable to the parish. By 43 Eliz. c. 2, sec. 3, to justices to rate other parishes, within the hundred, in aid of any parish much burdened with poor, and for obliging the overseers to account for such money. By the 43 Eliz. c. 2, f. 5, for authorising the overseers, with the consent of the lords of manors, to build habitations for poor people, on the wastes or commons. By 9 Geo. I, c. 7, for authorising overseers to hire houses, to employ and lodge poor persons in. By the 18 Eliz. c. 3. 3 Car. I. c. 5, 12. 13. Car. II. c. 12. f. 19. 7 James I. c. 4. 6 Geo. II. c. 31, respecting provisions for bastard children, and the punishment of their parents. By the 17 Geo. II. c. 5, concerning women delivered of children in places they do not belong to. By the 17 Geo. II. c. 37, concerning the lands liable to be rated to the poor, and for publishing the poor's rates in the church, after they shall be made and allowed. By the 17 Geo. II. c. 38, and 43 Eliz. c. 2, f. 2, concerning poor's rates, and the overseers accounts. By the 43 Eliz. c. 2, 17 Geo. 2, c. 18, and 38. the 8. 9. Wil. III. c. 30. the 17th Geo. II. c. 38, respecting the making assessments, and appeals thereto, and the levying the money by the overseers, and also the levying of fines, penalties,

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ties, and forfeitures; by the 9 G. 1. c. 7. the 16 G. II. c. 18, the 26 Geo. II. c. 27, concerning the powers of justices of peace, in executing the said laws; by the 8. and 9. W. III. concerning the wearing of badges; and by the 17 Geo. II. c. concerning rogues, vagabonds, and other idle and disorderly persons, (commonly called the vagrant act] by the 23 Geo. III. for the better relief and employment of the poor, should be duly examined and considered, the substance of such parts of them as may be found necessary to promote the purposes of this bill, and which are not already included in its provisions, should be formed into a separate bill, and the whole of those acts repealed by such new act, in order to prevent trouble and confusion hereafter.

Besides the repeal of the acts above-mentioned, there may also be repealed, as becoming useless and unnecessary, in consequence of the regulations here made, the several acts following, viz. 3. and 4. of W. and M. c. 11. 13. and 14 of Car. II. c. 12. 3 of Ja. II. c. 13. 9 of Geo. I. c. 7. 8. 9 of W. III. c. 30. 9 and 10 of W. III. c. 11. 12 of Ann. c. 18. and 3 of Geo. II. c. 29, concerning the relief, settlements, and removal of poor persons.



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## NOTES referred to in the BILL.

## Note. No. 1.

THE success of this plan depends in a great measure, upon the appointment of the commissioners and their exertions in the discharge of their duty. The necessity of districts appears evident; (parochial divisions, being in general too small, for the proper care and employment of the poor)—and if parishes are left to form connexions with each other, at their own discretion, it is not likely to be done. The act of 23 Geo. III. which was made for that purpose, having been in very few instances enforced.

If this Bill should meet with that countenance and attention, which the importance of it requires; the members for the several counties, will, without doubt, before the time it shall be in the committee, make it their business, to collect from the most diligent enquiries, the names of such gentlemen as are best qualified for, and are willing to undertake the duty of commissioners, and propose their names in the committee, who will insert them for each county, if approved, within the blanks which will be left for that purpose.

Those who undertake, and execute with fidelity, this honorable trust, (which cannot employ them for many months) will merit the esteem of the public; and it is not doubted, but it will be cheerfully accepted by a sufficient number of gentlemen, who shall be qualified for it; but in case the members for any county, &c. should not propose the names of seven persons properly qualified, who had consented to the nomination, provision may be made in the act, for any other member present in the committee, who has 300l. a year estate within the county, riding, &c. to propose any gentleman duly qualified, who shall have consented to act if appointed.

## No. 2. Page 5.

It is apprehended the commissioners (who will be persons most respectable in character and fortune, and elected from different parts of the county) whilst they are making the necessary enquiries for forming the districts, will very easily collect such information as may enable them to judge what will be a proper salary for each district agent; and also what will be a proper qualification, for the committee men in each district, and also for those who are to elect them, as these qualifications may be necessary to be varied according to the circumstances and situation of the several districts; and likewise what will be the

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the most convenient time and place for taking the first ballot for the district committee.

