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Impartial EXAMINATION  
OF A  
P A M P H L E T,  
INTITLED,  
*Considerations on several Proposals lately  
made for the better Maintenance of the Poor :*  
WITH  
Some Serious and Occasional  
ANIMADVERSIONS  
ON THIS  
Important SUBJECT.

To which are annexed,  
COPIES, of the *Considerations ;*  
And of another PAMPHLET, intitled,  
REMARKS *on the Laws relating to the Poor.*

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*Magna est Veritas, et prævalebit.*

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L O N D O N :  
Printed in the YEAR M D C C L I I.



## P R E F A C E.


*Having often and carefully read over a Pamphlet, intituled, Considerations on several Proposals lately made for the better Maintenance of the Poor; I have not been able at all to determine, whether the Author has been serious in his Performance, or only intended to amuse and mislead the Reader. Could any one imagine, when in his Second Page he compliments the supposed Author of the Remarks on the Laws relating to the Poor; that at the same time he was attacking and undermining that whole Piece? professing the Performance to be valuable; and yet straining several particular Expressions, and wresting them to a Sense, they are incapable of bearing? This unfair Method tends necessarily to the Abuse*

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and Prejudicing of every one, that is unacquainted with the Remarks; and even of many, who, having but cursorily perused them, cannot see how much they are imposed upon by his Misrepresentations. The Author, if he had had any Desire of appearing candid, ought particularly to have pointed out, in his First Page, whom he there means by some few Writers. But this Proceeding would have laid him under a Necessity of answering and disproving what the REMARKER has (a) advanced in Support of his Proposition; namely, that the Laws relating to the Poor, are so defective, as to prevent the desirable End for which they were ordained. This, probably from a Consciousness of his Inability to effect it, he has very artfully evaded.

In order to rescue that (b) GOOD MAN (the Author of the Remarks) from this ill Usage, the Whole of that Pamphlet, except a few Pages, is here reprinted; the Reason for omitting of which may be seen in the Copy. Not that I would be understood to approve of every Part of his Schemes; so far from

(a) See the Remarks, from Page 7 to 14.

(b) See Foster's Characters of a Righteous and a Good Man, Vol. I. p. 25.

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it, I shall venture to differ from him in some Particulars; and assign the Reasons for that Difference.

And the EXAMINER thinks it not improper, in this Place, to declare, that though he is at no Loss to guess at the Author, he is an entire Stranger to his Person; and that what demands his Approbation and Esteem, is the disinterested Regard to the Publick, and the tender and benevolent Disposition towards the Poor, which discovers itself in his unwearied and repeated Endeavours to promote their Relief and Employ.

As the CONSIDERER is vague and loose, and in many Places unintelligible and inconsistent; it was likewise necessary to annex a Copy at large of that Pamphlet; so that the impartial Reader may the better judge of his Performance, and these Observations.

What Inducements this Writer has had to treat this important Subject in so unbecoming a manner, is hard to conclude. We will not pronounce it to have proceeded from private Friendship; it surely could not arise from the Love of his Country. Perhaps he is of that kind of Disputants, mentioned by Dean Swift, whose whole Delight,

*like that of a true Sportsman, is in the Pursuit; and he no more cares for the Truth, than the other for the Hare.*

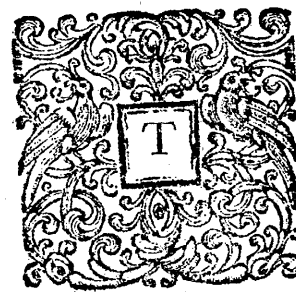
*It is hoped the Reader will excuse my having omitted to take any Notice of some few Paragraphs in that Pamphlet, and having enlarged no more upon some others; when he reflects, that, in order to have them seasonable and serviceable, but a very short time could be allowed for throwing together these few Thoughts; and when he is likewise informed, that the Author is at the same time, and has been very much of late, confined by a severe Fit of Illness.*



A N



A N I M P A R T I A L  
E X A M I N A T I O N, &c.



THE Author of the *Considerations, &c.* in his Preface, seems to agree with the Generality, in allowing the Justness of the Complaint, that  
“ the Expences in maintaining  
“ the Poor are great: That the  
“ Money raised for that Purpose  
“ is ill managed: That the Poor are, in many  
“ Places, still badly provided for; and the Publick  
“ deprived of the inestimable Value of their Labour.”  
He also observes, “ there is now a greater Degree  
“ of true Publick Spirit happily rising among us,  
“ and more Attention paid, than formerly, to Mat-  
“ ters upon which the real Welfare of the Nation  
“ depends.” Yet, for all this, he applies all his  
Wit and Cunning to obstruct the Success of that  
Spirit, he so highly commends. This will be suffi-  
ciently proved in its proper Place. He then would  
endeavour to spirit up the Landed Gentlemen  
more diligently to turn their Thoughts towards a  
right

right Employment of the Poor, and to give a little of their Time to such Matters; it being for their Interest as much as for their Honour, heartily to engage in the good Government of the People; as well to see that the Poor are rightly employed, and well provided for, as to rescue themselves from the *Dutch* Reproach, That a Gentleman and an Idleman are synonymous Terms. And further, to enforce this, he ascribes to the Neglect of this Duty, the great Cause of the Evil complained of. "For (says he) "if the whole Care of the Poor be put upon Persons, who have neither Time, Capacity, Authority, nor (as to many of them) sufficient Integrity, for the Purpose; you may make what Laws you will, they will never answer the End."

From this pompous Preparation we are led to expect something more important and effectual, than what the Author here descends to: It might be expected, that the Labour of the Poor should be no longer lost, and they better maintained; but, alas! he contents himself with only saying, "Must Gentlemen then be Overseers of the Poor, and Parish-Officers? No, says he, they must interest themselves in the appointing proper Officers; in the inspecting their Behaviour, and their Accounts; and in enjoining and enabling them to set up Workhouses." As to the appointing proper Officers, and inspecting their Accounts, it is to be presumed that most Gentlemen, who reside in the Country, already engage themselves so far: And those who do not, there is little Reason to suppose they will exert themselves more hereafter (notwithstanding all he has said) than they have hitherto done. As to the other Part of his Proposal, which relates to the Erecting of Workhouses, and the

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Employment of the Poor; under the present Parochial Limitations, the End proposed cannot be answered, because in many Parishes the Proposal cannot be carried into Execution: As is fully explained by the Resolutions of the House of Commons, the 13th of *June* last; where it is declared to be the Opinion of that Honourable House (c), "That many Parishes are too small separately to raise a Stock, sufficient wherewith to employ the Poor, to any Advantage."

As to his Assertions, that "the great Cause of the Evil complained of, has been wrongfully ascribed to a Defect in the Laws; and that make what Laws you will, they will never answer the End, if the whole Care of the Poor be put upon Persons, who have neither Time, Capacity, Authority, nor (as to many of them) sufficient Integrity, for the Purpose;" this is, in truth, the grand Question under Consideration: It is proper therefore to examine the Premises themselves, before the Justness of his Conclusion drawn from them can be admitted; and we shall see, that the Complaints have been *justly* ascribed to a Defect in the Laws; and that Laws may be enacted which *will* answer the End. Nay, the Author seems to own the Force of this Argument, as is evident from his own Words. "It may be presumed (says he) from the present Spirit of Benevolence and Charity among the People of *Britain*, that mere Indolence among the Men of Fortune is not the chief Cause that counteracts their natural Humanity, and prevents their engaging in the good Work proposed. May it not rather (he asks) be ascribed to their thinking it would be to no purpose for them to act, and that it is out of their

(c) See *Considerations*, &c. page 26.

" Power

“ Power to do any Good under the present Laws,  
“ which are said not only to be ill executed, but  
“ wrong in their Foundation, and not capable of  
“ being put into serviceable Practice ?”

Before we take Leave of his Preface, it may not be amiss to observe, That in the last Paragraph, the Author acquaints us, “ the Business of his following Papers is to shew, that the Laws now subsisting relating to the Poor, are fundamentally good; and, with such small Improvements and Alterations, as the Change of Times and Circumstances makes necessary, will effectually answer the excellent Purposes designed; provided that Persons of Rank and Substance will give some Countenance and Authority towards their Support.” Now it is not possible to find out, upon the most careful Examination, how or where the Author has performed his Engagements; or, where he has suggested those necessary Alterations, which the Change of Times and Circumstances requires; or, indeed, how Persons of Rank and Substance are to be obliged to give Countenance and Authority towards the Support of the Laws.

Nor must it be omitted, that, notwithstanding his Objections to the Hands on whom the Care of the Poor at present rests, and his Complaint that the Publick are deprived of the inestimable Value of their Labour; it no-where, appears that he has proposed any rational Scheme for the Remediating of either.

Having thus examined the Preface, we now proceed to take a View of the Book itself.

The CONSIDERER, at his first setting out, having mentioned the 43d of Queen Elizabeth, and distinguished it in *Italicks*, as a Statute for maintaining

*taining and employing the Poor*; lest the Reader should thereby be led into an Opinion, that this is the real Title of the Act, we are called upon to inform him, that the 43d of Queen Elizabeth is intitled, *An Act for the Relief of the Poor*. Whether this Mistake of the Author was owing to Ignorance or Intention, we leave others to judge.

Instead of proceeding to the Proof of his Proposition, That *the Laws in being are fundamentally good, &c.* the CONSIDERER flies off to the Attack of the *Remarks, &c.* (though he has not been so generous as to confess it) in which the Author having lamented the ill Success of a Bill for the better Relief of the Poor, by voluntary Charities, which passed the House of Commons in 1747. he says, (d) “ He is almost convinced, that, if all the present Laws relating to the Poor were abolished, and a Law were to subsist for the Relief of the Poor by voluntary Charities, it would be an adequate Provision; and that, in no long Space of Time, a Rate for the Poor would be as unnecessary as it was before the Reformation.”

Now we appeal to the Reader, to determine whether, from the Passage here quoted, the CONSIDERER had sufficient Reasons for so positive an Assertion, as that (e) *some few Writers have been so much offended at the Laws in being, that they have expressed a Desire to have them all abolished, and the Poor left to random Charity.* For surely it is one thing to declare an Opinion, and another to express a Desire. And, besides, the Bill proposed was to be regarded only as an Aid to the established Laws; as it did not meddle with any Law now in being, nor

(d) See Preface to the *Remarks*, page viii.

(e) See *Considerations*, page 1.

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make the least Alteration in any one Thing at present established (f).

And on this false Bottom he builds the several succeeding Paragraphs ; but, having destroyed the Foundation, the Superstructure falls of Course.

He (g) then proceeds to what is entirely foreign to the Purpose ; because, as our Expectations are built on the Resolutions of June 1751. we should wait to see what Laws may be proposed in consequence of those Resolutions : We have no Authority to conclude, that what is recommended by Judge Hale, Sir Josiab Child, or any others, is to be the Result of the Resolutions of 1751. ; and it had been time enough to have objected, when such Bills had been brought in. Whereas, to anticipate the Determination of the Legislature is a Liberty, one would imagine, not very safe ; at least it is a Behaviour not very decent.

(b) After this, how absurd is he in his Notions, and false in his Assertions, when he would lead us into an Opinion, that a greater Likelihood of the parochial Institution's succeeding, may be made appear even from the Reason of Things ! How absurd, I say, as well as false, is he, when the long Experience of so many Years has indisputably evinced the contrary ! If the present Establishment is so sufficient, why has it hitherto failed of Success ? From Means so effectual, why is not the End obtained ? If the Provision is so competent, why are the Poor still destitute both of Maintenance and Employ ? The Cause remaining, will the Effects be altered ? And, the Laws continuing the same, how

(f) See Preface to the Remarks, page viii.  
(g) See Considerations, page 2.  
(b) Ibid.

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can we expect the Benefits will be greater ? The Reasonableness of which Reflections is so obvious, that they did not escape the Notice even of the CONSIDERER.

And they likewise coincide with the Sentiments of Sir Josiab Child ; whose Arguments it would have been more incumbent on the CONSIDERER to have confuted, and have removed the Objections raised by that Author to the Laws in being, ere he had attempted to oppose and condemn any subsequent Scheme.

The valuable Discourse of Sir Josiab Child is now before me ; and his manner of treating this Subject is so masterly, and so very apposite to the present Case, that I need make no Apology for transcribing from it a Page or Two.

(i) " How comes it to pass (he asks) that in " England we do not, nor ever did, comfortably " maintain and employ our Poor ?

" The common Answers to this Question (he " says) are Two.

" 1. That our Laws to this Purpose are as good " as any in the World ; but we fail in the Execution.

" 2. That formerly, in the Days of our pious " Ancestors, the Work was done ; but now Charity is decreased : And that is the Reason we see " the Poor so neglected as now they are.

" In both which Answers (I humbly conceive) " the Effect is mistaken for the Cause : For though " it cannot be denied, but there hath been, and is, " a great Failure in the Execution of those Statutes " which relate to the Poor ; yet, I say, the Cause

(i) See the 82d and following Pages of Sir Josiab Child's Discourse of Trade, &c. printed 1698.

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“ of that Failure hath been occasioned by Defect  
 “ of the Laws themselves.  
 “ For otherwise what is the Reason, that, in our  
 “ late times of Confusion and Alteration, wherein  
 “ almost every Party in the Nation, at one time or  
 “ other, took their Turn at the Helm, and all had  
 “ that Compass (those Laws) to steer by, and yet  
 “ none of them could, or ever did, conduct the  
 “ the Poor into a Harbour of Security to them, and  
 “ Profit to the Kingdom? *i. e.* None sufficiently  
 “ maintained the Impotent, and employed the In-  
 “ digent amongst us: And if this was never done  
 “ in any Age, nor by any Sort of Men whatsoever  
 “ in this Kingdom, who had the Use of those Laws  
 “ now in Force, it seems to me a very strong Ar-  
 “ gument, that it never could, nor ever will be done  
 “ by those Laws; and that consequently the De-  
 “ fect lies in the Laws themselves, not in the Men;  
 “ *i. e.* those that should put them in Execution.

“ As to the Second Answer to the aforesaid Que-  
 “ stion, wherein *want of Charity* is assigned for  
 “ another Cause, why the Poor are now so much  
 “ neglected, I think it is a scandalous ungrounded  
 “ Accusation of our Contemporaries: For most that  
 “ I converse with, are not so much troubled to part  
 “ with their Money, as how to place it, that it may  
 “ do Good, and not Hurt, to the Kingdom: For  
 “ if they give to the Beggars in the Streets, or at  
 “ their Doors, they fear they may do Hurt, by  
 “ encouraging that lazy unprofitable kind of Life:  
 “ And if they give more than their Proportions in  
 “ their respective Parishes, that (they say) is but  
 “ giving to the Rich; for the Poor are not set on  
 “ Work thereby, nor have the more given them;  
 “ but only their rich Neighbours pay the less.

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“ I write not this (says he) to divert any Man  
 “ from Works of Charity of any Kind: He that  
 “ gives to any in Want does well; but he that gives  
 “ to employ and educate the Poor, so as to render  
 “ them useful to the Kingdom, in my Judgment,  
 “ does better.

“ The Second Question then is, Wherein lies the  
 “ Defect of our present Laws relating to the  
 “ Poor?

“ I answer, That there may be many; but I  
 “ shall here take notice of One only, which I think  
 “ to be fundamental, and which until altered, the  
 “ Poor in *England* can never be well provided for,  
 “ or employed; and that when the said funda-  
 “ mental Error is well mended, it is almost impos-  
 “ sible they should lack either Work or Mainte-  
 “ nance.

“ The said radical Error I esteem to be the  
 “ leaving it to the Care of every Parish to main-  
 “ tain their own Poor only; upon which follows  
 “ the shifting off, sending or whipping back the poor  
 “ Wanderers to the Place of their Birth, or last  
 “ Abode; the Practice whereof I have seen many  
 “ Years, in *London*, to signify as much as ever it  
 “ will, which is just nothing of Good to the King-  
 “ dom in general, or the Poor thereof; though it  
 “ be sometimes, by Accident, to some of them, a  
 “ Punishment without Effect; I say without Ef-  
 “ fect, because it reforms not the Party, nor dis-  
 “ poseth the Minds of others to Obedience; which  
 “ are the true Ends of all Punishment.

“ If it be here retorted upon me, that, by my  
 “ own Confession, much of this Mischief happens  
 “ by the non, or ill, Execution of the Laws; I  
 “ say, Better Execution than you have seen, you  
 “ must



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“ must not expect ; and there was never a good  
 “ Law made that was not well executed ; the Fault  
 “ of the Law causing a Failure of Execution.”

The Author of the *Remarks*, &c. having made such large Quotations from the Lord Chief Justice *Hale*, I shall extract but little from him ; yet I cannot however omit what he says in his Preface ; viz.

“ A due Care for the Relief of the Poor is an  
 “ Act ;

“ 1. Of great Piety towards Almighty God, who  
 “ requires it of us.

“ 2. It is an Act of greatest Humanity among  
 “ Men. Mercy and Benignity is due to the very  
 “ Beasts that serve us ; much more to those that  
 “ are Partakers of the same common Nature with  
 “ us.

“ 3. It is an Act of great civil Prudence, and  
 “ political Wisdom.”

He afterwards closes his Preface with declaring, That he shall consider, principally, these things :

“ 1. What Provisions there are already settled  
 “ by the Laws, in Force, for the Relief and Em-  
 “ ployment of the Poor.

2. Wherein the Defects are, in relation to those  
 “ Laws or Provisions ; and the Consequences there-  
 “ of.

“ 3. What may be thought a convenient Supply  
 “ of those Defects ; and the Consequences of such  
 “ Supplies.”

For the Discussion of these Three Heads, I refer the Reader to his Discourse touching Provision for the Poor (*k*).

Having

(*k*) See Page 113 of Sir *Matthew Hale's* Discourse touching *Provision for the Poor* ; bound up with his *Pleas of the Crown* ; printed 1716.

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Having selected these several Passages from the afore-mentioned Works, the CONSIDERER will find it necessary to disprove the many and strong Arguments which in them, and in the *Remarks* from Page 7. to 13. so forcibly make against him, before he can expect from the Publick any Attention to his wild and visionary Schemes, or any Approbation of his Piece: For, at present, instead of proving by Argument, he amuses only with bare Assertions ; and if an *Ipsè dixit* is to be admitted for fair Reasoning, his Performance is most instructive, rational, and convincing.

It is to be wished the CONSIDERER would explain what he means by the Term SUBORDINATE ; it being certainly against Truth, to affix that Epithet to parochial Divisions ; which, under the present Establishment, are all distinct Districts, detached from each other, and dependent upon none. Perhaps he secretly approves of the Proposal he would seem to oppose ; and would here recommend the erecting several Workhouses for the Poor, and having them all subordinate to their own Counties.

In order to strengthen his Assertion concerning the Reasonableness of the established Provision, he asserts, (*l*) we have lived under it near Two Centuries.

The Author here is much mistaken in his Calculation ; for, from the Enacting of the 43<sup>d</sup> of Queen *Elizabeth*, to the Publication of his Pamphlet, there are no more than 150 Years : And he would do well to consider, that the Law subsisted only between 60 and 70 Years before it was found deficient : That upwards of 80 Years it has been

(*l*) See *Considerations*, &c. page 3.  
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impeached, and Proposals made for enlarging the Districts.

With what Authority then can he advance, that the Proposal of enlarging the Districts, is *new* and *unusual*, and *not founded in Reason*; when both the Impeachment and Proposal are evidently as old as the Times of Sir *Josiah Child* and Lord Chief Justice *Hale*, whose Judgments may be surely esteemed not inferior to that of the CONSIDERER?

When he commends the *(m)* *Thrift* and *Frugality* of the Parish-Officers, he surely forgot, that a little before, in his Preface, he had supposed, that *(n)* the whole Care of the Poor might be put upon Persons who have neither Time, Capacity, Authority, nor (as to many of them) sufficient Integrity for the Purpose.

The next *(o)* Paragraph presents us with a Suggestion of the Author, which he would assign as a Reason, why, after the Representations of Judge *Hale*, Sir *Josiah Child*, &c. and the Resolutions of the House of Commons in 1735. nothing was done in pursuance of them. Now, it does not appear to me, that this Business was ever under the Consideration of the House of Commons till the Year 1735.; and why it then failed of Success, is very fully accounted for in the Preface to the *Remarks*.

*(p)* After enumerating, in the same Page, many imaginary Difficulties, he concludes with an unbecoming Reflection on the Gentlemen that favour and espouse what he calls the new Scheme: And, with no small Degree of Self-sufficiency, he imputes

*(m)* See *Considerations*, &c. page 4.  
*(n)* See Preface to the *Considerations*, &c. page iv.  
*(o)* See *Considerations*, &c. page 4.  
*(p)* *Ibid.*

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the Proposal of such a Scheme to their Neglect of the Care of the Poor, and their Unacquaintance with the practical Object.

This, surely, is taking from the Merits of those great and worthy Men, who have proposed the Alteration, only to arrogate a larger Share to himself. It is insinuating, that his own Knowledge of, and Attention to, these Matters, has saved him from joining with them, in the entertaining a Thought of a Scheme, that must be attended, as he suggests, with Inconveniencies so many and grievous.

But this Supposition is not more unbecoming than erroneous; because the Situation of the Favourers of the Scheme has not removed them from the practical Object: And it is from their thorough Insight into the Defects of the present Laws, that they have laid the Blame in the *right* Place.

If Self-experience has any Weight; the Author of these Examinations has been many Years in the Commission of the Peace for the Counties of *Middlesex*, *Surry*, and *Kent*, and has been ever of his present Opinion; because he has frequently been Witness to the Insufficiency of the Laws, with regard both to the Maintenance and Employ of the Poor.

He has often seen the Poor applying for an Increase of their weekly Allowance from the Parish-Officers; and though an Addition has been made by Order of Justices (as far as the great Charge of the Poores Rate would permit them), yet, even then, considering their Circumstances and Numbers in Family, it has been too scanty for their Support.

He has known miserable Wretches, who, though so spent with Illness, as not fit to be removed from a Bed, have yet been harassed about from Justice to

Justice, in order only to the Signing an Order for their Removal. Another distressful and cruel Consequence of parochial Settlements, and the present Method of Removals !

But these Hardships the CONSIDERER believes are unknown to the Generality ; and tho' they possibly could not escape his Penetration, yet he would exert his utmost to prevent their Redress.

(q) In the succeeding Paragraph we meet with an Assertion as wrong as the foregoing : He tells us, that the INDUSTRIOUS POOR seem to be quite forgot ; their Names are never mentioned, nor their Interest thought of, in any of the new Schemes. He seems to be entirely unacquainted with the Sentiments of Sir Josiah Child, who, in speaking of the Advantage to the Kingdom in general, and to the Poor in particular, that will accrue by a Society of Men (he had been proposing to establish) more than is enjoined by the Laws at present, observes, (r) " That the Assembly will doubtless appoint some of their own Members to visit and relieve such as are sick, as often as there shall be Occasion, together with poor labouring Families (which must mean the Industrious) both in City and Suburbs."

And besides—since he has already acknowledged the Remarks, &c. to be a valuable Performance, and from many strong Allusions, particularly in the Case of the (s) Bristol Scheme, it appears, he must be thoroughly acquainted with them, how can he justify himself in asserting what is so directly contrary to some distinguishing Passages in that Pamphlet ?

(q) See Considerations, page 5.  
(r) See the 96th Page of Sir Josiah Child's Discourse on Trade, printed 1698.  
(s) See Considerations, &c. page 17. and 18.

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In his intended Provision for the Poor, the REMARKER pays the INDUSTRIOUS a particular Deference: (t) " As to those, he says, who are able to labour, 'tis reasonable to distinguish them according to their Merit, and separate the Innocent from the Guilty ; therefore there should be a House of Correction, where Criminals should be confined to hard Labour, as well as a Workhouse for the rest of the Poor, who are honest and industrious." And again, (u) " The Third Building in each District is the Workhouse ; a Place where all the honest and industrious Poor are to find Employment."

Nay, so far from neglecting, that the same Author proposes, the Corporation (w) " should have a Liberty (where they saw it convenient) to relieve or employ a poor Family, and suffer them to reside in any other Part of the District." Are the INDUSTRIOUS POOR then quite forgot ? Where is there room for any Despondency ? or how can they think they will now no longer have a Home ?

The next Particular to be considered, is the Reason assigned, why (x) the Poor are better taken Care of, and all kinds of Complaints relating to them less, in the City of London, than in the Out-Parishes, and in Westminster. He informs us, it is because the Parishes in the City are smaller, and there are more Officers, and more Magistrates, who do their Duty there, than in the other Parts. It is allowed, that the Parishes in the City are small ; and in Honour to the Magistracy it must be said, the

(t) See the Remarks, &c. page 37.  
(u) Ibid. page 40.  
(w) Ibid. page 42.  
(x) See Considerations, &c. page 5, 6.

Officers do their Duty : But this is not all ; besides the Smallness of the Parishes, the Kind of Inhabitants is to be likewise considered ; who are, in general, Men of Wealth and Substance ; and, being much streightened for Room themselves, little or none is left for the Inhabitancy or Harbour of the lower Kind of People ; who are therefore necessarily obliged to reside in the Out-Parts, where the Parishes are more extensive, and the Rents easier.

Though it is confessedly true, that in some Parts of the City many Houses are untenanted ; yet they are every-where too high-rented to admit such Persons as can properly come under the Denomination of Poor, or the Harbourers of them.

(y) We must not pass over the high Terms he speaks in, of King *Alfred's* Days ; but, if we compare what he here says, with what he has observed in another Place, we shall not only find him a little inconsistent, but his Proposal idle and absurd.

(z) In Page 7. he speaks of the Excellence of Queen *Elizabeth's* Law, as a Step towards the old Method, which wrought the good Effect in King *Alfred's* time ; and yet (a) in Page 25. he tells us, that half the Lands were in that Queen's Reign a Forest, and many of the poorer Sort in them as wild and as useless as *Indians* : That Manufactures were in their Infancy ; and that she wanted to drive these wild People into Towns, where they might be employed in Trade, and not live in Huts like *Highlanders*.

Now, if this Picture be just, how much worse must we suppose would be the Description of the

(y) See *Considerations*, &c. page 6, 7, 8.  
(z) *Ibid.* page 7.  
(a) *Ibid.* page 25.

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Inhabitants of this Island, so long before as the Days of *Alfred*? And if in the Reign of Queen *Elizabeth* such Instances of Rudeness and Barbarism are to be met with, it would be no great Happiness to return to that Estate, which was maintained so many Centuries preceding.

What follows concerning (b) *Switzerland* and *Holland*, is so obscure, that, until it is made intelligible, it cannot be answered.

As to the Polity of (c) *China* and *Japan*, in which the decenary Scheme, like that of King *Alfred*, is said to be in Use ; it is to be wished the CONSIDERER would favour us with an Estimate of what the Salaries would amount to, of his (d) little Army of Officers to be appointed for the Care of the Poor of a whole County, carried into one Place, (which is a Scheme of his own) ; and compare it with an Estimate of the Charge to be introduced by his other (e) Scheme, founded upon the Usage of the *Chinese*, *Japanese*, and our *Saxon* Ancestors.

But we must return back to examine the (f) Observations he makes on many other Faults found with our present Statutes.

(g) In Answer to what the CONSIDERER has advanced in the Matter, about Certificates, he must be referred to the (b) *Remarks*, where that Author has very fully and sufficiently spoke to this Point.

(b) See *Considerations*, &c. page 7.  
(c) *Ibid.* page 8.  
(d) *Ibid.* page 4.  
(e) *Ibid.* from Page 12. to the latter End of Page 16.  
(f) *Ibid.* page 8.  
(g) *Ibid.* page 9.  
(h) See the *Remarks*, &c. from Page 8. to the End of Page 9.

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The next thing he would endeavour to support, is, the (i) Law-suits about Appeals: And, in order to it, he represents the Expence and Trouble to be much less than they are generally imagined. But how delusive, and ill-grounded, his Representations are, may be clearly seen from the aforesaid *Remarks* (k).

And the CONSIDERER is called upon to declare by what Authority he can say, (l) "'tis to be questioned, whether any One Parish in *England* had not rather the Laws should continue as they are, than be barred of the Right of Appeal against the Order of any Two Justices whatsoever." He is called upon, I say, to declare what Authority he has for this Assertion; when it is notorious, that the Right of Appeal does not lie in the Parish, but only in the Parish-Officers; and, through their Ignorance or Partiality, they often take such Steps as draw on large and unforeseen Expences.

In the Preface to a Collection of Statutes at large, concerning the Provision for the Poor, it is justly observed, that "the (m) Parish-Officers in *England*, being generally deprived of the Knowledge of the Statutes relating to the Poor, have frequently committed great Mistakes in the Execution of their Offices, to the no small Damage of the Parish in general; and oftentimes, for want of knowing their Duty, have incurred severe Penalties, which has occasioned the Ruin of themselves and Families; and also the Poor have been deprived of that

(i) See *Considerations*, &c. page 9.

(k) See *Remarks*, page 10. and 11.

(l) See *Considerations*, &c. page 9.

(m) See Preface to the *Statutes at large*, concerning the Provision of the Poor.

" necessary

" necessary Support and Relief which the Laws have provided for them."

And on what frivolous Occasions great Sums have been expended, may be seen in a (n) Collection of Sessions Cases touching Settlements, adjudged in the Court of King's-Bench; and also from (o) *Foley's Laws relating to the Poor*, with Cases adjudged in the Court of King's-Bench, upon the several Causes of them.

The CONSIDERER likewise intimates, that the Lawyers begin to cry out for want of Work, and wish for a new Act, which always brings fresh Trade. It is allowed, that a new Act, which only amends and explains any others in being, will very probably bring along with it sufficient Trade: But if the Laws relating to the Poor were reduced into One, it surely might be made so explicit as to leave little Room for Disputes, especially if it abolished parochial Interests.

The 11th Page (p) of the *Considerations* is taken up in exposing the mischievous Effects of a Scheme to provide for the Poor of a whole County in One Place. Now it can be made appear, that the CONSIDERER, not in this Place only, but through the Whole of his Pamphlet, has raised a Bugbear to frighten his Reader; that he has erected an imaginary Castle, only to shew how dextrously he can attack, and successfully demolish it.

The Scheme of (q) Sir *Josiah Child* comprehends the Cities of *London*, *Westminster*, the Borough of *Southwark*, and all Places within the Bills of Mor-

(n) See *Sessions Cases adjudged in the Court of King's-Bench*.

(o) See *Foley's Laws relating to the Poor*.

(p) See *Considerations*, &c. page 11.

(q) See Sir *Josiah Child*, page 90, 91.

tality;

tality ; which must indeed be looked upon as a large PROVINCE : But if we reflect upon the time when that Author wrote, and the prodigious Increase of Buildings, that have been since added on all Sides ; the PROVINCE was not so large when his Proposal was made, as it now appears : And it is plain, that great Man had in View the erecting within that PROVINCE *several* Workhouses, Hospitals, and Houses of Correction.

As to the Proposals recommended by Lord Chief Justice (*r*) *Hale*, and others mentioned in the *Remarks*, they are so far from including whole Counties, that they were all confined to much smaller Divisions : As the REMARKER very justly observes, that they all agree in these fundamental Points (*s*), “ That the Care of the Poor ought not to be left “ any longer to each Parish ; but that every County “ should be divided into larger Districts for that “ Purpose,” &c. And to take the Sense of the Author of the *Remarks*, who very justly says, Page 35. (*t*) “ None of these Authors have pre- “ tended to determine the Extent of these Di- “ stricts, which is best left to the Wisdom of Par- “ liament.”

And that there was no determined Intention of providing for the Poor of a whole County in One Place, is evident as well from the (*u*) Resolutions of the House of Commons, in 1735. as from the Substance of a Bill brought in, in 1736. in pursuance of those Resolutions.

(*r*) See the *Remarks*, &c. pages 26. and 31.

(*s*) *Ibid.* page 34.

(*t*) *Ibid.* page 35.

(*u*) *Ibid.* page 58.

In

(*w*) In which Bill it was referred to the Justices at Quarter-Sessions, to lay out the Counties into what Districts they thought proper.

(*x*) Although, at the End of the Page now before me, it is said to be a great Mistake to imagine, that the CONSIDERER has said all this in order to cry down the new proposed County-method, merely at the same time to raise and enforce the old one, in a manner he is about to hint ; yet, I believe such a Suggestion would be his best Excuse, and save him from a worse Imputation.

To give us another Specimen of this Author's Inconsistency, it is entertaining enough to confront what he advances in the Midst of his wild Scheme with what he says in Page 23. He proposes in the former, that (*y*) the Justices of these Special Sessions should be allowed Half a Guinea a Day for their Expence ; and yet, some time after, he can assert, that (*z*) Magistracy there must be ; and to have it with any Effect, it must be made *respectable*.

The *Honour* of serving their Country in the Commission is sufficient to engage *proper Persons* to act ; nor would they be influenced by the Proposal of *Profit* : They will disregard the *Loss* and *Expence* attending the Discharge of their Office ; and thereby best prevent any Circumstances of *Disgrace* going along with it.

To pursue this Author through all his Absurdities is endless : However, a very considerable one, I think, remains still behind. After complaining that

(*w*) See the *Remarks*, &c. page 60.

(*x*) See *Considerations*, &c. page 11.

(*y*) *Ibid.* page 13.

(*z*) *Ibid.* page 23.

many

(a) many Gentlemen of Five hundred Pounds a Year Estate and upwards, are left out of the Commission of Peace; he proposes it should be enacted, That every Gentleman so possessed might at any Assizes, when the Commission is read over, require his Name to be added; exhibiting at the same time his Qualification, and acting at his Peril, if it proves a false one.

And this modest Proposal is introduced with a *Would there be any Harm?* The Answer to which is very easy, That such a Proceeding would be neither decent nor safe.

It would be indecent; because it would encroach upon the Royal Prerogative. The Crown is the Fountain of Honour; and yet this Author here would provide for the Derivation of Honour merely from the bare Possession of an Estate.

Nor is it safe; because by this Means the Power would be indiscriminately placed; it would be lodged equally in Persons well affected and disaffected; and no Establishment would be secure.

And his Motives to this Proposal are so trifling, that they are scarce worth mentioning--They were in order (b) that the Gentlemen in the Commission might be secure of having good Company; or, at least, not to be deprived of the best, that each Neighbourhood affords. But can it be imagined, that Gentlemen, who have the Honour of his Majesty's Commission, would condescend to act with those who would thus forcibly obtrude themselves upon them; often against the Interest, ever against the Inclinations, of the Government? He might, with as much Modesty, have proposed, That for

(a) See *Considerations*, &c. page 24.

(b) *Ibid.*

the

the future it should not be in the Power of the Crown to issue out Commissions of the Peace; since he would thus effectually provide, that the Office of Justice of the Peace should be hereditary in any Family possessed of Five Hundred a Year. A most unbecoming and presumptive Proposal!

Having reviewed the most material Particulars that occur in the *Considerations*, with regard to the Maintenance and Employ of the Poor, it is high time to take leave of the Author, when he does of his Subject. But as he would endeavour to divert the Reader from the main Point, and place before him some very popular Objects, it will not be amiss to follow him in his Digressions, and see whether he is in them also equally just and candid.

From the Success of the (c) *Bristol* Scheme he insinuates, That it does not from thence follow, that a County Division is better than a Parochial one for the Kingdom in general: Which is a Conclusion by no means to be admitted: And the Author has himself suggested the Reasons. *Bristol* being a maritime City, full of Merchants, and considerable Men, who are generally more ready to give a little of their Time to publick Affairs than those who have nothing at all to do; and from whose Care, and prudent Management, the well and charitably disposed People were encouraged to become Benefactors, when with Pleasure they saw their Donations so well applied; and *Sudbury* and *Colchester* being Towns more thinly inhabited, and by those too, not so capable of conducting such an Affair; it is no more to be wondered at, that the very same Scheme should succeed in the one, and fail in the others, than that Oeconomy and ill Management should have different Effects. And it is

(c) See *Considerations*, page 17, 18.

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demonstrably true, that could the same right Management that was the Cause of Success to the *Bristol* Scheme, be carried into the larger Districts, it would meet with the same Encouragement, and produce the same good Ends.

And from the ill Success of the Scheme in the Towns of *Sudbury* and *Colchester*, I argue, it will not from thence follow that a Parochial is better than a County Division for the Kingdom in general.

When he speaks of (d) Electioneering, the Means he proposes for preventing Idleness and Drunkenness among the lower People are most wild, and unlikely to succeed. He proposes, That, in all Boroughs, not having 200 Votes, the Freeholders of a County of 40 or 50 Pounds a Year should have a Right of voting: Which, says he, the small Boroughs would like; because it would bring much Company, and occasion the spending a great deal of Money. This Alteration, instead of lessening, seems rather calculated to introduce a greater Degree of Riot, Drunkenness, and Extravagance: For if a few Voters cannot be restrained from Intemperance, what Excesses might not be expected in those Boroughs, when such a Number of Freeholders of the County were let in upon them?

Whether such a Method would disfranchise a Borough or no, it is not material to enquire; certain it is, that it would injure the Burghers in a tender Point; because their Interests in the Privilege and Right of voting would be intirely swallowed up and lost, when it once came to be thus mixed and blended with a County, from what they now enjoy among themselves, within the Limits of their Borough.

(d) See *Considerations*, from page 20. to 23.

(e) The

(e) The Author also proposes some things for the Advantage of *Ireland*, in order thereby to gain over all who have that particular Interest at Heart, and enlarge his Party. To this End he takes up a Subject of a very popular Nature: With what Judgment and Candour he has treated it, the impartial Reader may judge by the following State of the Case.

It has been thought proper by the Legislature, in Consideration of its Importance to the Welfare of these Kingdoms, that *Great Britain* and *Ireland* should be prohibited from exporting their Wool to foreign Parts:

Also that a Duty should be paid upon the Import into *England* of all *Irish* Woollen and Bay Yarn; which has since been taken off by an Act of the 12th of his present Majesty; only under the Limitation of certain Ports for the Exportation from *Ireland*, and Importation into *England*.

(f) The Act above referred to is intituled, *An Act for taking off the Duties upon Woollen and Bay Yarn, imported from Ireland into England; and for the more effectual preventing the Exportation of Wool from Great Britain, and of Wool, and Wool manufactured, from Ireland to foreign Parts.*

By this Act it appears, That a very large Duty had been laid upon Woollen and Bay Yarn, imported into *England*, to which those Commodities were subject, according to the Book of Rates annexed to the Act of Tonage and Poundage, made in the 12th of *Charles II.*; and that several further Duties had been laid by subsequent Acts of Parlia-

(e) See *Considerations*, &c. from page 18. to 21.

(f) See *Statutes at large*, 12th of *George 2d*, cap. 21. 7th vol. page 280.

ment,



ment, which together were called the Old Subsidy, the One-third Subsidy, and the Two-thirds Subsidy; Part of which was granted for ever, subject to a Redemption by Parliament, and Part to his Majesty for Life. Notwithstanding this Appropriation, the Legislature had the Welfare of *Ireland* so much at heart, as to subject the Aggregate Fund, to make good what, on a Medium, for Seven Years then last past, should appear to have been the Amount of the said Duty, to his Majesty for Life, and to the several publick Creditors, or other Person or Persons, Bodies Politick or Corporate, having Interest or Securities in the Money arising by the said Duties.

And by the 5th Section of the said Act it is provided, That there is Liberty to export from *Ireland* for *England*, not only Wool, and Woollen and Bay Yarn, but also their Wool manufactured in all Shapes; *viz.* Wool-fells, Shortlings, Mortlings, Wool-flocks, Worsted-yarn, Cloth, Serge, Bays, Kerfies, Says, Frizes, Druggets, Cloth, Serges, Shalloons, Stuffs, and other Draperies, and Woollen Manufactures, or mixed with Wool or Wool-flocks.

Since the Enacting of which Law, I am informed by Persons acquainted with the Woollen Trade, that our Markets here have been as open for *Irish* as *English* Woollen Yarn; which is as much more for the Benefit of *Ireland* than exporting the Wool to *France*, as the Value of the preparing Wool for, and the Spinning; which employ many Thousands of Hands in that Country: The Truth of this Fact will appear upon the Bills of Entry at *Bristol*, and the several other Ports by Law appointed for Importation.

And

And I must beg Leave to observe further, That the Manufactures of the several Species in which the Woollen and Bay Yarn is wrought up, and for which *Ireland* receives at least 150,000 *l. per Ann.* would take a much larger Quantity, if they could or would send it.

Where then is the Necessity of burning, or throwing the *Irish* Wool into the Sea, when here is a Market for that, or (what is yet more advantageous to them) their Yarn; and upon Terms equal to that of our own Growth and Manufacture?

This being the true State of the Case, all he has advanced and concluded from thence, deserves but little Notice, as it tends only to inflame and create Jealousies and Suspicions in the Minds of the Subjects.

An Instance of which is very glaring and conspicuous (g) in the said Digression, where, after having supposed the People of *Ireland* prohibited from working up the Products of the Earth, and from selling them to their Neighbours; he cries out, "One would be apt to think, that a judicial Infatuation must attend a People who suffer such Tyranny and Folly to prevail together."

The Reader will excuse me, if I once more remind him, and press it upon his Attention, that the CONSIDERER's Scheme of providing for the Poor of a County in One Place, is a Scheme entirely his own; the Child of his own Imagination: No Proposals (as I know of) that have as yet appeared in Print, give any Countenance to the Supposition; and the Phantom seems raised only to frighten us from attempting the necessary Alteration.

(g) See *Considerations*, &c. page 19.  
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I have now gone through the several Passages in the *Considerations*, which seem more immediately to require Notice. I have impartially examined them, and as fully as the present Crisis will admit; these Subjects being at this Juncture under the Notice of Parliament. And it is incumbent on me, before I take Leave of that Pamphlet, to declare to the Publick, that these Annotations do not flow from any Prejudice or Malevolence to the Author, but spring purely from a Contrariety of Sentiments, and an honest Disapprobation of his Proposals and Principles. And the Reader will the more readily assent to this, when I declare further, that I am no less a Stranger to the Gentleman, whose Thoughts I have here taken the Freedom to examine, than to him whose deserving Performance demands so much of my Esteem.