The subsequent annual ballot will be taken at a certain time and place, in the manner directed by the act

In the cities of London and Westminster, and other great towns, where there are very large parishes, not incorporated by act of parliament, the commissioners should have power to make such parishes separate districts, or unite them with others for that purpose; as the provisions of the act will be found to operate very conveniently in all such cases; and the district agent will be in the same situation as a vestry clerk now is, within many cities and towns.

## No. 3. p. 6.

There are many things to be inserted in the appendix, which cannot be ready to accompany this, but will be prepared hereafter.

## No. 4. p. 7.

It is apprehended conveniencies will be found within some of the parishes in each district, probably with little alterations, for receiving and employing such poor persons as may be necessary to be sent to them, or if not, buildings may be hired for a short time till more suitable and convenient workhouses can be provided.

## No. 5. Page 10.

It may be proper to have a table fixed up in every committee room, and delivered to every overseer, shewing the quantum, that each district and also each parish and place, will be obliged to contribute to any given sum, to be raised by the whole county, in proportion to the medium of the three years expences of the poor, when settled and adjusted for the same county, in the manner directed by the Bill.

## No. 6. p. 15.

It may be proper for the county committee at their meeting, when they have considered the reports from the district committees, respecting the instruction and education of poor children, to limit the number of those who are to be admitted from each district, for the purpose of receiving a different education; and in regard to the buildings, they should be brought within the limits prescribed by the act, respecting the application of the poor's rates.

## No. 7.

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No. 7. p. 12 and 16.

These allowances to the overseer, for collecting the forfeitures, penalties, and taxes, will, it is apprehended, be a sufficient inducement to an active sensible man, to undertake that office, which is of very great importance in the execution of the purposes of the act; but if in any such parishes or places they should not be thought sufficient, those who elect him are empowered to make a further allowance, at the time he is elected.

No. 8. p. 19

If in the course of the enquiries about the charities, it shall appear, that any lands, or money, have been vested in trustees, for the benefit and support of charities, which from any accident, or particular circumstances, are not capable of taking effect; it may be proper for the legislature to receive information about them, and to direct the application thereof, to such charitable objects, as may be thought most beneficial to the community, and not suffer trustees, whose names were only used for the purposes of receiving and distributing them, to retain or apply them to their own use.

No. 9. p. 17.

This tax upon dogs, and the Sunday tolls will operate with a double aspect; at the same time correcting abuses, and affording a revenue to be applied for the most salutary purposes, which will recommend them very much to the public, and it is hoped meet with the approbation and countenance of the legislature.

No. 10. p. 19,

The masters and mistresses who are to instruct the poor children, are at present paid by patrons and benefactors, and it seems proper that it should be so continued, as they will by that means have more influence over such instructors, and be better enabled to keep them to a proper discharge of their duty; therefore the encouragement from the county committee is only applied to Books.

No. 11, p. 20.

This Regulation respecting alehouses it is apprehended may be made with very little trouble, and is essentially necessary as a foundation to the reform proposed by the act.—It will be the means of suppressing many disorderly Houses, and thereby preventing much mischief.—Those also who obtain Licences, will have their conduct strictly inspected, as it will be the duty of the overseers to prosecute and enforce

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enforce the penalties of the recognizances against all persons, who keep disorderly houses.

But if considerable difficulties and inconveniences should be likely to attend that mode, for procuring a reduction of the number of ale-houses, the following is submitted to consideration, viz. That the justices of peace in every county, should be directed at their next midsummer quarter sessions, to appoint two or three justices in every hundred and division, to view the several ale-houses within their respective districts, and the condition, situations and circumstances, in which each house, and also the occupier thereof appears; and to hear complaints of disorders committed at such houses, if any; and report the whole to an adjourned session of the justices, to be holden in the month of august; at which session the court should determine what houses are fit to be licenced again, and give directions accordingly. And the act may direct, that no house shall be licenced for the year ensuing, but those which shall be approved and directed to be licenced, at the said adjourned session.