From the frequent Occasions that have offered for citing and vindicating the *Remarks*, lest I should be thereby impeached of Partiality, or suspected to approve of every Part of his Scheme, and to close entirely with the Opinion of that Gentleman, it is necessary that I now point out the few Particulars wherein we differ, and assign the Reasons for that Difference. And these few Disagreements, being mixed in with many Parts that I approve of and commend, will necessarily oblige me, as they occur, to signify my Approbation of them.

The First material Objection I have to the REMARKER'S Scheme, is his Proposal of an (*b*) equal County-Rate; and in this he differs in Opinion from Sir *Josiah Child* and Mr. *Cary*, who think that

(*b*) See the *Remarks*, &c. page 45.

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the Money should not be raised by equal Rate throughout the District; but should be charged on each Parish, in Proportion to what they paid before: And their Opinion is supported by this very good Reason, *Because all Parishes do not receive equal Advantage from this Scheme.* Admitting what the REMARKER says to have some Weight, that, the Poor being fluctuating, all Parishes may, at some time or other, be equally burdened, yet the imposing the equal County-Tax must bring along with it such disagreeable Alterations (which the Reader will best suggest), and to which the Landed Gentlemen would be particularly averse; that, I am of Opinion, this very Clause would be sufficient to prevent the Success of any Bill.

Besides, such a Rate would throw the Burden entirely upon the Land, and free the Trading People, who at present are every-where subject, and in many Places are charged, and do pay, in proportion to their Stocks: Agreeable to the Opinion of Lord Chief Justice *Hale*, (*i*) that Stocks are as well by Law rateable as Lands, both to the Relief and raising a Stock for the Poor.

There is another Circumstance that has an unamiable Aspect, and seems to carry some Terror along with it; and that is, the proposing (*k*) "that Commissions should be yearly issued, under the Great Seal, to Persons of the first Rank and Eminence throughout the Kingdom, to visit and inspect all the Houses in the several Districts." Such a Circumstance, though intended to serve a good Pur-

(*i*) See Judge *Hale*, p. 120.

(*k*) See the *Remarks*, &c. page 50.

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pose, might yet intimidate and discourage many from engaging in the Management, who would be otherwise both liberal Benefactors, and useful Members of the Corporation. The End for which this is proposed, might as fully, and much more agreeably, be answered, by laying an Account of the Proceedings in each District before the Quarter-Sessions, from them to be transmitted to Parliament.

The Bill likewise of 1747. stands liable to Objections; and it is apprehended the Reason why it did not pass the House of Lords, was, because the Guardians could have little Inducement to undertake the Charge, being appointed more on account of their Station and Fortune, than any pre-consulted Inclinations; notwithstanding they were (1) Persons the most eminent for Quality, Dignity, Office, and Estate, in each County.

Their *Numbers* likewise would most probably impede and clog the conducting these Affairs; it being a just Observation, that all Business is most effectually and expeditiously executed by a few well appointed Managers; and especially where they are prompted to it by voluntary Choice.

Neither is it surprising, that this Bill did not pass the House of Lords, when it so provided that there was but little Probability of any Benefactions to arise; the Benefactors being rated so high, and subject to the extravagant Contribution of 100*l.* per *Annum*. A discouraging Circumstance, when we consider the other Guardians, who, whether they had the Success of the Scheme at Heart, or not

(1) See Preface to the *Remarks*, &c. page vii.

were

were to have the Honour of being Guardians for Life, merely from their Eminence and Fortune, and subject to no Contribution. This was a Proposal very inconsistent with the (m) Preamble of his Bill; in which he seems to have an Eye principally to the several Hospitals and Infirmaries of late established and maintained by voluntary Charities.

If, in the framing his Bill, he had a little more adopted the Plan of the said Hospitals, there would have been a greater Probability of Benefactions, by rendering the Conditions easier to the Contributors; and would thereby have invited many into the Management who would be more likely to attend, and are more conversant in such Matters.

But still there would have been greater Probability, I conceive, of Benefits to have arisen from that Bill, had it been formed agreeable to the 1st, 2d, 4th, and 5th, (n) fundamental Points, agreed on by all the Schemes mentioned in the *Remarks*: preserving the Liberty of relieving or employing a poor Family, under their accidental and occasional Wants or Distresses; suffering them, at the same time, to reside in their own Habitations; (as has been before quoted from Sir *Josiah Child* and the REMARKER): forming his Corporation on Mr. *Cary's* Schemes, which he seems best to approve of, and which are to be seen, page 47: Admitting every Benefactor of some certain Sum, to be a Member of that Corporation for Life; and every annual Benefactor of some certain Sum, to continue a Mem-

(m) See *Remarks*, &c. page 71.

(n) See the *Remarks*, page 34.

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ber during the Continuance of such annual Contribution: Requiring no Oaths or Tests, nor any other Qualification of the Benefactor than the Subscription: And providing, that such as are to be the Representatives of the Parishes, be chosen, not necessarily by Freeholders only, but by Vestry; which Method will best suit the Parishes in and near the Metropolis: And I do not foresee, that any Disadvantage can arise from it to the more distant Parts.

And if the Gifts of the Benefactors were to be applied to the Use of their own Districts, it would be the Means of promoting more liberal Benefactions, than if those Gifts were to be paid into the Hands of the County-Treasurer, to be distributed at large throughout the County. I apprehend the Difference would be more than Ten to One; because every one will be glad to promote that particular Workhouse or Hospital, &c. in which the Poor of his own Parish and Neighbourhood are to be provided for, and which is to be governed and conducted by Persons of their own Acquaintance, and of whose Integrity, and prudent Management, they have a good Opinion. Whereas, were their Donations to be distributed to the County at large, that Spirit of Liberality would be much checked and discouraged.

And the Reason of my Opinion is this; because I can assert from my own Knowledge, that many Benefactors to the Hospitals, which have been lately set on foot, and so happily succeeded (the *London*, the *Foundling*, *St. Luke's*, and the several others), have cheerfully and largely contributed towards their Support, merely from a Persuasion of the right Application of their Gifts, and (satisfied with the  
Opinion

Opinion they have entertained of those who have the Management) have never attended any of their Meetings, nor even once visited their Buildings.

(o) Consonant to this is the Opinion of Sir *Josiah Child*, who says, that "Three Fourths, at least, of the Stock must issue from the Charity of the People; as I doubt not but it will to a greater Proportion, if they be satisfied in the Managers thereof; but if otherwise, not the Fortieth; I might say, not the Hundredth Part."

Besides, a County-Distribution might be liable to Perversion, and tend to the Countenance and Support of bad Oeconomy in some Parts; for those Districts which are prudent in their Management, will necessarily be deprived of Part of their Share, which must go towards making up the Deficiency of other Districts, occasioned by their ill Management, and Want of Care.

Nor does it tend more to the Encouragement of ill Management, than to the damping of that Spirit of Emulation, which would be otherwise excited in the several Districts, who should succeed best.

The Objections I have here offered to some Part of the REMARKER'S Scheme, are submitted to the Author himself, and the impartial Reader: They are only offered as the Reasons on which I ground my differing from him in Opinion, upon these particular Parts.

I would here beg Leave to suggest an Opinion, that it probably would be a Convenience to Pa-

(o) See Sir *Josiah Child*, page 100.

rishes, and an Advantage to the Poor, if it was permitted to such Parishes as should approve of it, that they might be empowered to appoint a Person to be Overseer, with a Salary annexed, to execute that Part of the Office which relates to the collecting the Money, and accounting for the same, giving sufficient Security; doing all the other Acts of that Office, except assessing and distributing the Money, and Maintenance of the Poor; the other Powers of the Office to centre in the Parish under the Direction of Vestry, or as the Parliament may otherwise think fit to appoint: By which means, instead of the Master, he would become the Servant to the Parish, and be thereby more under Controul; Moneys would be better collected, and accounted for; those Inconveniencies which arise from the Inexperience of the Officers, avoided; and the Parishes would not be liable to suffer by Law-suits, without their Knowledge and Consent.

By which means also, if the Overseer, so appointed, upon his good Behaviour, is continued, he would grow every Year more and more conversant in his Duty: Whereas, as the Case now stands, the Overseer, before he comes to be acquainted with his Duty, is out of his Office.

With regard to the Expence it might occasion to the Parishes, in distant Parts, it would be very little; and though in the Suburbs of the Metropolis it would be greater, yet I apprehend it would be very readily borne; because, as the principal Reason for appointing the Overseers out of the Parishes seems to have been, in order that they might all share in the Burden of the Office, they would

would with Pleasure share in that Expence, which took off from them such a Burden.

The humane Reader will easily pardon me, if I here digress a little to speak of a common Evil, little known, and still less attended to.

It is a Complaint, and of a shocking Nature, that the Bodies of drowned Men are suffered to float up and down the River for many Days together; and if they happen to ground on the Shore, they are permitted to lay there till the next Flood takes them off again: And if by Accident they remain there longer, to prevent a Nuisance, perhaps, a Hole is dug under Shore, and the emaciated Corpses are flung in.

To prevent this frequent Instance of Inhumanity, suppose the first Discoverer of such a Corpse should be intitled to some small Reward upon his bringing the Body to the nearest Shore, to be paid him by the Officers of the Parish, on giving Notice; who should be obliged to give the best Description they can of the Body, in some publick Paper; and if owned, the Body to be restored to their Friends, paying the Expences; if not, to be buried in the said Parish Burial-Place.

This is inserted, only that the Case may be more publickly known; and, if possible, some Remedy applied: Whether it is of such Importance, as to ask the Notice of the Legislature, must be submitted to their Wisdom.

But to resume the main Point:

If it is possible there should subsist a Project so wild (which has been already suggested, and spoken to) as to abolish all the Laws in being, relating to the Poor, and leave them to random Charity; such

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a Scheme is self-evidently contrary and opposite to every Scheme that would provide for the *better* Maintenance of the Poor.

It is so irrational, that it cannot be conceived to enter into the Mind of Man! And how ridiculous the Absurdity, to think that taking away the insufficient Provision already established, can be a Means of promoting their Relief, and *adding* to their Maintenance!

Since the Order of the House of Commons, of the 17th of *December*, 1751. for the bringing in a Bill for the better Maintenance and Employment of poor Children, within that Part of *Great Britain* called *England*; I have seen Sir *Richard Lloyd's* Proposal for the Employment of the Poor, and the Amendment of their Morals: Which I have very carefully and often examined; and am convinced, that that Gentleman must have taken indefatigable Pains to enable himself to make so useful a Proposal. It seems extremely well calculated to serve the Purposes for which it is intended; namely, the preserving the rising Generation from the Vices and Corruptions so glaring and notorious in the lower People. It will undoubtedly, in time, effectually heal these Disorders, and raise up a Set of People inured to Industry, and unacquainted with Debauchery. But as this is a distant Prospect; it is to be wished, That a Gentleman, whose Zeal is so warm for the Relief and Employ of the Poor, and whose Abilities to point out and propose the Methods necessary to the accomplishing those Ends, are so eminent and well known; it is to be wished, I say, that a Gentleman so distinguished would strike out a more extensive Scheme; to reclaim,

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claim, if possible, the present Race, and, by some salutary Methods, remove every Temptation from the Poor of becoming either mischievous, or even useless Members of the Community.

And it is not to be doubted but the Legislature will give all Assistance and Encouragement to the accomplishing this good End: Especially when it is considered, that HIS MAJESTY, at the Opening the last Sessions of Parliament, in 1750. very earnestly recommends to the Parliament, the suppressing those Outrages and Violences, which are inconsistent with all good Order and Government, and endanger the Lives and Properties of his Subjects.

And, besides, the same ROYAL Care was still more strongly expressed at the Opening of the present Sessions by his MAJESTY, in recommending "in the most earnest Manner, to consider seriously of some effectual Provisions to suppress those audacious Crimes of Robbery and Violence, which are now become so frequent, especially about this great Capital; and which have proceeded, in a great measure, from that profligate Spirit of Irreligion, Idleness, Gaming, and Extravagance, which has of late extended itself in an uncommon Degree."

And it is self-evident, that there is nothing can effectually cure and prevent these Outrages, but the making a competent Provision for the Maintenance and Employ of the Poor.

After this, I suppose, nothing can be further required to prompt Gentlemen to the taking these momentous and necessary Subjects into their most serious Considerations: Of such Moment are they,

in

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in the Opinion of that great and judicious Man Sir  
*Josiah Child*, that (p) he says, “ if a whole Seffions  
 “ of Parliament were employed on this singular  
 “ Concern, I think, it would be time spent as  
 “ much to the Glory of God, and Good of this  
 “ Nation, as in any thing that noble and worthy  
 “ Patriots can be employed in.”

(p) See Sir *Josiah Child*'s Discourse, page 89.

F I N I S.



# CONSIDERATIONS

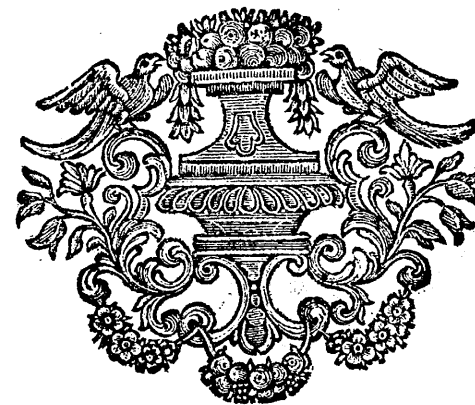
ON

SEVERAL PROPOSALS,

LATELY MADE,

FOR THE

Better Maintenance of the Poor.



LONDON,

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## P R E F A C E.

**I**T has been an observation, that, when things come to the worst, they will mend. The great complaint, made by Some, of the expence in maintaining the Poor, and of the mismanagement of the money when raised for that purpose, begins to open the eyes of the most indolent: the Poor being in many places still badly provided for, and the Public deprived of the inestimable value of their Labour.

A greater degree of true public spirit seems to be very happily rising among us, and more attention to be paid than formerly to matters upon which the real welfare of the nation depends. The absurd jealousies between the landed and trading interests seem to subside. The manifest truth, *That those interests are always the same*, grows more apparent; and landed Gentlemen, who consider how much their estates are advanced in value by a thriving commerce, and that nothing else can relieve them from the heavy weight of all other taxes, as well as the burden of the Poor, it is to be hoped will now turn their thoughts towards a right employment of these useful hands.



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If Gentlemen would be prevailed upon to give a little of their time to these matters, which might really be made an amusement, the benefit would be unspeakable: and 'tis certainly not only their proper *province*, but their *duty* so to do.

A landed estate in a free country is the noblest possession that mankind can be blest with. And is there no return to be made, no reciprocal obligation to be complied with, for it? Will not an account be required of the use of this valuable talent? 'Tis high time to remove the Dutch reproach, that a Gentleman and an Idleman are synonymous terms.

Not only the making of laws, but the good government of the People fall naturally to the share of the Nobility and Gentry, and it would be for their interest as much as for their honour heartily to engage in it.

The neglect of this duty has been the great cause of the evil complained of, tho' it has been wrongfully ascribed to a defect in the laws. For if the whole care of the poor be put upon persons who have neither time, capacity, authority, nor (as to many of them) sufficient integrity for the purpose, you may make what laws you will, they will never answer the end.

But must Gentlemen then be Overseers of the poor, and Parish-officers? No, but they must interest themselves in the appointing proper officers; in the inspecting their behaviour and their accounts; in enjoining and enabling them to set up work-houses, or else the poor will never be rightly employed,

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ployed, or well provided for. If men of rank and fortune will not be persuaded to give themselves a little trouble of this sort, in a bare inspection of their own parishes and near neighbourhood, how can it be expected that there will be a more industrious application to the business of a whole county, if the parish-laws should be abrogated?

Let it not be surmised, that the way in which Gentlemen spend their time is reflected on; or rural sports even tacitly ridiculed. Far from it. Leisure is one of the high blessings that an estate brings with it; and rural sports are manly and useful amusements, contributing to health, to vigour, and good spirits. All that is asked here is, that some small part of this leisure, health, and spirits, may be laid out in the public service, for the benefit at the same time of their own families and estates. What joy, what worthy satisfaction must arise in the heart of any man, who can think at all, when he reflects, that, by giving an hour or two in a week to public business, he has been the means of procuring greater happiness to scores of people than the giving them half his rents would have done; that he has enabled them to bring hither the wealth of Peru, and that he has prevented them from being a pest to society?

Notwithstanding the general corruption of human nature, so much and sometimes so justly complained of; notwithstanding the depravation of morals which riches and luxury do and ever will produce; it must be owned beyond all power of contradiction,

tradition, that there still remains in the people of Britain of all ranks (and more especially among the great and opulent) such a spirit of benevolence and charity as cannot easily be described, or sufficiently commended. It may therefore be presumed, that mere *indolence* among the men of fortune is not the chief cause that counteracts their natural humanity, and prevents their engaging in the good work proposed. May it not rather be ascribed to their thinking it would be to no purpose for them to act; and that it is out of their power to do any good under the present laws, which are said to be not only ill executed, but wrong in their foundation, and not capable of being put into serviceable practice?

The business of the following papers is to shew, that these laws are fundamentally good; and, with such small improvements and alterations as the change of times and circumstances make necessary, will effectually answer the excellent purposes designed: provided that persons of rank and substance will give some countenance and authority towards their support.

C O N-

# CONSIDERATIONS

O N

## SEVERAL PROPOSALS, &c.

**T**HO' the generality of persons, who have found fault with the statute of the 43d of Q. Elizabeth for maintaining and employing the poor, have in the main acknowledged the Principles of it to be good; and tho' their objections have gone chiefly to the defects in the execution; yet still they have, in the warmth of their concern, insensibly attacked the very Principles they seemed to approve. Let it therefore be first of all settled, Whether the plan of that Law be right or not. If it be right, then let it be inquired, Whether the Defects in the Execution may not be removed, and in what manner? If it be wrong, the new proposals ought to take place, unless something better should be offered.

Some few writers have been so much offended at the laws in being, that they have expressed a desire to have them *all abolished*, and the poor left to *random charity*; as they are in most places abroad, and in two of our own three Kingdoms.

A general Aversion to such ill policy, if not actual cruelty, makes it needless to give much answer to this violent measure; and therefore it is recommended to those who in any degree espouse it, that they would consider, How much the system of a sufficient *general* charity is broken by a disuse of near 200 years; and that before it would get into any sort of right train again, thousands would miserably perish, trade suffer, and such confusion arise among us, as is not easy to be foreseen. Most of our foreign neighbors have the lands of the Church (which

(which bear a great proportion to the estates of the whole) appropriated in some measure to the support of the poor: and yet there, beggary is such a nuisance, as the beggary here would blush at.

In Ireland, when a severe winter happens, or the price of corn runs high, there is such misery even to Death itself, as would shock humanity to think of.

In Scotland we know, to our own cost, that professed Rapine and Pillage, and a readiness to join in every evil and desperate work, are the habits of an unprovided poor.

To consider, that all who are good and benevolent would be most highly taxed, while all *the base, the mean, and the avaritious* would escape, and hug themselves with the exemption; and to consider, that the charities of the beneficent would be liable to partiality, if not to party: these things surely are enough to banish every thought of abolishing our present humane and prudent provision.

Taking it then for granted, that charity will continue to be established by law; the great Question will be, Whether the Parochial maintenance established by Q. Elizabeth is the true way, or whether it may be better effected in the larger districts recommended by Judge Hale, Sir Josiah Child, the resolutions of the house of Commons in 1735<sup>a</sup>, and the resolutions in 1751<sup>b</sup>.

Judge Hale proposed, that the Justices in Sessions should set out each County into several divisions. Sir Josiah Child would have had all London and Westminster, the Borough of Southwark, and all the parishes within ten miles round, thrown into one corporation.

The Resolutions in 1735 and 1751 recommend a County-provision for the poor.

That the old method is more likely to succeed, may appear even from the reason of things: Because a great

<sup>a</sup> These were brought in by Mr. Hay, and supported in his valuable performance on this Subject, intitled *Remarks on the Laws relating to the Poor*.

<sup>b</sup> These were reported by Sir Richard Lloyd, whose worthy pains and conspicuous abilities so handsomely exerted in this and some other great points, relating to the good order of the Kingdom, cannot be too gratefully acknowledged.

multitude

multitude is certainly better to be governed, and in every respect more easily to be provided for, BY BEING DIVIDED INTO MANY SUBORDINATE PARTS, THAN IN GREAT AND UNWIELDY NUMBERS: and constant experience in all ages and places perpetually proves this truth.

But then it will be asked, Why has not this Method succeeded? The plain answer is, that nothing can succeed, however true in its principles, if it be neglected, and not put in practice. The new proposals can't succeed, if there be not vigor in the Execution. And if there be such a vigor exerted, either by a voluntary good Spirit, or by new laws to enforce it, the application of it may as well operate under rational and experienced principles, as under any new projects whatsoever.

Both reason and experience incline the legislature of a great people, to be careful how they make violent alterations in any considerable point that has been long established, unless the necessity be urgent, and the consequences clear.

The present plan is rational in itself: we have lived under it near two centuries, and we know the Expence of it. But the proposal of enlarging the districts, is new and unusual, *not founded in reason*, and will be attended with an EXPENCE which the wisest man living cannot foresee the amount of.

The *expence* alone would not be a sufficient argument against the new proposals, if there was any probability that they would produce the desired effect, better than the amendment and enforcing of the statutes now in use. A nation that has ventured to contract a debt of *eighty millions* in order to keep up its grandeur and independency, and which never declines expence in schemes that seem deserving of it, would not hesitate at the charge of these alterations, amazingly great as they will certainly be, if the great object of them necessarily required it.

But if this new proposal be a project not supported by mature consideration; if it be *unnecessary*, and the great end of it attainable by the present laws, will a prudent people already *eighty millions* in debt, (and who find it very proper to be paying that debt, in order to be able to look a dangerous neighbour in the face) will such a  
people

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people wantonly engage in an expence, the very calculation of which has not yet been attempted to be made?

One of the great complaints at present, is, of the charge we are at in maintaining the poor. If this charge be great now, while the parishes, (with the *thrift* that *immediate self-interest* dictates,) conduct every thing in a *frugal* manner, without payment of *salaries to officers*, and many such like outgoings: how immense will be the *profusion*, when this check shall be removed, and a little ARMY OF OFFICERS appointed, for the care of the poor of a whole County carried into one place?

What can be the meaning, that after the representations of Judge Hale, Sir Josiah Child, and other considerable persons, and the resolutions of the house of Commons in 1735, nothing was done in pursuance of them? It seems clearly this, That, when the thing came to be maturely considered, the danger of the alteration appeared so great, that it was by no means prudent to attempt it. It may likewise be supposed, that those great men, as well as others of late, might be so struck with the neglect and ill execution of the present laws, (especially in Westminster, and the outparts of London) as to be induced to think, that the fault was in the statutes more than in the execution: whereas, if Gentlemen would descend a little into practical experience, they would find to demonstration, that the defect really lies just the contrary way.

A right management of such numbers got together will be quite *impracticable*: the *morals* of the better sort of poor will be corrupted by the *vagabond and the idle*, who cannot be quite separated from the rest. The parishes cannot send such of their poor thither who fall under *accidental* distresses. The CHARGE and TROUBLE of conveying backwards and forwards, those they do send, will be very great. The *accounts* between parishes and the great corporation of the County, will be liable to FRAUDS WITHOUT NUMBER, as well as unnecessary PROFUSION. In short, the *inconveniencies* attending the proposed alteration will be so *grievous*, that the great and worthy men who have offered it, would never have entertained a thought

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thought of such a scheme, had it lain in their way to have made the actual care of the poor a little more their attention; but their situation has generally removed them from the practical object, and therefore it is that they have been so ready to lay the blame in the wrong place.

It has been objected to the wise and salutary provision for the poor in a parochial way, that the lower sort of people are rendered quite negligent by it. *Hang sorrow and cast away care, the parish is bound to find us*, is supposed to be their maxim, as well as their song. There is undoubtedly a good deal of truth in this observation: but would this *negligent* temper be at all rectified by the proposed scheme? Would not, *the County is bound to find us*, run as well as *the parish*? Would the *cause* be at all remov'd? The profligate would like the County-provision much better than that of the parish; but how will it be with the INDUSTRIOUS POOR, of which there are a great number, and who seem to be *quite forgot*, and their names never mentioned, nor their interests thought of, in any of the new schemes? What *despondency* will it drive them into, to think, that they will *now no longer have a home*? If many of the lewd and careless encourage themselves in the thought, that the parish must take care of them; this reflexion is as useful on the other hand to *support* the minds of the *industrious*, under the afflictions of poverty. It makes *young laborious people venture to marry*, when nothing else could, and helps to propagate a race of the most useful subjects we have.

Another great complaint, and a very just one, is made against the *rambling* of the poor; and which is confessedly at this time one of the *greatest nuisances* belonging to them. But will destroying parochial settlement and provision prevent wandering? Let Gentlemen consider, whether any thing in nature is so likely to cure this evil as to *enforce the present laws*?

The truth upon the whole really is, that the *divisions* are at present *too large* and not too small.

What is the reason that the poor are better taken care of, and all kinds of complaints relating to them less, in the city of London, than in the outparishes, and in Westminster?

minster? The thing is plain; the parishes in the city are smaller, and there are more officers, and more magistrates who do their duty there, than in the other parts.

Could such twopenny lodging-places for scores of people under one roof, as Mr. Fielding complains of, [places filled with debauchery and stench, and every thing that can resemble Hell itself;] subsist in the city of London for one week? Impossible! but they can't be suppressed in Mr. Welsh's vast Holborn division, notwithstanding all his commendable care.

Mr. Fielding, in the excellent piece here alluded to, has shewn himself a most worthy labourer in the vineyard of the public: and 'tis great pity that in a performance so masterly, the one thing needful (as to the present point) should be omitted. It is to be hoped, that he will soon oblige us with his plan, because at this time the thoughts of a Gentleman of so much ability and experience, could not but be extremely useful.

In the mean time, what he has said and quoted relating to the government of the people in criminal matters, proves the very thing required as to the poor: the same measures being applicable to the management of the poor as are necessary for the preservation of the public peace.

How then was the public peace heretofore maintained in the high degree that makes our histories shine in the representation of it? Why, by dividing and subdividing the people into small classes, each of which was answerable for its own inhabitants: nor is it possible for a great and populous country to be in any instance well governed in any other way.

<sup>d</sup> Mr. Fielding takes notice, that King Alfred, to guard against mischiefs by robbers, &c. "limited the Shires or Counties in a better manner than before; divided them into Hundreds, and those again into Tithings, Decenaries or ten families, over each of which was a tithing man; and, That every subject in the Kingdom was registered in some Tithing."

<sup>d</sup> Pag. 76.

But

" But this constitution would have been deficient, if it had only provided for the incorporating the subjects, unless it had confined them to the places where they were incorporated. Wherefore by the laws of Alfred, Decenners could not depart from their dwelling without consent of their fellow pledges, nor leave the County without license of the Sheriff. Before this order was established (says Rapin) the meaner sort of people might shift their quarters, their obscurity preventing their being taken notice of. But it was impossible for them to change their habitations, after they were obliged to bring a testimonial from their tithing, to enable them to settle and be registered in another."

<sup>f</sup> Ingulphus says, that "such was this excellent constitution, that in Alfred's time a traveller might have openly left a sum of money safely in the fields and high-ways, and have found it safe and untouched a month afterwards." Nay William of Malmesbury <sup>g</sup> tells us, that "the King ordered Bracelets of gold to be hung up in the cross ways, as a proof of the honesty of his people, none ever offering to meddle with them."

<sup>h</sup> While this ancient constitution remained entire, such peace (says Lord Coke) was preserved within the realm, as that no injuries, robberies, riots, tumults, or other offences, were committed; so as that a man with a white wand might safely have ridden, before the Conquest, with much money about him, without any weapon, thro' England."

Does not all this point out to us what we should do? Does it not prove the excellence of Q. Elizabeth's law, which is a step towards the old method which wrought such miracles? And can we proceed more wisely than in following that track, till it leads us as near as possible to those heights of good government?

We have been so unhappy in more modern times, that neither Britain nor any part of Europe (except Switzerland and Holland) have been able to supply us with fresh instances of what good effects the like good conduct will produce: but tho' 'tis pity we are forced to go so far for them, Examples are not wanting to prove the point.

<sup>e</sup> Pag. 79.

<sup>f</sup> Edit. Oxon. p. 28.

<sup>g</sup> Edit. Francof. p. 44.

<sup>h</sup> p. 30.

China

China and Japan are the most populous countries in the known world. Their governments (in the instances now under consideration) are very like those of our Saxon ancestors, and attended with the same good consequences.

In China, every town is divided into four parts, and those subdivided into smaller districts, each containing ten houses, over which an Officer presides, who gives his account of their behaviour to a sort of Headborough who is set over a hundred, and he makes his returns to the Mandarins. If a robbery is committed in the night, the neighbourhood must contribute to the loss; and in every family, the father is responsible for his children and servants<sup>1</sup>.

If it be asked, what is all this to the poor? the answer is, that the same methods must be used, for the right employment and due maintenance, as for the good government of them, be those methods what they will.

It may be also said, that this is only visionary, and cannot be now put in practice here. But why not? The new schemes are rather visionary, and seem contrary both to reason and experience. Q. Elizabeth's parochial law approaches nearly towards K. Alfred's; and 'tis our own fault that it does not go still nearer, and that without innovation or expence.

But how is this to be done? The legislature will, without doubt, find out the proper way, when once convinc'd that the foundation is right. However, to avoid the same omission as has been blamed in Mr. Fielding, something shall here be offered for that purpose, tho' with the utmost deference, and not with intention, to prescribe any one particular way, but only to shew, that means may be found to answer the end proposed, without any novelties in our laws or general system of government.

Before this is attempted, it will be necessary to make some observations on many other faults found with our present statutes; and to shew, that the chief of those faults may be better amended under the present laws than under a County scheme.

<sup>1</sup> P. Le Compte.

The matter about *Certificates* is mightily blamed, representing the hardship upon poor people, that they are not suffered to go into another place where they may earn their bread better than in that to which they belong. It must be acknowledged, that now and then particular hardships of this sort may and will happen. And where is the law that sometimes does not introduce particular grievances? But this is certainly good policy upon the whole. It is a means to prevent the poor from *wandering*: it prevents the many INCONVENIENCES arising from the gaining a legal inhabitancy by secret and concealed residence: it promotes a good behaviour in the poor towards their own parish: and is seldom denied now to any industrious person who applies for it upon good reasons.

The law-suits about *Appeals* are also much cried out upon, as being of exorbitant expence and trouble. If this be an evil, 'tis a necessary one; and arises from the natural complexion of our State, which does not incline to give particular magistrates a power of determining in too summary a way, but leaves the parties interested to the satisfaction of an open trial.

Those who see these affairs, can tell, that they are now at the Sessions sufficiently summary, and not so vastly expensive as they are represented to be. The laws relating to settlements are become so well fixed and so thoroughly known, that the lawyers begin to cry out for want of work, and wish for a new act, which always brings fresh trade. And indeed the costs of appeals are so far from being great or oppressive, that 'tis to be questioned, whether any one parish in England had not rather the laws should continue as they are, than be barred of the right of appeal against the order of any two justices whatsoever.

The sole consideration, that this is a voluntary matter, and not put upon any parish but when they please themselves, is enough to alledge for the continuance of it. Indeed if the poor were to be unparished, and thrown all at large, there would be no occasion for it, except between Counties; and that would be Westminster-Hall-work in the first instance, and a great deal of that dreadful work must happen, if the County-scheme should take place.

That the poor are tolerably well maintained by the generality of parishes, but that they are hardly, in any, well employed, is another great and just objection against our present laws. But where does the objection go; against the laws themselves, or against the shameful non-observance of them? There is no objection against the statutes, but only this one, that they empower parishes to set up workhouses, but do not compel them. Whether the Legislature shall think it expedient to add this compulsory injunction or not, must be left to their prudence.

Parishes are apt to consult their own interest. Small ones cannot set up such houses to any good purpose. Large ones seem of late to be coming into it almost every where, of themselves; and it may possibly be better to leave them at their liberty in this respect, at least for some little time longer, now so many are erecting: because one of them set up upon spirit and emulation, and their own seeing the good effects of workhouses in others, will be better conducted and prosper more, than ten that are raised by compulsion. To *empower* Justices of peace and parish-officers to set up such houses, were *proper*, one would think quite sufficient, unless all kind of public spirit was entirely banished out of the nation.

The complaints about *Vagrants* and *Beggars* are sufficiently loud, and but too true: and something more must be done in aid of the present laws against them. In order to judge what is best to be done, let it be considered, where the evil is greatest, and where these miscreants chiefly harbour and resort. Is it near so much in the city of London, as in Westminster? Is it near so much in boroughs and towns, as about the country at large? Such of them as have settlements may be easily confined by the present laws, unless we continue in such a degree of indolence as is enough to defeat or enervate all laws. Such of them as have none, and come from abroad, or from Scotland or Ireland, may be confined in County-houses of correction, or transported, or dealt with in any other proper way: the general plan for the poor being very little affected by them; they being indeed more properly the objects of the criminal laws.

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If the scheme should go forward for providing for the poor of a whole County in one place, it is not easy for the wit of man to foresee, much less to prevent, its falling into one of the most *pernicious jobs* that ever infested this nation. Most certainly nothing of this bad sort was ever in the view of Judge Hale, Sir Josiah Child, or any of the Gentlemen now proposing the County-plan. It was, the not taking into their consideration the vile uses that may be made of their good design, which occasion'd them to espouse it.

Let men of understanding reflect in their own minds, how 'tis possible to avoid the *dirty practices* of low and designing people, where such sums must be laid out as are necessary to *build* a workhouse, a house of correction, and an hospital, in every County? There must be all three, or the new scheme cannot go on; and they must be as large as a *town*, or they cannot receive the objects.

When this *disorderly unhappy wretched* crew are all got together, how are they to be governed? How will the neighbourhood for many miles round avoid being *pillaged*? What a shocking *nuisance* will it be to those who are so unfortunate as to have their houses or seats near them? Will the Gentlemen of the country go voluntarily from their own homes to take care of them? Is it conceivable to expect it? They must be govern'd then (as was said before) by a *little army of officers*, and must have their provisions brought in by persons who will find their account in it.

Place the nomination of these Officers and Proveditors in whom you please; can *Party* be excluded from nominations? can *Jobs* be prevented in the execution? can a most abominable *Nuisance*, and a most enormous *Expence* be any way avoided?

If it be imagined, that all this is said in order to cry down the new-proposed county-method merely at the same time to raise and enforce the old one in the manner about to be hinted at, it is a great mistake. What is mention'd here, is to set before the public eye the striking *inconveniences* that may attend an untried measure, and to recommend it to abler persons to enforce the *old method*, if upon cool reflexion it be found a rational one. Whether this support and enforcement be done in the way

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now to be sketched out, or in any other way, is quite indifferent, so that the great and good end be but duly answered.

As so much has been objected to the new-proposed scheme, and so much said in defence of our present statutes, and such acknowledgment made at the same time of the defects in the execution of them, it may now be expected that some measures should be proposed towards the removing those defects.

In the first place, therefore, it seems proper to give attention to the two capital Cities, and then to the Counties.

The city of London, properly so call'd, is generally said to be well governed already, both with regard to the poor, as well as in other respects. But if there be any defects there, they have a power of correcting many things themselves: They have a large and well-ordered magistracy, and a good number of subordinate officers; so that they will probably set themselves right, or if they should in any thing want the further aid of Parliament, upon their application it will not be refused.

The vast out-parishes of London, and the great parishes in Westminster, require the most immediate relief. And for these the methods chalked out by the very old laws, which are in part restored by those now in use, seem to be the most natural, and most likely to prove effectual for the purpose desired.

For example; Every one of these parishes ought to be divided by the Justices in sessions into as many hundreds, and these subdivided into as many smaller districts, as they from time to time shall see proper.

Over every one of these districts a Tithing-man (to be at the same time sworn a Constable) should be appointed; who should constantly visit the houses under his care, should set down the names of all the inhabitants and lodgers, with their trades and ways of life, and whether their behaviour be orderly, and their children decently provided for, and set to work.

This return should be made weekly to Headboroughs or chief Constables of the hundreds, and they should carry them, with their own returns of the behaviour of the Tithingmen or petty Constables every month, to a special

cial Sessions of the Justices of the peace to be holden for that purpose.

There ought to be an Overseer of the poor for every Hundred, who should at the same sessions bring in his monthly account of the provision for the poor, and of the state of such poor People.

There should be, in these great parishes, one or more workhouses for the poor, with stock to employ them in useful labour, where the justices of peace and the Overseers may send such as want work, or are idle, and likewise such children as are not decently and properly provided for by their parents.

If the houses of Correction for these great parishes are not already sufficient for the purpose, some few more may be added; but all the houses of Correction should be made workhouses, and not merely prisons: And an account of all the persons confined in those houses, as to what they are employed in, and how they behave, should be given by the masters of them, at the same special sessions, every month.

These houses should be also visited by some chief Constable every week, and by some one of the Justices at least once a month, and a report made at the sessions.

As nothing of all this can be done effectually, unless the Justices will attend, an order should be made at the Easter-sessions in every year, that such and such special sessions shall be holden every month at such places, and before such Justices by name, any three of whom shall be sufficient to make a Court.

That as the Justices at the general Quarter Sessions have now only four shillings a-day for their expence, the Justices of these special sessions should be allowed half a guinea a-day, to be paid by the County-treasurer; and such of them as do not attend shall pay half a guinea to the County-treasurer (unless hinder'd by sickness, of which oath shall be made before a Justice of peace:) these forfeitures to be levied by distress by the under-sheriff of the County, and paid to the Treasurer.

Regard will be had by the Justices at the general Quar-



ter Sessions, not to appoint too many Justices for the respective divisions and special sessions, so as to put the County to needless charge, nor so few as to run the hazard of having the public business neglected: About five might do for each special sessions, and they ought to be men of the first rank and fortune, that the neighbourhood of the places will produce.

Reasonable salaries for the Headboroughs, or chief Constables, and for the Tithingmen, or petty Constables, should be paid by the parishes; as five shillings a-day for one day in a month, when the Headborough attends the special sessions, and brings in his returns; and half a crown a-day for one day in a week, for the Tithingmen to go round, and make their returns to the Headborough. And if the poor who are able to work are all kept to it, as by this means they certainly may, the parishes will save much more than these salaries come to. The present beadles may be made Headboroughs or Tithingmen according to their capacity.

Over the door of every Tithingman's house a board should be put, as over Surgeons doors, with this inscription *J. B. tithingman*; and then every passenger who sees a strolling vagabond, a deserted child, or any such object, may go to the house, and demand of the Officer, that such person be immediately carried to the workhouse; in default of which, complaint may be made to the Headborough, or to the Justices at special Sessions.

If the laws be now defective in giving sufficient power to the Overseers, or Justices, to send idle persons, or the children of the idle, to the parish or other workhouses, a clause may be easily obtained for that purpose: as also for sending vagrants to any public workhouse, or transporting them. For the principle laid down in the late proposals is a very good one with regard to vagabonds, though not with regard to the parochial poor.

If this method be thought right for Westminster and the suburbs of London, the same may be pursued for the Counties at large; viz. the Justices of peace, at every General Quarter Sessions at Easter, may either continue the present divisions of the County, or make more, if they find it convenient.

A monthly

A monthly special Sessions may be appointed to be held in each division by five Justices by name, (not excluding any others) three of whom may make a Court, and these five to be paid half a guinea a-day each for their charges by the County-treasurer: Such of the Five as do not attend forfeiting half a guinea each, to be levied by distress by the under-sheriff by warrant from the chairman of the general Sessions, and paid to the Treasurer<sup>k</sup>.

That the chief Constable of each hundred should make his monthly return at every special sessions, and the petty Constables, or tithingmen, should make their returns of the state and behaviour of every parish, or tithing, to the chief Constable, or headborough of the hundred, (once a month in the Country, viz. the day before the special sessions) setting forth the names of the inhabitants and lodgers; the number of public houses, and the behaviour of the alehousekeepers; and whether gaming of any sort, or other disorders, are practised in those houses (a more explicit power being given to the Justices than they have at present to suppress them.) The number of poor in each parish should also be expressed, and an account how they are relieved, and how employed, and what workhouses are already in each division, and what more are wanted: and whether there are any spirituous liquors sold among them without a licence.

The pay to each Chief Constable on the monthly returns five shillings a-day, and to each petty Constable or tithing man two and sixpence weekly, for their visiting every week, and making the returns every month.

A power should be given to the special sessions to punish these Headboroughs, or Tithingmen, for negligence or other misbehaviour in their office, by mulcting them of their pay, or even imprisonment till the general Quarter Sessions, in cases that deserve it. And by this means information would necessarily be made of all kind of disorders,

<sup>k</sup> For the greater ease of the Justices, all the business that is now done at Special Sessions may by a proper distribution of it, be done at these monthly Sessions: and the Country will find a very great convenience in having special Sessions regularly held for all their affairs.

which now cannot be had, the name of an officious informer being so much in disrepute.

The Overseers of the poor, and the Masters of workhouses and houses of correction, are also to attend at these special Sessions with their accounts, whenever summoned by the Justices; who should have power to punish frauds or neglects of duty, an appeal to their judgment in these cases being reserved to the Quarter Sessions, where it should be final.

The principal house of Correction in every County-town, should be made likewise a workhouse, under the immediate inspection of the five Justices of that division, who should constantly visit the place at their monthly Sessions, and see that some work be carried on there by the vagrants and other idle persons thither committed.