N. B. If it should be thought proper to lay a considerable additional duty upon licences, to be granted in future, there will probably be no occasion for making up the deficiency in the duty to his majesty, out of the county poor's rates, and the casual and contingent fund.

No. 12. p. 21.

As poor people are very much harrassed and distressed by the methods now taken for the recovery of small debts, in the county, and other inferior courts, it seems worthy the consideration of the legislature, when they are forming a plan for the relief and protection of poor people, to provide some means, if possible, for redressing those grievances which contribute much to the ruin of many poor families.

This may be better understood by referring to a recent instance, amongst the many, which are notorious in every part of the country.

A poor labourer owing 1s. 6d. for Shop Goods, was served with a summons to appear at the hundred court, and in the margin of the summons was printed as under.

	s.	d.
Warrant to sue	1	0
Entering action, summons, service, and fee	3	4
Withdrawing and fee	2	6
Costs	6	10

By

By which proceeding, this poor man was charg'd with a sum above four times the amount of the debt, at the instant he had notice of any action being commenced against him, which he must either submit to, however unjust the demand might be, or suffer his goods to be distrain'd, &c. &c. and hazard a much greater expence by the least delay. If therefore a general act could be obtained, for the easy and speedy recovery of small debts under 40s. in a summary way, at a moderate expence, by summons and hearing before a justice of peace, in the manner servants, labourers, &c. are allowed to recover their demands against those who employ them, by virtue of the Statute of 20 Geo. II. and those inferior courts could be abolished, these poor people would be rescued from the oppression of a set of bailiffs, and low miscreants, who practice in them, and every just debt might be speedily recovered.

No. 13. p. 23.

It is hoped by virtue of the late acts, all the houses of correction in the kingdom, will be put under such regulations, as will make that punishment inflicted by hard labour and confinement there, effectual to reform the offender, and prevent a repetition of the offence, and that the hue and cry will be the means under the several regulations of this act, of discovering and detecting all atrocious offenders against the law.

It will be necessary to have a schedule annexed, by way of appendix, which shall contain rules, orders, and regulations, for the government of the officers and persons who shall be admitted into the work-houses, hospitals, and seminaries, to be erected under the authority of the act; and for regulating their diet, and accommodating them with proper medical assistance, when it shall be necessary; and for the due observance of religious duties therein; for providing, with due care and attention, proper governors, masters, and matrons; for buying materials, and making contracts for all buildings to be erected; and also for buying cloathing, victuals, &c. all which rules, orders, and regulations, should be digested and settled, upon the best and most economical plan which can be formed and adopted for that purpose; after inspecting and considering those rules, &c. which have been already settled and approved, in the best regulated hospitals, and works of that kind.

These may be collected whilst the bill is depending in the house of commons, before it goes into the committee.

## GENERAL OBSERVATIONS.

HAVING been entreated by many gentlemen, who felt the pressure, and saw the rapid increase of the poor's rates, in divers parts of the kingdom, to bring forward some plan which might draw the attention of the legislature, to that most important subject, I suggested some short heads of a very general one, and sent it to the members, many of whom seemed to approve of the idea; but wished to see it more enlarged and explained; and others were kind enough to inform me of the objections, which they saw to several parts of it; *That induced* me to state all the objections I had heard, with such answers as occur'd to me, in a short pamphlet, which I also circulated amongst the members, in the course of the last session; and had the satisfaction of receiving from many, strong expressions of their approbation, with a desire to see the subject further digested, enlarged, and brought more into the form of a bill.

Willing to comply with that request at my first leisure, I took an opportunity of retiring from all other business, for the space of two months in the last summer, when I gave the subject a most serious investigation, and reduced it under heads, in such manner, that a bill might, with very little trouble, be framed upon it, if the matter and method should be approved.

I procured it to be printed, and circulated a few copies, with a view of collecting the sentiments of gentlemen upon it, who I knew were very conversant with the subject, and I entreated some particular friends to favor me with every objection against it, which they saw or could learn from others, with whom they had opportunities of conversing; that I might consider and correct them before I gave it a more general circulation.