In large Counties, where there are many houses of Correction, all the prisoners who are committed for longer time than a week, should be sent to the principal County-house of Correction, where it will be easier to employ them with good effect: whereas in the smaller houses of Correction, tho' there is occasionally a necessity for them, yet it is not so easy to find proper work for vagabonds and criminals.

All parish-workhouses should be inspected in their turns by the five Justices, in such a rotation as they shall appoint among themselves. And if any children of poor persons are neglected, or ill provided for, by their parents, the Justices should have power to send them to any neighbouring workhouse (if they have none in their own parish) at the charge of the parish to which such children belong, and to put them out to prentice or to service at the charge of the same parish.

By these regulations, or something of this sort, which the wisdom of the legislature shall dictate, the lower sort of people, and the indigent and idle poor, may be well govern'd and well maintained.

Here will be no Innovation upon our constitution, but a nearer approach to the spirit and meaning of it, and almost all in the old forms. The expences will not be great in the execution of this plan; but, on the contrary, the general savings to the public will be immense, if by  
this

this means the poor can be well employ'd, and the idle and profligate restrained.

The interest of the Justices in the General Quarter Sessions will prevent any unnecessary expences to the County, as to the number of divisions: and the interest of the Justices in each of the divisions near his own estate and habitation, will prevent any unnecessary schemes for raising more workhouses than can be well employed.

County-hospitals would be extremely proper, and a most humane and charitable provision; but they ought to be consider'd quite by themselves, distinct and separate from all the foregoing matters, and to be constituted upon voluntary charity only.

Mr. Hay's Bill for this purpose seems to be most excellently well contrived; and as, without doubt, there were some reasons why the house of Lords did not pass it, their objections should be inquired into, and a new bill framed, so that the sick and wounded, the aged and infirm, might have such a comfortable relief as the general good-nature of this kingdom seems always disposed to afford them.

The hints above given are not offered as a quite regular plan, nor drawn up in the requisite form upon which an act of Parliament should be framed. It would have been too great a presumption to propose them in such a manner, till 'tis known whether the sense of the legislature shall incline to the old system of Parochial and Decenary government of the poor, or to the new scheme of doing it by Counties.

Perhaps it may not be thought right to take notice here of what some writers have said about the city of Bristol; about wool, the staple of our employment for the poor; and about the perverting their morals, and making them more dissolute by our present manner of Electioneering.

'Tis true, that the case of Bristol cannot be well spoken to, but by those who know the place and the facts; but supposing that their act of Parliament has perfectly well answered its end, it will not from thence follow, that a County-division is better than a parochial one for the kingdom in general.

Bristol is a maritime city, full of trade and commerce of all kinds, and full of merchants and considerable men, who are generally more ready to give a little of their time to public affairs, than those who have nothing at all to do. Where there are a number of such persons as these, they may very well conduct such a large matter among themselves: especially as they all have such ready opportunities of employing the poor. But it is not so in other places, which imprudently obtained like acts of Parliament, when the circumstances of those places were widely different.

One of them in Suffolk<sup>l</sup>, has most grievously hurt the town, and been attended with all the inconveniences, expences, jobs, and law-suits, that might reasonably be expected from so improper a scheme; tho' the act itself was formed upon the plan of that of Bristol.

Another of them in Essex<sup>m</sup>, formed upon the same plan, has had the like bad consequences; the poor were ill provided for, tho' the money raised for them vastly exceeded what has been found sufficient since the act has expired. And while it subsisted, it was made use of, many times, for party views and private purposes, and much disorder and confusion arose from what was at first well intended.

To take care that our wool be not exported immediately from the sheep's back, is certainly one of the best means to find employment for the poor: and it is as certain, that so bulky a commodity might by rational laws be easily kept at home. But when mean local jealousies enter into the frame of laws, and make them unreasonable in their very constitution, no penalties or sanctions, tho' they extend to life itself, can make such edicts effectual. All the severe acts of Parliament have not hitherto hindered Ireland from sending their wool to France. What is the reason? why, because of that other unnatural law, which prohibits them from sending out the same wool when manufactured. How came this last law to be made? why, because particular cities or towns in England thought the Irish would rival them in their trade. But how does this stand with the general reason of the thing, or with true

<sup>l</sup> Sudbury.

<sup>m</sup> Colchester.

national Policy? Suppose Ireland was to be treated merely as a conquered province, and not as a part of the British dominions, which in itself would be a most absurd measure, yet supposing it for the present; would it be right for a Conqueror to say to a settled and quiet people, now become his subjects, "You shall not work up the products of the earth yourselves, and you shall not sell them to your neighbours?" Human nature can't bear such an injunction: they'll venture the Gallows or any other penalty, rather than burn their wool, or throw it into the sea, when they can have money for it in a few hours fail: and especially when the look-out is sharper upon them to prevent their sending out goods, than their sending out wool.

One would be apt to think, that a judicial infatuation must attend a people who suffer such tyranny and folly to prevail together. The perjuries that pollute the whole commerce of Britain, have surely drawn down the anger of heaven to blind us so much, that we can't see the most obvious methods for supporting our poor, and preserving our trade in that part of it that must always be lasting, if 'tis not our own fault, because the wool of England and Ireland is a material so very much wanted in all other countries.

Is there a mathematical demonstration more plain than this, That a pack of wool wrought up in Ireland can hurt the English trader no more, than the same pack of wool wrought up in France, supposing that the French by means of it did not work up much of their own with it (which could not otherwise be used) as they now actually do?

Ay, but says a particular City, if Ireland might export their own goods, they would undersell us in such a species at Lisbon.

When the above demonstrable truth is urged even to some great men, the answer they give is, "that if Ireland was suffered to send out their own woollen manufactures, all the woollen trade, nay, all other trade, the general wealth and power, must all remove to Dublin." Such strange reasoning as this from persons of known abilities and capacity,

capacity, only proves, that they are under the influences of the particular City or Borough, but don't care to own it.

There's demand enough abroad for all the woollen goods that Britain and Ireland can furnish: but we throw away our wool to France, neglect our own poor, and advance the strength of our most formidable adversary, only to indulge the jealousy and caprice of a few particular towns.

Gentlemen, whose estates are in sheep-walks, would find their account in it, if Ireland was suffered to work up their own wool: because, when France gets a great deal of Irish wool, our own trade fails, and the price of wool here is low; but when their trade fails, and the wool is wrought up at home, the price of it always rises; and if no wool at all was to go abroad from Britain or Ireland, the price of it would still rise higher.

But if Ireland might work up its own wool, would not the Linen-trade there be neglected? All that have considered trade in an extensive light have proved the contrary.

The pushing one branch of trade does not lessen others, but improves them; and there are hands enough in Ireland to manufacture all the wool they grow, and all the flax they can either raise or procure.

Has the silk-trade in Spital-Fields lessened the woollen-trade of London? Not at all; they have both increased, and a part of the manufacture of Linen along with them: and so it would be, if every assortment of goods that can be named was still added to them. It would only increase the number of people, but not lessen any one of the trades: and when this is got to the highest pitch that the place will bear, Colonies of the respective branches (if that word may be used) will necessarily form themselves in other parts of the kingdom.

The perversion of our poor by our present manner of *Electioneering* is justly complained of by a very judicious and ingenious writer, to whom the world is much obliged for his *Essay on trade*<sup>n</sup>. He there calls it "a stab to industry, and what gives a taste for idleness, and brings on a habit of drunkenness and extravagance, removing

<sup>n</sup> Printed for T. Trye, 1750.

" at

" at the same time all proper subordination and restraint, contrary to the just order of society."

This matter, as well as the last about wool, being of a higher nature, than to come properly under consideration when we are speaking of laws immediately relating to the poor; it is hoped, that the reader will regard what is here said in respect to both, to be rather with a view that such great objections should not seem neglected, than with any intent to combine what relates to these points with the practicable things before offered in support of Q. Elizabeth's laws.

Under this caution, there may be no harm in considering (by way of speculation) how this confessedly *rotten part of our constitution* might be rectified. To resort to the first principles of it seems the safest method. Every body knows, that, ever since the Revolution, (if not always before) this State has consisted of an hereditary King established by Parliament; a permanent and hereditary house of Peers; and a house of Commons, representing the body of the people, elected by almost all such as have property in the nation.

By the natural course of things, there will be a shifting of property, more especially in a trading country, and more still in a kingdom where the land-property (the most considerable with respect to government) has had such very great changes as were occasioned by the Statute of Henry the Seventh, which impowered every one to buy and sell; and by the Reformation in Henry the Eighth's time, which brought the Church-lands into the hands of the People, great part of the lands of the Crown being also since come into the same hands.

While the chief of the landed estates were in the possession of the Peers, the Church, and the Crown, the most considerable of the people were the traders in maritime and other towns; and the inhabitants of the cities and royal boroughs; and therefore these were the places properly pitched upon from whence to send representatives to Parliament; the Freeholders of each County sending two Knights from every Shire to represent them: But these were to be Freeholders of some considerable quantity of land, viz. of forty shillings a-year, which in Henry the Sixth's time,

time,

time, when that limitation was fixed, was vastly greater than the same sum now °.

By this change of property, (the places and persons electing not being changed along with it) the very meaning and design of the constitution is in a great measure perverted. For the Commons, who have now the chief part of the lands in every County, have still no more than their two Knights, while the same County swarms with Boroughs, who have little or no property at all: the Freeholders of the city of London itself having no representative, nor a voice any where in right of their Freeholds.

Oliver Cromwell saw this defect in his time; and, as he had many patriot-schemes before he became a monarch, (for a monarch he truly was, tho' not a King) he, in the plenitude of power, was for striking at the root at once, and took away the elections from the small boroughs, adding more to the Counties, and great cities. And Lord Clarendon's candor induced him to say, that this measure deserved the consideration of better times.

Such a violent alteration as this, does not well suit any times but when absolute necessity makes power run high. But it has been thought, that the main end might be answered by enacting, "that every Freeholder of lands to the value of forty or fifty pounds a year, or upwards, might have a right of voting along with the burghers in every borough in the County where his lands lie, not gaining thereby any other franchise or right whatsoever in that borough."

This it is imagined would throw the right of Election into the proper hands, without disfranchising any borough, or any particular man whatsoever. It might have some of the effect of an Agrarian law, occasioning a wide dispersion of land-property, and a tenacious and frugal keeping of such a portion of it as would intitle the owner to so distinguishing a privilege.

° Fleetwood's Chronicon pretiosum.

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The small boroughs would probably not dislike it; because it would occasion a great deal of company coming thither, and a great deal of money to be necessarily spent in the place.

The Cities and great boroughs would have no reason to object against it: because the law should not be extended to them, but they to remain as they are, and only such as have not two hundred voters to be affected by it.

The reader will excuse its being repeated here, that these things relating to the Wool and to Elections, are by no means proper to be blended with the laws about the poor, but are mentioned problematically and only to answer objections.

The same excuse is asked, for adding a few words about Justices of peace, before the concluding this Essay, which is already grown by much too tedious.

Unless a set of new Officers be appointed, unknown to our laws and constitution, the maintenance of the public peace, and the super-intendency of the poor, must naturally fall to the share of the old Magistrates, the Justices or conservators of the Peace.

The British People would not like to see Intendants, Bassas, or Mandarins; they would not like to pay their salaries, nor to feel their power. It seems, therefore, best to go on in our beaten path; and, if the course of time has thrown us into any deviations, we should endeavour to rectify them.

Magistracy there must be; and to have it with any effect, it must be made respectable. There must be something of honor or profit attending it, in order to engage proper persons to act: or at least there ought not to be too much loss and expence, nor any circumstances of disgrace going with it. If all this be true, then let it be considered, how far the Office of a Justice of peace at present is or is not circumstanced accordingly.

In Henry the Sixth's time it was intended, that their expences at sessions should be paid; but that provision now falls greatly short. The proposal hinted at above is designed

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signed to prevent their being hurt by the special sessions: but if Gentlemen have still the spirit to carry on one of the most burdensome offices in the kingdom, at their own expence, and without any reward, which certainly ought to gain them respect, they ought to be secure of having good company, or at least not to be deprived of the best, that each neighbourhood affords.

What has been the reason for it, let others enquire; but so it is, that of late years a great number, and still not a few gentlemen of five hundred pounds a-year estate and upwards, are left out of the Commissions of the peace. The names and circumstances of these Gentlemen may be artfully concealed from the great persons who should insert them, or the characters of some may be misrepresented.

To remedy this, would there be any harm, if it should be enacted, "that every Gentleman of five hundred a-year or upwards, might at any assizes, when the Commission is read over, require his name to be added, exhibiting at the same time his qualification, and acting "at his peril if it proves a false one?"

As a spur to the indolent, and to secure the better sort that they may meet proper company, would it be at all wrong, on the other hand, to enact, that every Gentleman of five hundred a-year estate and upwards, except the Judges and great officers of State, shall act in the commission of the peace, or else pay twenty pounds a-year to the treasurer of the County, to help defray the expences of those who do act? This will not be looked upon as a severe fine, when it is considered, that it costs those more, who voluntarily engage in the public service.

The credit of the Commission will rise, in proportion to the number of persons of Rank and Fortune who appear in it; and this of very late years has been rather advancing. Mean, low, trading Justices are not much heard of in the Country; and never will be heard of, if Gentlemen will act; but inducements are said to be wanting to engage still more to appear, and to counter-act the indolence which naturally follows easy fortunes.

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To be able to bluster (and sometimes more than bluster) at a poacher; to keep their own parish under their own government, and to prevent other persons from exercising authority there, are, in the opinion of some, sufficient motives: and indeed these things, of the honorary kind, mixed with a little controlable power, should be the only motives for engaging in a magistracy of this sort. To make it lucrative, would be absolutely spoiling it: all respect would forsake it, and every conceivable inconvenience would be the consequence.

But as the Justices, in that part of Middlesex which contains the out-parishes of London, (where good magistrates are more wanted than in any other place) have none of the common motives which encourage Gentlemen in the Country; as they have more business, and of the most disagreeable sort; and as the disreputation which trading Justices there have brought upon the Commission, absolutely prevents many worthy men from appearing; something in particular ought to be done for that district, either by way of salaries to mere men of business, or else some distinguishing honors to those who are above it.

There have been objections made to two of Q. Elizabeth's laws which have not yet been considered. The one is, that for preventing the building of Cottages without laying five acres of land to each; the other, that for prohibiting persons to exercise trades who have not served seven years apprenticeship.

As to the first, people have been at a loss to know the reason upon which it is founded; as it tends plainly to discourage and drive away useful poor. This is certainly now the consequence of that law, and therefore it seems quite right to have it repealed.

Agriculture is (thank heaven) in a different state from what it was in Q. Elizabeth's time: Half the lands were then a forest, and many of the poorer sort in them as wild and as useless as Indians: and when manufactures were in their infancy, she wanted to drive these wild people into towns, where they might be employed in trade, and not live in huts like Highlanders: But farming is now become one of the best trades; and the reason for it ceasing, the law should cease.

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The second law might also be of use in the beginnings of trade, but afterwards might prove monopolizing and mischievous. It has always been deem'd, as it truly is, a very hard law, and therefore the legislature will probably repeal it, especially as to the lower trades of Barbers, Butchers, &c. in which our foreign exports have no Concern.

Some of the Resolutions of the House of Commons, refer'd to in the foregoing Papers.

13. *Die Junii*, 1751.

Resolved,

That the Provision for the Poor of England and Wales, is become a very great, and is at present an encreasing Charge on the real and personal Estates of the Subjects.

That one great Cause of this Expence, is, that the vast Sums, raised for their use, are in general expended on their mere Maintenance only, and very little or no Care taken to provide for their Employment.

That another great Source of this Expence, is, the Removals of poor Persons from one part of this Kingdom to another, as to the Place of their legal Settlements, and the Numbers of Controversies arising thereon.

That another great Source of the Increase of Expence, is, that there is in general little or no Care taken to educate the Children of the Poor in Habits of Industry, so that, when they grow up, they are not able to provide a Maintenance for themselves, and so live in Idleness, partly through Necessity, and consequently propagate a new Race of chargeable Poor.

That many Parishes are too small separately to raise a Stock, sufficient wherewith to employ the Poor to any Advantage.

That it would, in all Probability, be a great means of lessening, to a considerable degree, the Charge of the Poor, and of greatly decreasing their Number in a very few Years, if some Method should be agreed on to maintain and employ the Poor, by one common Fund in every County, although no Parish should be obliged to contribute more than they have usually paid to the Maintenance of their own Poor, at a reasonable Medium.

That after such Method should be agreed upon, the Repeal of the several Laws concerning the Settlements and Removals of, and Certificates for, the Poor, would be a Saving of very great Sums now expended on those Occasions.

*N. B.* The Sixth Resolution of the Committee, being read a second time, was, with several Amendments thereto, agreed to by the House, and is as follows:

Resolved, That it would, in all Probability, be a great means of lessening, to a considerable Degree, the Charge of the Poor, and of greatly decreasing their Number in a very few Years, if some Method should be agreed on to maintain and employ the Poor, by a common Fund in every County.

F I N I S.

**R E M A R K S**  
O N T H E  
**L A W S relating to the P O O R;**  
W I T H  
**P R O P O S A L S** for their better  
Relief and Employment.

By a Member of PARLIAMENT.

First published in 1735; and now again submitted to Consideration.

W I T H  
An APPENDIX, containing the Resolutions of the House of Commons, on the same Subject, in 1735; and the Substance of two BILLS since brought into Parliament.

To which is prefixed,  
A PREFACE, on the present Publication.

—————*Si quid novisti rectius istis,*  
*Candidus imperti.*————— HOR.

L O N D O N: Printed 1751.

*N. B.* The Pages, as they stand in the original Pamphlet, are, in this Copy, distinguished by Figures in the Margin.



## P R E F A C E.

*THE following Remarks were first published in 1735. The Author of them then was, and still continues, a Member of the House of Commons. He now again submits them to the Consideration of the Public; and without the least Alteration, having seen no Reason since to vary his Opinion; and he hopes they may be of some Use in the present Conjunction, which seems more favourable to a Scheme, which then failed of Success. When they first appeared, they gained so much Attention, as to give Birth to the Resolutions which are in the Appendix; and to a Bill in consequence of them, the Substance of which is likewise there inserted.*

*The Resolutions were at that time received with universal Applause: But the Bill could not be presented till the next Session.*

*The Gentlemen, who were ordered to bring it in, bestowed much Time and Labour in preparing it: But in some Parts of it complied more with the Prejudices of others, than their own Opinion; for the Qualification of the Guardians was too low; and the Choice of them (to avoid Partiality) was left to blind Chance. They were too much connected with the Justices of Peace; and too much under their Controul. And some of the old Leaven of Settlements, and distinct Parochial Interest, still remained, for want of an equal County Rate.*

*When it was presented, they found much of that Zeal abated, which had appeared in the House, when it came into the Resolutions. If some few Difficulties occurred, which were real; many more were started, which were only imaginary. Those who had depopulated their Parishes, and were grown easy in their Pours Rate, were alarmed for fear such a Law might end in an equal Rate throughout the County. So that Private and Parochial Interest, which is ever vigilant and active, gained Ground against that which was Publick, which is generally too careless and indolent. The leading Men in the House, best able to promote such a Design, were taken up with State Affairs, and little regarded it: And, perhaps, in general disliked any thing that carried the Appearance of an Innovation. The Bill was put off from time to time, till it was too late to pass; though it was suffered to go through the Committee, and was printed with the Amendments, and sent into the Country for further Consideration.*



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p. v. *The next Year the same Gentlemen were again ordered to bring in a Bill or Bills to the same Purpose, and had the Honour to have the Master of the Rolls (Sir J. Jekyll), Mr. Oglethorpe, and Mr. Winnington, to be nominated with them. The first of those Gentlemen, who had declared himself a Friend to the Bill from the Beginning, began to be staggered with the Objections made to particular Parts of it: And apprehending it might be difficult to pass the Whole; advised the Gentleman who presented it the Year before, to divide it into two Bills, by cutting off the Part relating to Vagrants from the rest. That Gentleman submitted to Authority, contrary to his own Sentiments; and complied with a Proposal, which not only created Trouble to him and his two Fellow-labourers of the preceding Year, in new-moulding those Bills; but which extremely maimed and disfigured their first general Plan.*

*Two Bills were accordingly brought in; the One for Punishing Rogues and Vagabonds, the Other for the better Relief and Employment of the Poor.*

p. vi. *The first was thought not complete, because every Part relating to Passing of the \* Vagrant, was (and certainly it was best) left out. That Part was added to the Bill in succeeding Years; which, after variety of Attempts and Corrections, has twice since passed into a Law. The Effects of the present Law are well known; and Mr. Fielding, in his late valuable Treatise, has pointed out its Defects.*

*As to the Bill relating to the Poor; the Gentlemen who prepared it endeavoured to clear it from some Objections, which were made to the Bill of the preceding Year: and, in so doing, deviated still farther from their original Intention. For each County was to be divided into small Districts, of not more than ten, and not fewer than Three Parishes: And a Guardian was to be annually elected by the Vestry of each Parish; whose Qualification was to be 20 l. per Annum at least, if such could be found. This Bill was presented by the Gentleman, who presented the Bill of the last Year; and he is not sorry, that it met with the same Fate.*

p. vii.