This has fully answer'd my expectations and wishes, as I have been favor'd by letters from several gentlemen, in the most open and candid terms, with a great number of objections, some going to the whole plan, considering it as impracticable from the difficulty of finding gentlemen, who will give their attention to the execution of it; others pointing out objections to particular parts of it. The most material of those I have endeavoured to obviate, by alterations and amendments, introduced in this new print. The general objections I will here state candidly, and offer for the consideration of those to whom this is address'd, such answers and observations as occur to me upon them.

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## O B J E C T I O N S.

That this plan militates with a practice for relieving the poor, which has continued since the 43 Eliz. being almost two centuries.

That the evils complained of do not arise from a defect in the laws, but in the execution of them.

That the experiment proposed by this plan is hazardous, and that it will be difficult, if not impracticable, to get gentlemen, who have so many other avocations in the country to attend the execution of it.

## A N S W E R S.

This plan is not repugnant to, but corroborates and supports the great principles, adopted and established by the act of the 43d of Elizabeth, viz.

The sustaining and supporting aged, infirm, and impotent poor, who are not able to work; the employing and compelling to work those who are so, and the obliging inhabitants of other parishes within the hundred, or even within the county, to contribute to the relief of the poor of any particular parish in which they shall be found, too heavy for the inhabitants thereof to maintain.

I apprehend, the evil which this country groans under at present, from the excessive poor rates, arises, partly from a defect in the laws, and partly from a defect in the execution of them; I have endeavoured by this plan, which has been formed with the utmost deliberation to remedy both.

That law of Queen Elizabeth was wisely framed, and well adapted to the circumstances and situation of the country, when it was made; but the increase of population; of manufactures; and of wealth; which it has happily experienced since that time, has occasioned a very essential difference, with respect to the number of the poor, their employment, and the expences of their maintenance.

As they were then few, they were easily governed; and an overseer was very equal to the care of a parish.

But as their numbers increased, they grew more refractory, and by gradual advances in idleness and profligacy, during the course of the last century, have arrived at a pitch far beyond the power of any overseer, though possessed of abilities infinitely superior to the generality

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ality of that class of men, to controul; they frequently insult, and too often awe, and intimidate him to a compliance with their unreasonable demands. If he happens to have courage enough to resist them; then the magistrate is applied to, who frequently denies the application; but many are induced to yield to it, in order to get rid of their importunities; and the poor rates are, by these means increased to the pitch we now see them.

I have been describing the situation and behaviour of the more obstinate and clamorous part of the poor, who too often obtain, and eat that bread, which the more necessitous ought to have; who (through modesty) struggle with many hardships, rather than suffer their wants to be known. Hence it will appear, that the overseer, even with the assistance and support of the magistrate, who frequently lives at a considerable distance, is not able to keep the present numerous poor, under due regulation.

This shews the necessity of some alteration in the present system; what that should be is the great question. THE ONLY expedient which has occur'd to me, upon the most deliberate consideration, is the forming larger Districts, for the government and employment of them, wherein proper work-houses may be provided, and due regulations introduced and observed. VERY FEW of the country parishes can afford the expences of the necessary buildings, and of proper persons for employing and regulating the poor; by which means the attempt to introduce these work-houses has failed in many places; as it was found to have increased rather than diminished the expences; which must always be the case, where the parish is not of magnitude sufficient to bear those necessary charges. To that misfortune may be added another. IN MANY country parishes, they want persons conversant in business, and of ability to assist in the management of their parochial concerns. All those obstacles and disadvantages will be removed, when those parishes become connected with others, where gentlemen of that description will be found to assist, and take a zealous part in the arduous work, upon the principle of mutual benefit, without jealousy or a selfish view to any particular parish or place. Which ideas will be entirely excluded under the plan here suggested, for connecting a number of parishes in one common interest. They will be so conducted under the medium rate of the last three years, according to the returns lately made to parliament, when duly considered and settled, that each will bear its own burthen, and participate of the relief which shall be obtained under this new regulation, according to the proportions of those three years expences.

As to the difficulties attending the execution of the plan; it has been my study to form it in such a manner, as shall be effectual to the

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purpose, and give as little trouble as possible, to those who are to execute it; and I have pointed out for that purpose, such persons as appear to me most proper for the trust; and a mode of electing them, which I thought would be most agreeable to the country in general.