\* N. B. The Passing of Vagrants is a great Trouble and Expence to no Purpose. It would be better to keep them employed in the Counties where they are found, till they could be properly disposed of. The present Law intended the Houses of Correction to be Work-houses; where Criminals might be kept to some useful Labour, and acquire a Habit of Industry. And ample Powers are given to the Justices of Peace to fit them up, and furnish them for that Purpose. Those Powers are not executed. So that the Criminals, for want of Employment, and by being suffered to herd together, come out more dissolute than they went in. Would it not be better to put the Management of these Houses under the Guardians of the Poor, and make it Part of the general Plan?

Finding

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*Finding all his Endeavours ineffectual, he was discouraged for some Years from any new Attempt; but still had the Subject warmly at Heart. Three Years ago his Thoughts suggested to him another Expedient, which he hoped might do good, and which he was sure could do no harm. He presented a Bill to the House for the better Relief of the Poor by Voluntary Charities; which is also to be seen in the Appendix. The Substance of it is no more than this: That Persons the most eminent for Quality, Dignity, Office and Estate, in each County, (together with Benefactors) should be Guardians of the Poor, to receive all Charities for their Use, and to employ them at discretion.*

*This Proposal had these Advantages. The most Honourable Persons were to execute the most Honourable Employment. They were a permanent Body, marked out by Character, which saved any Trouble or Partiality of Nomination or Election. They were above Temptation, and even above Suspicion. They were subject to no other Jurisdiction; answerable to themselves alone; and by being laid under no Restraint or Obligation, were laid under the greatest, that of Honour and of Conscience. No particular Rules were prescribed to them in the Law itself; which often are a Clog and Impediment in the Execution of a Law; they cannot suit all Times and Places; and may be very improper on future Contingencies, which no Man can foresee: But such Regulations were to be made and varied from time to time by themselves; by which they might be better adapted to the particular Time, Place, and Occasion. The Bill did not meddle with any Law now in Being; nor make the least Alteration in any one Thing at present established: Nor did it lay any Man under any future Obligation, but left his Actions as free as they were before. If it had not succeeded, it would have been at least a harmless Law; if it had, it might have proved the Instrument of a great and general Good.*

p. viii.

*The Bill passed the Commons without Opposition, and the Gentleman was ordered to carry it to the Lords, where it was dropped; for what reason he knows not. He is almost convinced, that if all the present Laws relating to the Poor were abolished, and such a Law were to subsist alone, it would be an adequate Provision; and that in no long space of Time, a Rate for the Poor would be as unnecessary, as it was before the Reformation. For there is that inexhaustible Fund of Benevolence in the Hearts of Men (and especially of Englishmen) that would never leave their Fellow creatures destitute, were Charitable Persons morally sure, that their Benefactions would be wisely and honestly applied; and from whom can a wise and honest Conduct be expected, if not from the Persons appointed Guardians by that Bill?*

p. ix.

*But if it be thought too hazardous to trust the Poor to the Chance of Voluntary Charities only; the same Guardians (for no better can*

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be) might be enabled to raise what more should be necessary by a County Rate; and might be invested with all the other Powers in the first Bill. And thus by blending both Bills together, a better Law might be formed, than any that has yet appeared.

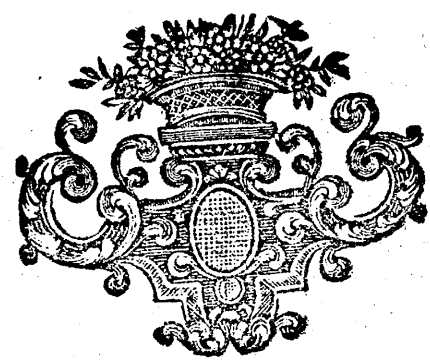
It is certain, that the Obligation on each Parish to maintain its own Poor, and, in consequence of that, a distinct Interest, are the Roots from which every Evil relating to the Poor hath sprung; and which must ever grow up, till they are eradicated. Every Parish is in a State of expensive War with all the rest of the Nation; regards the Poor of all other Places as Aliens; and cares not what becomes of them if it can but banish them from its own Society. No Good therefore is ever to be expected, till Parochial Interest and Settlements are destroyed; till the Poor are taken out of the Hands of the Overseers, and put under the Management of Persons wiser, and more disinterested; and till they be set to work on a National, or at least a Provincial Fund, to arise from Benefactions and the Labour of the Poor, as far as they will go; and what more is wanting to be levied by an EQUAL TAX.

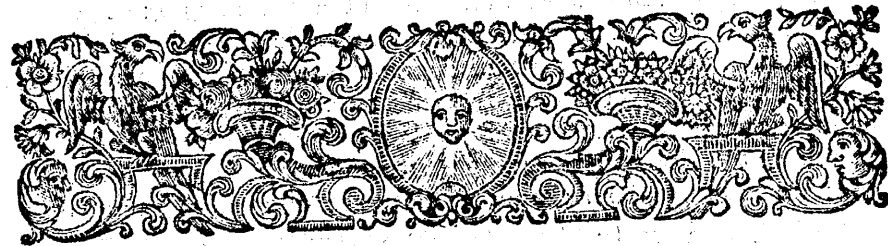
The Rate must be EQUAL throughout a County, or else the Cure will not be complete. Any other Rule of Proportion will prove unjust or inconvenient. If the present Rates on Parishes (on an Average of a certain Number of Years past) be established as a future Rule of Proportion between them; as the State of the Poor is ever fluctuating, it will soon become unequal, and destroy even that narrow Rule of Justice it intended to fix. If each Parish is charged (as in the first Bill) according to the Number of Persons sent from Time to Time from thence to the Work-house; there will be one of these two Inconveniencies: 1. If any Right of Settlement is suffered to remain, there must of Consequence be an Examination into that Right; which will be attended with Trouble in itself, and with Confusion in the Accounts. 2. If no Right of Settlement is allowed, but the Person is charged to the Parish where he happens to want Relief; many Frauds will still be carried on between Parishes, and many Oppressions practised on the Poor to drive them from Place to Place. Whereas an Equal Rate throughout a County would be a permanent Rule of Justice; that by One common Interest would establish Harmony, and remove every Temptation to Injury, Fraud, and Oppression. We should no longer see poor Persons avoided as the most noxious Animals on the Globe: Some dying for Want, because no Parish will own them; others in their own Parishes, purely to save Charges: Overseers at a foolish Expence, carrying whole Families from Places where they could live, to be imprisoned for Life in others, where they can find no Employment. We should no longer see the sturdy Beggar insulting, and the impotent One perishing in the Streets, or convey'd thro' the Kingdom at a publick Expence, and giving Trouble to every Magistrate in his

P R E F A C E.

his Way, to no manner of Purpose. Examinations, Passes, Duplicates, Certificates, Orders, Appeals, and a thousand other idle Trumperies, would be dispersed like the Sibyls Leaves, and blown away like the Chaff before the Wind.

The Author of the Remarks cannot but congratulate his Country, that this Affair is again under the Consideration of Parliament; and that it is conducted by Gentlemen, whose superior Talents, and publick Spirit, qualify them for so great a Work. It is with Pleasure he observes a more general and generous Way of Thinking on this Subject prevail more and more; and that there seems an Unanimity (which is, in all Cases, to be wished) to adopt some Scheme, like what he formerly propos'd. From these auspicious Circumstances, he hopes, that the Time is now come, when the Poor will be put under a better Regulation; a Thing absolutely necessary, and ardently desired by the whole Nation. He will always be ready to contribute his Mite. And let his Inclination to promote so good a Design plead his Excuse for laying his past and present Thoughts, imperfect as they are, before the World.

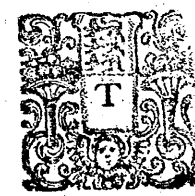




# REMARKS

ON THE

*LAWS relating to the POOR.*



HERE is a Complaint of the little Care that is <sup>P. 1.</sup> taken of the Poor of this Kingdom, and of the manifold Inconveniencies arising to the Publick from it. This Complaint is become universal; nor is it without Foundation. The Evil is such as every good Man wishes redressed: and which calls aloud for the Animadversion of the Legislature. When a Stranger beholds Numbers of poor People begging in our Streets, and wandering through the Country, he would be apt to conclude, that there were no Laws either for their Relief or Employment; but when he is informed of those Laws, and of <sup>P. 2.</sup> the immense Sums constantly raised for those Purposes, he will be still more surpris'd at those miserable Objects. The Consequence to be drawn from this Fact is, either that the Laws themselves are deficient, or that there is some Defect in the Execution of them. I shall examine both these Particulars, and then propose some Remedy for Reformation of so great an Evil.

By

By the Law now in being, every poor Man is supposed to have some Settlement: A Place to which he may at all times resort; from which he cannot be removed; and from which he cannot legally remove himself without a Certificate: A Place to which he may be sent, if he is chargeable any-where else, or likely to become so: This Settlement is supposed to be in some Parish; and in every Parish, Officers are annually appointed, who are invested with Power to levy a Tax within the Parish, to relieve the Poor that are impotent, and to set the rest to work that are able to labour; and, if they are not willing, they may be compelled to work in the Houses of Correction.

How admirably, at first View, do these Laws seem contrived! But, upon a Scrutiny, I think some Defects may be pointed out, p. 3. which prevent the desirable End for which they were ordained.

It is certainly a wise Institution, that there should be a certain Place, in which every Man may employ his honest Industry; where, when that fails to support him, he may at last be secured from the evil Accidents of Life. \* \* \* \* \*

N. B. *This Omission, from Page 3 to 7, is, because they only shew the Difficulties attending the Execution of the Law relating to Vagrants, as it stood in the Year 1735, and at this Time would be nothing to the Purpose; because what relates to Vagrants is now to be understood as directed in the Act of the 17th of his present Majesty.*

p. 7. From the Case of the Vagrant, I pass to that of such poor p. 8. Persons as are known in the Places where they dwell; and shall consider the Laws with relation to their Settlement, Relief, and Employment.

Persons who have gained no Settlement themselves, are to be placed where their Father was last legally settled; and if that cannot be discovered, then in the Parish where they were born. But by the Statutes now in Force, they may gain a Settlement these several Ways: By forty Days Inhabitation in a Parish, with Notice; or, as a hired Servant by the Year; or, as an Apprentice, by Indenture; by paying of Parish-Taxes; or, serving an annual Office in it; by hiring a Tenement of 10l. a Year, or purchasing one of 30l. or upwards. And where-ever a poor Man's Settlement is, there he is obliged to inhabit: And if he is likely to become chargeable any-where else (as every poor Person may be adjudged to be), thither he is to be sent.

I shall now examine whether these Laws are equitable; and whether they are convenient.

It has been the Opinion of many Authors, that this confining of Men to certain Habitations, is a sort of Imprisonment; which is

is the more grievous, because it is not for any Fault, but for a p. 9. Misfortune in being poor: Especially, when so little Care is taken to employ the Poor. And indeed it seems to me, that every Man has a natural Right to reside in any Place where he can best provide for himself and Family in some honest Calling; and it is unreasonable to molest him, and abridge him of his Liberty (the chief Comfort of a poor Man), on a Suggestion or Apprehension of his being likely to become chargeable. By the Certificate Act his Liberty is enlarged, and he may reside with a Certificate in any other Parish, and is not removeable till he is actually chargeable: But this Law is defective, because it leaves it in the Breast of the Parish-Officers, whether they will grant a poor Person a Certificate, or no: Whereas they ought to be compellable to do it; or, which would be much better, every poor Person should be put on the Foot of a Certificate-Man, and not be removeable till he is actually chargeable; and it might be added too, that after continuing so long in a Place without being chargeable, that then he should be deemed a legal Inhabitant. This may be a good Alteration, if the Legislature think not proper to make any greater.

So much for the Justice of these Laws of Settlement: Let us now consider, whether they are convenient: Which scarce any one can think, because of the Trouble they create to the Magistrate, and the Burden they impose on the Parishes, and the poor Persons concerned. p. 10.

As to the first Particular, I need only appeal to the Experience of Gentlemen who serve their Country in the Commission of the Peace, whether they are not more employed in this Article of their Authority, than any other, I had almost said, than all the others besides: And it is notorious, that half the Business of every Quarter-Sessions consists in deciding Appeals on Orders of Removal. It may seem strange, that any Doubt should remain on this Subject, after so many Cases have been resolved in the King's-Bench; but let any one consider, how little those Resolutions are known to the Generality of Country Gentlemen; and, when known, sometimes how little they are regarded; let him consider too the Variety of new Cases that must always arise on such a Number of Statutes, from Difference of Circumstances; add to this the Carelessness there often is in examining the Facts, and he will not be surpris'd, that there are perpetual Controversies on these Laws, but must be assured there always will be, as long as these Laws subsist.

The Consequence of these Disputes to the Parishes concerned, p. 11. is a great deal of Trouble to their Officers, first in conveying the Persons removed to the Places of their Settlement, oftentimes at a great Distance; and afterwards in attending with Evidence on

on the Appeal; which does not always end at the Sessions, but is sometimes removed into *Westminster-Hall*; and, perhaps, at last the Order is quashed: So that it sometimes happens to cost a Parish as much to remove a poor Family, as it would do to maintain them.

But the most melancholy Consideration is the Oppression to the poor Persons themselves. A poor Man is no sooner got into a Neighbourhood, Habitation, and Employment that he likes, but, upon Humour or Caprice of the Parish, he is sent to another Place, where he can find none of these Conveniencies: Not certain long to continue there; for, perhaps, after the Appeal, he is sent back again, and then hurried to a third Place; and sometimes is a great while before he knows where he shall be at rest. In the mean time, he is at Expence in removing his Family and Goods; or, perhaps, not able to carry them with him, is forced to sell them to a Disadvantage: He loses his Time, and is obliged to neglect his Work, which is his only Support. So that 'tis no Wonder if by this Treatment he is very much impoverished; and from being only likely to become chargeable, is made actually so.

p. 12.

Let us now take a View of the Poor at the Place of their Settlement; and see, if they are impotent, how they are relieved; and if they want Work, how they are employed.

The Overseers are to raise Taxes for their Relief, and the Majority of the Parishioners are to nominate the Persons who are to be relieved, and in what manner: And if any Person is refused Relief that wants it, he may complain to a Justice of Peace, who may order it. As this Relief is to come out of the Pockets of the Parishioners, it is not their Interest to be over-liberal; and they esteem him the best Officer, who keeps the Parish-Rates lowest, let the Poor be never so much oppressed. So that they are often lodged in such Houses as will not defend them from the Weather; cloathed in Rags, that will not cover their Nakedness; want Fuel to keep them warm, and proper Food to sustain Nature: So that many turn Beggars and Thieves out of Necessity. And this may be one great Cause that they so abound.

p. 13.

Another Cause is, that many poor Persons, who are willing to work, want Employment in their own Parishes: This forces them to seek it in other Places; where, being unknown, they are not employed; so that at last they are compelled to beg, or fall into Courses they would otherwise abhor. The Overseers have indeed Authority to raise a Stock to set them to work, but this has been generally, nay almost universally, neglected: For which the Lord Chief Justice *Hale* assigns these Reasons; 1. Because the Generality of People are unwilling to exceed the present necessary Charge, though their future Payments would be lessened

ened by it; little considering the Inconvenience will in time grow to themselves, by neglecting to raise a Stock, and the Benefit that would soon accrue to them by doing it. 2. Because Tradesmen, not enduring their personal Estates should be charged, throw the whole Load on the Rents of Lands and Houses, which alone are not sufficient to raise a Stock. 3. Because the Overseers, being Parishioners, are unwilling to charge themselves, or displease their Neighbours. He might have added too, that if they were willing, they generally know not what Stock is necessary, nor in what Manner to employ the Poor, nor to give the proper Directions in it; nor can they spare Time from their own Concerns to superintend such a Work. The same great and good Man observes too these Defects in the Law; 1. There is no Power to compel the Overseers to raise a Stock if they neglect it. 2. The Act charges each Parish apart; whereas it might be more effectual, if four or five, or more, contiguous Parishes did contribute to the raising a Stock. 3. There is no Power of hiring or erecting Work-houses. The two last Powers have been given to Parishes since he wrote; and where they have been made use of, the Poores Rates have abated, and the Poor have been better provided for: But this has been chiefly in large and rich Places; for the lesser Parishes are never like to agree together. So the Remedy is far from being complete; but it points out the Way to one that may be so.

p. 14.

I have now gone through my Remarks on the principal Laws relating to the Poor. The Statutes of Vagrancy and Settlement, I have considered more particularly than any one (that I know of) has done before. These are preparatory only to the Provision for the Poor, by sending them to their own Homes, where they should be provided for. The Vagrant Act can never be put in Execution, and consequently leaves the Poor in the same State that it found them. The Laws of Settlement are too frequently executed, and at great Trouble and Expence. They are a Vexation to the Poor, and bring no Advantage to the Publick: For unless more Care were taken of the Poor in their own Parishes, they may as well be left in any other Place: For to what Purpose is it to change their Situation, unless you improve their Condition? But these Laws are so far from doing it, that they generally render it worse, and obstruct instead of promoting their Employment.

p. 15.

As to the Laws relating to the Relief and Employment of the Poor, I can only repeat what the Lord Chief Justice *Hale*, and Sir *Josiah Child*, have said on that Subject, whose Treatises deserve to be often read and considered by every Well-wisher to his Country. Those Laws were never well executed, in any Age, or by any Set of Men, since they were made; and the last-mentioned

p. 16. tioned Author says, we must never expect to see them better executed; for that Failure is not to be imputed to the Persons who are to execute them, but to a Defect in the Laws themselves: For he says, there never was a good Law made but what was well executed. He observes one Defect, which he thinks fundamental, and that the Poor of *England* can never be well provided for until it be altered; which is, the leaving it to the Care of every Parish to maintain their own Poor only: For this makes the Parishioners concerned only for their own Interest, and always endeavouring to shift off the present Burthen; and if they can but send or whip the Poor out of their Parish, they care not what becomes of them.

The 43 *Eliz.* cap. 2. is the first Law that was made for Relief of the Poor; and (as the Lord Chief Justice observes) is the only one that provides universally. The impotent Poor are indeed maintained out of the Rates levied by Virtue of that Act; though not in such a Manner as they who regard the Welfare of their Fellow-Creatures could wish. But the Employment of the Poor, which was likewise ordered and intended, is almost intirely neglected; and how it comes to be so, I have before shewn, in the Passages I have borrowed from him. And although (as he says) the Relief of the impotent Poor seems to be a Charity of more immediate Exigence, yet the Employment of the Poor is a Charity of greater Extent; and of very great and important Consequence to the Benefit of the Poor, and to the publick Peace and Wealth of the Kingdom. Which Words deserve to be more particularly insisted upon, and explained.

p. 17. It is a Charity of a greater Extent, because it comprehends a greater Number of People; for there are more poor Persons capable of Employment, than such as are impotent, and cannot work. It is likewise a Charity of greater Extent, with regard to each Individual; for it is a greater Kindness to put a Man in a Way of getting his Bread as long as he lives, than to give him an occasional Alms to relieve his present Necessity. It is a Charity not confined to one Generation, but extends itself to the Posterity of the Persons employed; who will receive as much Benefit as their Parents, since the Parents will be enabled to give them a better Education, and set before them a better Example. Lastly, It is a Charity, not confined to this World only, but extends to Soul as well as Body, to Mens future as well as present Happiness. Idleness is the Nurse of Vice, and Necessity the worst of Counsellors; by which many poor Wretches are seduced, and brought under the Sentence of the Law, whose Fate would have been prevented by Employment: And (as the Chief Justice says) the Prudence of Prevention is not only more Christian, but also more effectual, than Punishment: For though (as he observes) we have

have Laws against Theft more severe than most other Nations, p. 18. and than the Crime, simply considered in itself, deserves; yet the Severity of the Laws is a weak Defence, the Gaols are never the emptier; and we have more Persons suffer in one Sessions at *Newgate* for Larcenies, than in some other Countries for all Offences in three Years. And sure the Nation has much to answer for on their Account. By our Neglect we are, in some Measure, accessory to their Offences, and even more criminal than they are; for by their Punishment they make some Atonement for their Crimes; but we are answerable both for their Crimes, and for their Punishment.

I have enumerated some of the many Advantages the Poor would gain by Employment; nor are they fewer that would accrue to the Publick. The Consequence of it to the Peace and Security of the Nation, in freeing it from many necessitous Persons, who turn House-breakers and Robbers, is too obvious to be insisted on. I shall, therefore, confine myself to the Consideration of the Importance of it to the Wealth of the Kingdom; that, if Humanity to our own Species is too weak a Motive to influence us, we may, at least, be prevailed on, by a Sense of our worldly Interest, to promote so good and necessary a Work.

In order to shew this, I shall first examine, in general, from p. 19. what Source the Wealth of any Nation must originally flow; and, on a strict Enquiry, I am persuaded, that it is from the Number of its Inhabitants; and that the more populous a Country is, the richer it is, or at least may be: For this I have Sir *Josiah's* Authority, who asserts, that the Resort of Poor to any Place, if well managed, is the Conflux of Riches to it; and, therefore, the *Dutch* receive all, without enquiring what Nation, much less what Parish, they are of. He does not there give the Reasons of his Assertion; because, I suppose, he thought it sufficiently confirmed by Experience: But I shall endeavour to do it; and I think the Proposition as capable of Demonstration as any Mathematical Problem. For, by Numbers of People Labour must necessarily encrease, since they must labour to support themselves; and Labour is the great Principle of all Riches. The first Object on which Men employ their Labour, is the Land which they inhabit: This by their Labour is rendered useful, which would be of little Use without it; and as Land is any-where improved, the Value of it will rise in that Place, and Trade will attend it: For as the Earth is our common Parent, it is from her we receive every good Thing; all the Necessaries, all the Conveniences, and all the Ornaments of Life: But we do not live in the golden Age, or in Paradise, where she dealt out these things spontaneously, but we must obtain them of her by our own Labour and Industry. The natural Products of the Earth are

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p. 20.

not sufficient to subsist Mankind in any comfortable State; and even these we cannot get into our Possession without Labour; and, when we have got them, they are but the rude Materials, and it requires still more Labour to prepare and fit them for human Use. Now it falls out, in the natural Course of things, that, whilst Men are employed in searching after the Necessaries of Life, they find Riches; for the Earth is grateful, and repays their Labour, not only with Enough, but with Abundance; and, out of the Plenty of these Materials, Plenty of Things are formed to supply the Wants of Mankind. Now the more of these Things any Nation has, the more comfortably the People live; and whatever they have of them more than they consume, the Surplus is the Riches of that Nation; I mean, the intrinsic Riches of it. This Surplus is sent to other Nations, (which likewise requires Labour) and is there exchanged or sold; and this is the Trade of a Nation. If the Nation, to which it is sent,

p. 21. cannot give Goods in Exchange to the same Value, they must pay for the Remainder in Money, which is the Balance of Trade; and the Nation that hath that Balance in their Favour, must increase in Wealth; for this is the only Way to bring Money into any Nation, that has no natural Fund of it in Mines in its own Bowels; and the only Way to keep it in any Nation that has. Since therefore it is incontestable, that Money is introduced into a Nation by Trade only, and that Trade is chiefly supported by its Manufactures and Product, that these are increased by Labour, and Labour by People, it manifestly follows, that Numbers of People are the Cause of Wealth in a Nation; and to expect either Trade or Riches without them (to use the Phrase of an anonymous Author, published in 1677, who on this and other Subjects of publick Concern, shews himself no common Writer) is to be more unreasonable than *Egyptian* Taskmasters; it is to expect Bricks, not only without Straw, but without Hands too. The same Author affirms, that the Value of the Labour of the People is more than the Rent of all the Lands, and the Profits of all the personal Estates of the Kingdom; which he proves thus: He computes the People of *England* and *Wales* at six Millions, and the annual Expence of each Head at twenty Nobles; which amounts to forty Millions

p. 22. Sterling; the Rents of the Lands he computes at eight Millions, and the yearly Profit of the personal Estates at eight more; which sixteen Millions being taken out of the forty yearly Expence, there will remain twenty-four Millions to be supplied out of the Labour of the People: Whence follows, that each Person, Man, Woman, and Child, must earn four Pounds a Year, and an adult labouring Person double that Sum; because a third Part are Children, and earn nothing; and a sixth Part, by reason of their Condition,

Condition, are exempted from Labour; so that not above half the People working, they must gain, one with another, eight Pounds a-piece; and at twenty Years Purchase, the whole People one with another, will be worth eighty Pounds a Head, and an adult labouring Person double; for, though an Individuum of Mankind be reckoned but about eight Years Purchase, the Species is as valuable as Land, being, in its own nature, perhaps, as durable, and as improveable. These are that Author's Reasonings, and almost his Words: And if it be objected, that he has set the Rents of the Lands too low, as it since appears by the Land-Tax that he has; (since by that Tax they are rated at near ten Millions, which must be esteemed a low Valuation) I believe it will be allowed too on the other Hand, that he has under-rated the Number of People: And if his Calculations are not perfectly exact, yet they are sufficient to support the Conclusion he aims at; which is, to shew the Advantage a Country gains by being fully peopled, and how much it ought to be the Care and Study of a Government to fill it with People: And I think he might have carried the Argument farther; for it seems to me, that the Rents of Lands, and Profits of personal Estates, (whatever they are) must come out of the Labour of the People, as well as his other twenty-four Millions; and if so, then (still to follow his Computation) the yearly Value of a Man's Labour, instead of eight Pounds, will be thirteen Pounds six Shillings and eight Pence.

I will now apply this Digression to my Subject. If it must be allowed, that increasing our People would be an Addition to our Wealth, then it will follow, that employing our Poor will be so too. For the setting so many Hands to work, which are at present idle, would be the same thing as introducing so many new industrious Inhabitants into the Nation; which would be a manifest Gain to it. How much this Gain would amount to, I am not skilled enough in political Arithmetick to determine, for it depends on the Number of People unemployed. Mr. *Vauban*, who is very curious in Calculations of this kind, computes the People of *France* at nineteen Millions; and therefore comparing the Extent of *England* and *Wales* with that of *France*, I imagine their Inhabitants to be about seven Millions; for I think they exceed a third of *France*, but fall short of two Fifths of it. Of these seven Millions, I will suppose an hundred thousand unemployed, capable of Labour, and whose Condition does not exempt them from it. This is but one in Seventy, which may not be too large a Computation, including in an Average all Vagrants who have no Employment, and all the rest of the Poor, who are not fully employed. The Labour of these People, if employed, would, by the Rule above-mentioned,

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amounts

p. 25. amount to above thirteen hundred thousand Pounds, which would be so much yearly Addition to the publick Stock: And a Million, which I believe is yearly raised in Taxes, and given in Alms for their Support, and brings in no Profit, might then be employed in the Trade and Business of the Nation. But in the present Posture of Affairs, these People, who might be so beneficial, are a Loss, and the Nation were better without them; for whilst their Hands are idle, their Bellies must be supplied; and, like Drones, they live on the Hive, but bring nothing into it; and as their Number daily increases, the Evil will be more sensibly felt, and prey still deeper into the Wealth, which is the Sinews, of a Nation.

p. 26. Many, perhaps, will find fault with my Computations, but I believe few will do so with the Substance of my Arguments. And I dare say, that there is not a Man in the Kingdom of the least Charity or publick Spirit, but wishes the Poor were put into a Capacity of eating their own Bread, and of being more useful to their Country. And let no Man conclude, because this has been long neglected, that therefore it is impossible to be effected: Experience shews us it is not; since it is done in *Holland*, and several other Countries: And (as the Lord Chief Justice says) upon what imaginable Account can any one think, that we should not be able to improve our Populoufness to our Wealth as well as they, if we had but their orderly Management? The great Difficulty lies in falling into a right Method of doing it; I mean, into a Method consistent with our present Circumstances and Constitution, and yet universal and adequate to the Evil. I do not pretend to the Wisdom of many Persons, who have already made Proposals on this Head. And I am persuaded, that if some of those Proposals had been well attended to, we should not at this Day have had a common Beggar in the Kingdom; and, I believe, no Occasion for a Poor-Tax. I have met with three Schemes, which, tho' they vary in some Circumstances, yet agree in the main Principles, and seem to me to be very conducive to this End. I will lay the Substance of them before the Reader; and, after offering some Remarks, will leave the Whole to be improved by every Man's Consideration; hoping that it will be brought to Perfection by Time, and the Wisdom of the Legislature.

The first Scheme is that of the Lord Chief Justice *Hale*, who proposes:

That at some Quarter-Sessions the Justices of Peace shall set out and distribute the Parishes in each County into several Divisions; viz. one, two, three, four, five, or six Parishes to a Division, according to their Greatness, or Smallness: And

And in each Division there shall be a Common Work-house for the Use of it.

That at the same Sessions, the Church-wardens and Overseers deliver in their Poor-Rates, upon Oath. And that the Justices do assess three, four, or five yearly Pays, to be levied within the Time prefixed by them, for raising a Stock, and building or procuring a convenient Work-house to lodge it in, where the Poor shall be employed, and Children instructed to work. p. 27.

That a Master be appointed by the said Justices, with a convenient Salary for each Work-house, to continue for three Years; and two Overseers, who shall deliver the Stock out to the Master, as there shall be Occasion; and shall receive from him the Proceed thereof, together with his Accounts, either Monthly or Quarterly.

That the Master and Overseers give in their Accounts yearly to the two next Justices, at Times by them notified to the Inhabitants of each Division; that they may except to such Accounts, if there be Cause.

That the Master and Overseers be incorporated, and capable to take Lands and Goods in Succession, for the Use of the Poor; for which they, and their Successors, shall be accountable to the Quarter-Sessions.

That they shall not grant such Lands for above a Year, and at an improved Rent.

That if any Person, able to work, and not able to maintain himself, shall refuse so to do, he may be forced, by Warrant of two Justices, by Imprisonment, and Correction, in the Work-house. p. 28.

The same of such as shall imbezel, or wilfully spoil their Work.

The second Scheme is that of Sir *Josiah Child*, which he proposes to be experimented, first, only within the Weekly Bills of Mortality; which he calls the Vitals of the Body-Politick; and which being once made sound, the Cure of the rest will not be difficult. His Scheme is this:

That all Places within the Bills of Mortality be associated by Act of Parliament into one District, for Relief of the Poor.

That there be one Assembly of Men within the same intrusted with the Care of them, and to be incorporate.

That all Parish-Officers be subordinate to them in all Things relating to the Poor.

That they may assess and compel the Payment of as much Money in each Parish, as it paid to the Poor in any of the three Years preceding this Constitution, but not more. p. 29.



- That they have Authority to receive the charitable Benevolence of all Persons, every *Sunday*, in all Parish-Churches; and at all other Times and Places.
- That they have Power to purchase Lands, erect and endow Work-houses, Hospitals, and Houses of Correction; and exercise all other Powers relating to the Poor, that the Justices of Peace, in or out of Sessions, now have.
- That they may send such Poor as they think convenient to the Plantations; taking Security for their Maintenance during their Service, and their Freedom afterwards.
- That they have Power to erect petty Banks and Lombards, for the Benefit of the Poor; and to receive half what is given at the Doors of Play-houses, &c.
- p. 30. That it shall be Felony to misapply any Money collected for this Purpose.
- That they be obliged to no Oaths or Tests to bar Nonconformists.
- That they constantly wear some honourable Medal and Staff, to command Obedience from all Parish-Officers, where their Persons are not known.
- That they admit into their Society all Persons who desire it, paying 100 *l.* for the Use of the Poor at their Admission.
- That, besides the Authority of the Justices of Peace, they have some less limited Powers given them, in the Punishment of their own and Parish-Officers, by pecuniary Mulcts for the Poores Benefit.
- That they may set the Poor to work on whatsoever Manufacture they think fit.
- That all Vacancies by their Deaths be perpetually supplied by the Election of the Survivors.
- p. 31. That Seventy of them be chosen for *London*, at a Common Hall of the Livery-Men by Ballot; to which shall be added ten for the Borough of *Southwark*, and twenty for *Westminster*, chosen by the Justices of Peace in their Sessions.
- The last Scheme I find in a Book intitled, *An Essay towards regulating the Trade, and employing the Poor in this Kingdom*; published by *John Cary, Esq;* in 1719. and dedicated to the present Earl of *Wilmington*, then Speaker of the House of Commons. It has this Advantage, that it comes recommended to us by Experience; for it is formed on the Model of an Act of Parliament passed 7. and 8 of *W. III.* by which a Corporation was established within the City of *Bristol* for the better employing and maintaining the Poor there, and all the Parish-Rates within the City were united for that Purpose. The Author, who seems to have been much concerned in projecting this Act of Parliament, and afterwards in putting it in Execution, gives it

us at large in his Appendix, together with an Account of the Proceedings of the Corporation, which he laid before both Houses of Parliament about four Years after the passing the Act. In this, he says, the Success had then answered their Expectations; much Money was given in a Year to the Corporation; p. 32. considerable Sums weekly earn'd by the Poor; they were freed from Beggars; the Old were well provided for; the Children well lookt after, and the Boys and Girls educated to Sobriety, and to delight in Labour. And by his Essay, which was published about nineteen Years after, it appears, that they then continued in the same good State; which makes him more than once express his Wishes, that what was done in the City of *Bristol*, might be carried on by the same Steps throughout the Kingdom; and he subjoins such Methods as he thinks may be proper to that End. They are these:

That Power be given by Parliament to all Places, that are willing, to incorporate; and to build, or otherwise to provide, Hospitals, Work-houses, and Houses of Correction: Which in Counties must be by uniting one or more Hundreds, whose Parishes must be comprehended in one Poores Rate; not equal on all, but to which each Parish shall be charged in proportion to what they paid before.

The Guardians of these Corporations to consist of all the Justices of Peace inhabiting within the Parishes united; together with a Number of Inhabitants chosen out of each Parish, in proportion to the Sum it pays. This Choice to be yearly, or once in two Years; when half of those first chosen must go out, and the Remainder to stay in to instruct those last chosen. The Electors to be Freeholders of  
per Ann.

The Guardians to have Power to choose a Governor, Deputy-Governor, Treasurer, and Assistants, yearly; and to hold Courts; make By-Laws; appoint a Common-Seal; summon the Inhabitants before them; compel all Persons seeking for Relief to dwell in their Hospitals or Work-houses, if they see fit; take in young People of both Sexes; and breed them to work; teach them to read and write; bind them Apprentices; provide for the Aged and Impotent, assist those whose Labours will not maintain their Charges; apprehend Vagrants, Rogues, and Beggars, and set them to work; inflict reasonable Correction, where necessary; entertain proper Officers, and pay them out of the Stock. And they shall be obliged once in  
at least,  
to hold a General Court, where the Governor, Deputy-Governor, or one half of the Assistants, together with p. 34. such a Number of the Guardians, shall be present.

The Court shall once in six Months agree and settle how much Money will be necessary for the six Months ensuing, and certify it to the Justices inhabiting within the Places united; who shall proportion the same on each Parish, and grant Warrants to proper Persons to assess, and afterwards to collect and pay it to the Treasurer of the Corporation.

Each Corporation to be one Body-Politick in Law, capable to sue and to be sued, and to purchase and take Land and Goods, for the Benefit of the Poor.

This is the Substance of the three Schemes I mentioned: And it may be observed, that they all agree in these fundamental Points: I. That the Care of the Poor ought not to be left any longer to each Parish, but that every County should be divided into larger Districts for that Purpose. II. That in each District proper Buildings should be provided for the Poor, at the common Charge of that District. III. That the Poor-Rates of every Parish in each District should be united into one common Fund. IV. That in each District there be established a Corporation with perpetual Succession, to whom the whole Care of the Poor shall be committed. V. That each Corporation shall be capable of taking Lands and Goods for the Benefit of the Poor.

p. 35.

None of these Authors have pretended to determine the Extent of these Districts; which is best left to the Wisdom of Parliament. The Lord Chief Justice mentions not above six Parishes; Mr. Cary, one or two Hundreds; which in some Counties is a large, in others a very small Division; and Sir Josiah comprehends in his the Cities of London and Westminster, the Borough of Southwark, and all Places within the Bills of Mortality, which, I believe, is equivalent to any four Counties in the Kingdom besides. But it is certain, that in what Manner soever these Districts are first set out, greater Regard is to be had to the Populousness and Wealth of the Place united; than to their Extent; since some large Towns are as able to carry on such a Work as a small County. It may be affirmed in general, that the larger the District is, the better, provided the Poor can be conveniently sent from any Part of it to the Work-house; for the Common Stock will be the larger, and, as Sir Josiah says, nothing less than a Provincial Purse will be sufficient for such a Work. Many Attempts, he says, to his Knowledge, have been made by single Parishes, but all that ever he heard of proved ineffectual, except the single Instance of the Town of Dorchester; and that was not a general Provision, for they only entertained their own Poor, and whipped away all others. Single Parishes (as is before observed) are not able, at least not willing, to provide a Stock for their Employment, nor to pay proper Officers to

p. 36.

take

take Care of them; and, as the Overseers are annually changed, if any thing is well begun by one, it is frustrated by the Negligence or Ignorance of his Successors. Whereas in these larger Districts we may promise ourselves a wiser and more regular Management, from the united Counsels of the most considerable Persons in them, who will always compose the Corporation; and from their constant Inspection into the Conduct of their Officers, to whom the immediate Care of the Poor is committed. The Expence too will naturally be less; for when great Numbers of Poor are together in one Place, their Provisions; as well as the Materials for their Work, will be bought in larger Quantities together, and consequently cheaper; one Common Kitchen, one Common Hall, will serve, fewer Fires, and fewer Officers; all which, and many more Articles, must necessarily be multiplied, if they are dispersed into many different Habitations. And as the Expence of their Maintenance will be less, the Product of their Labour will be greater; since several Manufactures cannot be carried on to Advantage, but by great Numbers of Hands together in one Place.

p. 37.

As to the Buildings in each District, I think there should be an Hospital, a House of Correction, and a Work-house. The Chief Justice, who aims principally at the Employment of the Poor, mentions only a Work-house: But as this Provision is intended to be general, 'tis as necessary to have an Hospital for the Impotent; and as to those who are able to labour, 'tis reasonable to distinguish them according to their Merit, and separate the Innocent from the Guilty; therefore there should be a House of Correction, where Criminals should be confined to hard Labour, as well as a Work-house for the rest of the Poor, who are honest and industrious. These three Buildings, if not contiguous, should not be far distant, that Persons may commodiously be removed from one to the other, as Occasion requires. And they should be obliged to receive all who come or are sent from any Part of the District.

Into the Hospital should be received all Persons impotent, either by Age or Casualty. And if any such come for Relief, who have any thing of their own, or any Allowance from any other Alms-house, their Income shall go to the Hospital, during their Abode in it. Into the Hospital too should be received all Bastard and Foundling Children; which would prevent Abortions, and unnatural Murders; and all Children of poor Persons, who are willing to place them there; which would be a great Relief to many large Families. Here they should be taken Care of and instructed, till old enough to be removed into the Work-house and employed there. And they should continue under the Government of the Corporation till they came of Age; during

p. 38.

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which

which Time they might either continue to employ them in the Work-house, bind them Apprentices to Husbandry, Trade, or Navigation, or place them out in Services; as they should judge most convenient.

p. 39.

In the House of Correction should be kept all Criminals sentenced to Imprisonment by Law. And it would be well to change the Sentence of the Law in Robbery, and other mixed Larcenies, from Death to Imprisonment for Life in these Houses. Felons within the Benefit of Clergy might be confined here for seven Years; those guilty of Petty Larceny for a Twelve-month; which would be more effectual to reform them than either Burning in the Hand or Whipping, and at the same time make them useful to the Publick. And a Power might be given to the Corporation, to cause still such of them to be transported to the Plantations as they should judge proper. Hither also should be sent all Parents of Bastard Children for a Year, unless they paid such a Sum to the Corporation; which would occasion no Variation in the Law, since they are at present liable to Imprisonment in the House of Correction, if they cannot indemnify the Parish where the Child is born. Hither are to be sent all Rogues, Vagabonds, and Beggars; all disorderly Servants and Apprentices; all Persons of no visible Estate or Employment, who cannot give Security for their Behaviour; and all other idle and disorderly Persons, who are at present liable to be sent to the House of Correction: And it should be more particularly defined, who should be deemed an idle or disorderly Person; since, as the Lord Chief Justice says, that Description is too uncertain, and leaves the Justices of Peace too great or too little Power. Hither too should be sent all Persons committed for Offences, for any Time, definite or indefinite, without Bail or Mainprize. These are the several Persons to be confined in the House of Correction, where they should be employed in the hardest Sorts of Labour. They should be maintained by their own Labour; and if they earned more than their Maintenance, the Overplus should go into the publick Stock. If any should be rich enough to live without Labour, yet they should not be exempted from it; unless, besides paying for their own Maintenance, they likewise paid a weekly Sum to the Treasurer of the Corporation for such Exemption. Nor should any be discharged on a Pardon from the Crown, till they had paid a certain Sum to the same Officer.

p. 40.