A burthen must fall somewhere, and it seems to me that it ought to fall upon those who will be most benefitted by the new regulations.

The committees are to be elected by, and to consist of persons of property, and however prone the general dispositions of men are, to gratify themselves in pleasurable amusements, yet I have always observed, that interest will in most cases have some influence upon their actions. It is for the preservation and support of their own property, that they will be here called upon to act, abstracted from the considerations of public good; and the care and support of a class of people who are for the most part labouring under the greatest hardships and distresses. I cannot therefore imagine, that such gentlemen will withdraw themselves from, or abandon a trust, of so much consequence to this country and themselves, were the trouble infinitely greater than it is to be; for the district committee are only to meet four times in a year, and to be attended and assisted by an able and experienced man of their own choosing, who is to be allowed a salary in proportion to his trouble; and the county committee are only to meet four times in a year; and will be assisted by the reports and observations of the district committee, and their own clerk, whom they are likewise to choose, and who is to be allowed a salary adequate to his trouble.

It has been also objected, that there will be great trouble in the ballots, and that the frequency of them may be attended with inconveniences. I have studied to make these as practicable as possible, and do not foresee any difficulties which will not be easily surmounted, if there is a general good disposition to the plan; which I flatter myself will be the case, when it has been maturely considered, corrected, and amended, in the course of its progress, thro' both houses of parliament.

In some cases, perhaps a ballot may be avoided, if the gentlemen assembled, at the time and place appointed for it, should be disposed for an accommodation, and agree to nominate three, or five persons then present, and those three or five persons, should within a limited time, (suppose half an hour or an hour) concur in making out a list of the number of persons required by the act, duly qualified to constitute the committee, and by that means prevent the trouble and delay which would be occasioned by a ballot; but if the list should not be agreed to and made out within the time limited, the ballot should proceed.

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As to its being hazardous; a repeal of the present laws, without substituting others in their place, would certainly be extremely impolitic, and might make too great a convulsion in the state; but to repeal old laws, which are found inconvenient, and productive of mischiefs, that threaten the ruin, and must in time, if continued, be the overthrow of this country, seems to be the height of prudence.

Before that is done, it will be necessary to see clearly, that the new plan proposed to be adopted, is practicable, and grounded upon principles which will cure the defects in the old laws, and put the new regulations into a channel beyond the reach of any persons, who might be disposed to pervert and defeat their salutary purposes.

It should also be shewn, that it is eligible and likely to meet with a very general concurrence. If his majesty's ministers shall be pleased to favour the proposal for the tax upon dogs, the Sunday tolls, and the application of the forfeitures and penalties, it will ensure it a very favourable reception with the people, and be very likely to overcome the prejudices, which old customs and long usage may have established amongst those who seldom give themselves the trouble of tracing things to their origin, and of comparing the causes with their effects.

I have the highest veneration and respect for the character and honourable station of a justice of peace, whose duty it is to execute and enforce the laws of his country, without fee or reward; but if there should happen to be any one, who in executing the powers committed to him by the poor laws, should, from mistaken motives of humanity or generosity, to the object who may appear before him, make orders for maintenance with too liberal a hand, before he has duly considered the circumstances and situation of the pauper, and of those persons, upon whom the burthen is to fall, (it frequently happening that some persons are oblig'd to contribute to that relief whose necessities are equal, if not superior to those of the pauper who obtains it;) I would not have the poor neglected by any means; but I think in such a case, the magistrate would do no real service to the person whom he so relieves, as it would most probably encourage, or confirm him in a habit of idleness, (few of those people being disposed to turn their hands to labour; whilst they and their families can obtain such weekly relief) but it would be doing a very unfriendly office to the parish, which shall happen to be the object of such order.

Hence arises, in the opinion of many, one great source of the enormous increase of the poor rates, which it is hoped will be prevented in future, by the new regulations proposed, as it will be a most essential part of the duty of those to whom the powers are entrusted minutely to enquire into, and to discover the real circumstances and situation of every pauper, who is to subsist upon parish relief, before it is granted.



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