The third Building in each District is the Work-house, a Place where all the honest and industrious Poor are to find Employment. Of these there will be two Classes: The first will consist of such poor Infants, as being left to the Care of the Corporation, are to continue under it till they come of Age. As the Corporation must be at the Charge of their Maintenance and Education,

Education, it is reasonable they should be entitled to all the Profit of their Labour during their Continuance in the Work-house. These young Persons should, at set Hours, be taught to Write and Cast Accompts; and some of the most promising Boys should be instructed in Navigation: By which Means, on any publick Emergence, a considerable Body of young, able-bodied, and well-instructed Seamen might be drawn out of the several Work-houses, who being dispersed in the Fleet among Sailors of more Experience, would prove no small Addition to the Naval Strength of the Kingdom. The second Class of People in each Work-house will consist of all such Persons, of what Age, Sex, or Condition soever, as come thither from any Part of the District for Employment. These are all in general to be received, and set to work on such Things as they are best able to perform; and they are to receive reasonable Wages and Allowance from the Corporation, in proportion to their Work. As they should have Liberty to come into the Work-house when they please, they should have the like Liberty to depart: But during their Stay they should be subject to the Rules of the House: And if any refuse to work, or submit to Orders, they should immediately be removed into the House of Correction. The Corporation should not be obliged to relieve any, who should refuse to be employed in the Work-house; but yet should have a Liberty (where they saw it convenient) to relieve or employ a poor Family, and suffer them to reside in any other Part of the District.

p. 41.

p. 42.

After all I have said, I foresee many Questions will be asked, and many Objections started. It may be asked first of all, What all the Poor in these Houses are to be employed about? As Sir *Josiah* says, that Question will be best answered by the Corporation themselves, when they have met and consulted together; who cannot be presumed deficient of Invention to set all the Poor to work; when they may have such admirable Precedents from the Practice of *Holland* and our own Hospitals: And he says, the wisest Man living solitarily cannot propose or imagine such excellent Methods, as will be invented by their united Wisdom.

Another Question may be, What sort of Buildings these are to be, and what the Expence of erecting them? I answer, they should be large, in proportion to the District; commodious, but destitute of all Ornament, to avoid Expence. And it may be convenient for the Parliament to limit the first Expence not to exceed a certain Sum, as I find was done in the Case of *Bristol*.

p. 43.

Again it may be asked, How is Money to be raised to build these Houses, and to provide a Stock for employing the Poor? I answer,

answer, the first and most natural Method that occurs is, to do it out of the Poores Rate. But if it shall be thought too great a Burthen to do it at once, Part of that Rate should be annually applied to that Use till the Whole can be conveniently completed, and the Work may be promoted by publick Collections, as it certainly would be by private Benefactions: Or if it should be judged necessary to expedite it, the Parliament might impose some easy Tax on the People. The anonymous Author I before cited proposes some for this Purpose, to which, I think, there lies no Objection. One is a Sum of Money to be paid by all unmarried Men, according to their Rank and Estate; which is a wise Tax; for if Numbers of People are the Strength and Wealth of a Nation, and they are to be increased by Marriage, Celibacy ought, in all good Policy, to be discouraged. Another is, a Sum of Money to be paid by all Persons, on their Promotion to any Dignity, or Admission into any Office, Ecclesiastical, Civil, or Military; which is a very reasonable Tax, because it will fall on the Persons best able to bear it.

p. 44.

Another Question may be, After these publick Buildings are erected, what shall become of the Hospitals, Alms-houses, and Work-houses before in Being? I answer; As to the Hospitals and Alms-houses, they should continue in the same State: But if any Person belonging to them should, for Want of a better Maintenance, be removed to the Hospital of the District, his Allowance (as I said before) should be paid to that Hospital during his Continuance in it. And as to the Work-houses, they might be let at the most improved Rent; and the Rent annually applied by the Parishes to which they belong, either in Aid of their Poor-Tax, the Repairs of their Church or Highways, as they themselves like best.

p. 45.

I come now to the essential Point, in which these Authors agree, and which every body must allow to be necessary to the carrying on of this Scheme; that is, the uniting the Poores Rates of every Parish in the District into one common Fund. When this is done, I think the Corporation should yearly (if not oftener) settle the whole Sum to be raised for the Poor, and allot what Proportion of it shall be paid by each Parish; which should be assessed and collected by the Overseers of the Parish, and be paid by them to the Treasurer of the Corporation. Sir *Josiah* and Mr. *Cary* think, that this Money should not be raised by an equal Rate throughout the District, but should be charged on each Parish in proportion to what they paid before: But I cannot agree with them in Opinion, both as I love Equality of Taxes in general, and as I see no good Reason why this should not be equal: Their Reason is, because all Parishes do not receive an equal Advantage from this Scheme. They do not indeed

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at present, but no Man can say that they will not; for as the State of the Poor is ever fluctuating, the Parish that is now least burthened with them, has its Chance hereafter to be most so. And this Equality imposes no new Burthen upon them, but is agreeable to the Intention of the Law at present; for as the Law now stands, if any Parish is over-burthened, two Justices of Peace may oblige any other Parish in the same Hundred, and the Quarter Sessions any other Parish in the same County, to contribute to their Assistance. I see as little Reason too for another Rule laid down by these Authors; which is, to restrain the Corporation from raising more in a Year in any Parish, than is paid in any one of the three Years before this Scheme took place: For why should not more be raised, if the Necessities of the Poor require it? Have not the Overseers at present a Power in that Case to raise more? And why should the Corporation be more limited than the Overseers are? Besides, this Caution is very unnecessary; for I am fully persuaded, that the Poores Rates would not increase, but rather think they would gradually abate, and at last entirely cease. And there is more Reason to expect, that from numerous Benefactions, and from the Profit of the Labour of the Poor, in Process of Time, the Corporation would be able not only to provide for them, but would have a Surplus of Money to apply yearly to the Repairs of Churches and Highways, the Improvement of Rivers and Havens, and other Works of a publick Nature, within their respective Districts.

p. 46.

The next Article is, the Corporation to be established in each District, to which the Care of the Poor is always to belong, and which must therefore be of perpetual Continuance. And here we are to consider, of what Persons it is to be constituted, and in what Manner; then, how their Succession is to be maintained; and lastly, with what Powers they are to be invested.

p. 47.

Sir *Josiah* proposes, that his Corporation should consist of Persons chosen by the Liverymen of the City of *London*, and by the Justices of Peace for the other Parts of his District: But as his Scheme is calculated only for the Bills of Mortality, it can be no Direction for the rest of the Kingdom. The Lord Chief Justice proposes, that a Master and two Overseers for every Work-house should compose the Corporation, and that they should be appointed by the Quarter Sessions. But I like better Mr. *Cary's* Proposal, that it should consist of the Justices of Peace within the District, and of a certain Number of Persons elected by each Parish, in proportion to the Sum that it pays, according to the Plan of that of *Bristol*: For this will preserve a just Balance between the Nomination of the Crown, and the Choice of the People; and probably will please them best, which

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p. 48. is a Point much to be consulted; for on their good Opinion of the Managers, will depend their Benefactions to the Corporation. And considerable Benefactors might be admitted Members. I agree with Sir *Josiah*, that they should be subject to no Oaths or Tests; and I think, if any Qualification is required, it should be only that of having such an Estate. Mr. *Cary* would have them chosen by Freeholders; I rather think they should be chosen by the Occupiers of the Land; they are the Voters in all Parish Business; and it is reasonable they should be so, since out of their Pockets the Rates do issue.

To preserve the Succession in the Corporation, Sir *Josiah* proposes, that the Survivors should fill up the Places of those that die; which I can by no Means approve of, no more than I do his choosing them for Life: For this tends to establish a Body of Men too absolute and independent: For though 'tis necessary the Corporation should continue for ever, 'tis as convenient, that the Individuals should sometimes be changed. Therefore I think the Practice at *Bristol* is to be followed, that every two Years half the Persons elected should go out, and others be chosen in their room, unless any of them were re-elected. Or if any die, the Parish for which they served should proceed to a new Choice.

p. 49. As to the Powers of the Corporation, I think they should be invested with all the Powers relating to the Poor, that the Law at present lodges with the Justices of Peace and Overseers; and that the Overseers should have nothing to do for the future, but to assess, collect, and pay in the Rates charged on each Parish; and to convey impotent and indigent Persons to the Hospital and Work-house. The Corporation should likewise have Power to make By-Laws for the Regulation of their own Proceedings; and a Power to nominate and pay, displace and fine their own Officers.

The Capacity of the Corporation to purchase and take Lands and personal Estates for the Use of the Poor, is the last thing mentioned by all these Authors, and indeed is necessary to add Life and Vigour to their whole Proceedings. They should have Liberty to purchase Lands without Licence in Mortmain, and without Limitation as to the Value; for it will be time enough to limit them when their Estates are full grown. Nor do I dislike Sir *Josiah's* Thought, of giving them Authority to make Collections in Churches, and other Places of Religious Worship within their Districts. And it should be Felony for any to conceal or misapply the Treasure of the Corporation.

p. 50. I have now laid before the Reader the Substance of the three Schemes above-mentioned, with such Remarks of my own, as I thought necessary to explain, improve them, or to point out their

their Defects. I can think but of one Thing more, which I wish might be added; that is, that Commissions should be yearly issued, under the Great Seal, to Persons of the first Rank and Eminence throughout the Kingdom, to visit and inspect all the Houses in the several Districts; and to report the State of the Poor to the next Session of Parliament; that so any Defect, that should be discovered, might soon be supplied, or any Abuse meet with a speedy Reformation. These Persons, when in Execution of their Office, should be distinguished by some honourable Ensigns of Authority; and, during the Continuance of their Commission, should have Precedence of all Persons, except the Great Officers of the State: For it is just that they, who humble themselves to this good Office, should be exalted in this World, as they certainly will be in the next.

The Advantages to be expected by such a Regulation are more than at first can easily be conceived. I have mentioned many in the Course of this Treatise; and am so pleased with the Prospect, that I beg Leave again to enumerate some of the most obvious. p. 51

The Poor in general will be more comfortably provided for; and there will be an End of all the expensive and vexatious Suits about their Settlements.

The Charge of their Maintenance will be less; the Poor Rates will abate; and, in Process of Time, will probably cease.

The Nation will be freed from Vagrants and Beggars; and the Number of Criminals will decrease.

The Lives of many Children will be saved; which are now murdered or lost for want of due Care.

The Number of the People will be increased by Marriage; which is now scandalously discouraged by Parishes, to save Expence; and from which the Poor themselves are sometimes frightened by the Prospect of a large Family.

Trade, Navigation, and Husbandry, will be advanced; and the Wealth of the Nation increased. p. 52

And, what is most to be considered, the Morals of the Poor will be improved by a sober Education, and an industrious Habit; which will render this and future Generations wiser and better.

I have now gone through my Subject, which, as Sir *Josiah* says, is a calm one, and thwarts no Interest but that of the Common Enemy of Mankind. I have reminded the World of the Sentiments of others upon it; and have delivered my own with all Freedom. I mean not to dictate, but to propose; hoping that my Proposals may excite Persons of greater Abilities to employ their Thoughts the same Way. A better Provision for  
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P. 53. the Poor is so much wanted, that I earnestly wish it may be no longer delayed. It is a Work of the greatest Piety towards God, of the greatest Humanity to our own Species, of the greatest Utility to the Publick: None will reflect more Glory to his Majesty's Reign; none can be more worthy of the Care of Parliament; and (to use the last-cited Author's Expression) a whole Session could not be better employed than in this singular Concern. It is to be hoped, that all Sects and Denominations of Men will unite in such an Act of Charity; which is of more Importance than our Party-disputes; and may cover a Multitude of Vices and Follies that flow from that bitter Fountain. I have no greater Ambition, than to be an Instrument in it; and should think myself happy, if what I have advanced may contribute to that End. All that I have said, proceeded from the sincerest Intentions. The Whole seems rational to myself; I know not how it may appear to others; but sure I am, that, if it does not meet with all Mens Approbation, it will deserve no Man's Censure.



APPEN

## APPENDIX.

Veneris, 2<sup>o</sup> Die Maii.

Anno 8 Georgii II. Regis. 1735.

MR. Hay reported from the Committee appointed to consider p. 55. the Laws in Being relating to the Maintenance and Settlement of the Poor, and to consider what further Provisions may be necessary for their better Relief and Amendment; That the Committee had considered those Laws, and had come to several Resolutions; which they had directed him to report to the House; and he read the Report in his Place; and afterwards delivered it in at the Clerk's Table: Where the same was read; and the Resolutions of the Committee are as followeth; viz.

*Resolved, 1.* That it is the Opinion of this Committee, That the Laws in Being relating to the Maintenance of the Poor of this Kingdom are defective; and, notwithstanding they impose heavy Burthens on Parishes, yet the Poor, in most of them, are ill taken care of.

*Resolved, 2.* That it is the Opinion of this Committee, That p. 56. the Laws relating to the Settlement of the Poor, and concerning Vagrants, are very difficult to be executed, and chargeable in their Execution, vexatious to the Poor, and of little Advantage to the Publick; and ineffectual to promote the good Ends for which they were intended.

*Resolved, 3.* That it is the Opinion of this Committee, That it is necessary, for the better Relief and Employment of the Poor, that a publick Work-house or Work-houses, Hospital or Hospitals, House or Houses of Correction, be established in proper Places, and under proper Regulations, in each County.

*Resolved, 4.* That it is the Opinion of this Committee, That in such Work-house or Work-houses, all poor Persons able to labour be set to work, who shall either be sent thither, or come voluntarily for Employment.

*Resolved, 5.* That it is the Opinion of this Committee, That in such Hospital or Hospitals, Foundlings; and other poor Children not having Parents able to provide for them, be taken p. 57. care

care of; as also, all poor Persons that are impotent or infirm.

*Resolved*, 6. That it is the Opinion of this Committee, That in such House or Houses of Correction, all idle and disorderly Persons, Vagrants, and such other Criminals as shall be thought proper, be confined to hard Labour.

*Resolved*, 7. That it is the Opinion of this Committee, That, towards the Charge of such Work-houses, Hospitals, and Houses of Correction, each Parish be assessed or rated; and that proper Persons be empowered to receive the Money so to be assessed or rated, when collected; and also all voluntary Contributions or Collections, either given or made for such Purposes.

*Resolved*, 8. That it is the Opinion of this Committee, That such Work-houses, Hospitals, and Houses of Correction, be under the Management of proper Persons, Regard being had to such as shall be Benefactors to so good a Work.

p. 58. *Resolved*, 9. That it is the Opinion of this Committee, That such Persons as shall be appointed for the Management of such Work-houses, Hospitals, and Houses of Correction, be one Body Politick in Law, capable to sue and be sued, and of taking and receiving charitable Contributions and Benefactions for the Use of the same.

*Resolved*, 10. That it is the Opinion of this Committee, That, for the better understanding, and rendering more effectual, the Laws relating to the Maintenance and Settlement of the Poor, it is very expedient, that they be reduced into one Act of Parliament.

*Ordered*, That the said Report be taken into farther Consideration upon *Wednesday* Morning next.

This was done accordingly, and the House agreed to all the Resolutions; to the 1st, 2d, 5th, and 8th, *Nemine contradicente*; to the 3d, 4th, 6th, 7th, and last, without Amendment; and to the 9th, inserting after the Word (*Benefactions*) these Words (*in Money*), and adding, at the End, these Words, (*with proper Restrictions as to the Powers of such Bodies Politick*).

*Mercurii*, 3<sup>o</sup> Die Martii, 1735.

*Ordered*, That Leave be given to bring in a Bill for the better Relief and Employment of the Poor, and for the more effectual punishing Rogues and Vagabonds; and for reducing the Laws relating to the Poor, and to Rogues and Vagabonds, into one Law: And that Mr. Hay, Mr. Hooper, and Mr. Pollen, do prepare, and bring in, the same.

*Jovis*,

*Jovis*, 11<sup>o</sup> Die Martii, 1735.

Mr. Hay presented the Bill to the House; when it was read a First time, and ordered to be printed.

*Mercurii*, 7<sup>o</sup> Die Aprilis, 1736.

It was read a Second time, and committed to a Committee of the whole House.

*Mercurii*, 19<sup>o</sup> Die Maii, 1736.

It was reported, and the Report ordered to lie upon the Table.

## The Substance of the BILL. p. 60.

EACH County to be laid out into one or more Districts by the Quarter-Sessions.

Twelve Persons residing in each District, of a certain Estate in Land, to be Guardians of the District. Lists of the Persons so qualified, residing within the District, to be returned to the Quarter-Sessions, like those of Persons qualified to serve on Juries; and the Names of the Guardians to be drawn like those of Jurymen.

Six annually to go out of Office, the first Year by Lot, and ever after the six who had been longest in Office, and six new ones to be chosen in the same manner.

Benefactors to be Guardians for a time, in proportion to the Sum given.

The Guardians to be a Corporation capable of taking Benefactions of Goods and Chattels (but not of Lands) for the Use of the Poor; and to make By-Laws and Rules (to be approved by the Justices of Assize) for their better Government.

To appoint a Treasurer removeable at Pleasure, residing p. 61; and having an Estate in the District, and giving Security.

Guardians, with Consent of the Quarter-Sessions, to displace any Guardian, for a reasonable Cause.

To purchase Lands in Fee, near the Middle of the District, with a certain Number of Acres.

To build Houses on them for the Use of the Poor; and, within six Months after they are finished, to furnish them, and provide a Stock to set the Poor to work; and to carry on any Trade or Business there; and to take the Benefit of their Labour for the Use of the Work-house.

The Land to be purchased, and Buildings erected, by Money to be given by Parliament.

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APPENDIX.

The Houses to be furnished, and the Stock provided, by Money given by charitable Persons; and what more is wanting, by a Rate, not to exceed half of what had been raised in any Parish or Place, in any one of the three Years immediately preceding.

p. 62. Guardians to meet at the Work-house the first Thursday in every Month at a certain Hour, under a Penalty; six to constitute a Quorum; and to meet at other times on a Summons; with Power to cause Overseers and others to appear.

Overseers always to attend the first Thursday in June, September, December, and March; when the Guardians are to ascertain the Sum the Overseers are to raise for the ensuing Quarter for each Parish or Place, (which after the Houses are finished and furnished) shall be in proportion to the Numbers sent from such Parish or Place.

On the last Thursday in August, Justices of Peace to meet in the Work-house, to nominate new Overseers, with the same Power of levying the Quarterly Sums, as is given by 43 Eliz. and the old Overseers then to deliver up their Accounts.

Charities given to the Poor of any Parishes (and not otherwise appropriated), and the Profits arising from the Sale, or Letting of their present Work-houses, to go in Aid of their Rates.

p. 63. Overseers to set up a Box to receive Charities, in all Places of divine Worship, to be kept under two different Locks and Keys; and to be publickly opened once a Quarter, and the Money found in it to be paid by the Overseers to the Treasurer.

All other Charities for the Use of the Poor of any District, and Monies arising from the Labour in the Work-house, and Fines or Forfeitures for their Use, shall be paid to the Guardians, and by them to the Treasurer, within a Month after they receive them.

Treasurer to issue no Money without Order of Guardians; and to account every Quarter, or oftener, if required.

All other Officers and Servants, at all times when required, to account, to two or more Guardians, for every thing that shall come to their Hands, or be under their Care.

Two Justices, or Quarter-Sessions, may commit any Guardian, Treasurer, Officer, Servant, or Overseer, refusing to account: May levy double the Sum, which they shall, on their accounting, find to be misapplied: May fine an Overseer 20s. for not attending the last Thursday in August, or being otherwise negligent in his Office. And Persons fraudulently imbezelling the Goods of the Work-house, to be guilty of Felony.]

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APPENDIX.

Any Sum given in Charity, or arising from the Labour of the Poor, or from Fines and Forfeitures, if under 100l. the Guardians shall apply to the Expence of the next Quarter; if above 100l. they shall place it out at Interest, on such Government Securities as the next Quarter-Sessions shall direct, and apply only the Interest. p. 64.

After the Work-house of any District is finished and furnished, Guardians to give Notice to the Overseers to bring in the Poor of their respective Parishes, which they shall do within a Month; and for ever after to convey thither all impotent Poor, Bastards, and Foundling Children, wanting Relief; as also all the Children above the Number of three, of such married Persons who desire it, and will make Oath that they are not worth above five Pounds, besides their Goods and Apparel; and never, for the future, shall relieve any Person, except on sudden and emergent Occasion, as pestilential Distemper, Sickness, Accident, or Infirmary, which might endanger the Health or Life of the Person in removing to the Work-house; and during the Continuance of such Occasions only; of which the Overseer shall within two Days give Notice to some Justice of Peace, who shall order such Relief as is necessary, and settle and allow the Expence thereof, which shall be paid or allowed by the Treasurer to the Overseer, producing such Order. p. 65.

Two Justices, on Complaint, may examine, and finally determine, if a Person sent to the Workhouse was legally settled in the Parish, from which he was sent; and if he was not, shall order the Parish to which he belonged to pay 40s. to the Workhouse.

Every Person, for the future, to be deemed legally settled in any Place where he continued a Year without being chargeable; and if he had gained no such Settlement, then at the Place of his Birth; and if not born in the Kingdom, then where he should happen to want Relief.

Justices at Quarter-Sessions to settle Rates and Allowances by the Mile, for conveying the Poor to the Work-house, which they are to order the Treasurer to pay, or allow to the Overseers.

Two Justices may order the Goods and Rents of Persons to be seized, who are relieved in a Work-house, or who shall run away and leave Wife, or Child, or Bastard Child, to be there relieved, and make such Allowance out of them as they shall think fit, which shall go in aid of the next Quarterly Payment of the Place aggrieved. p. 66.

The same Power as at present in the Quarter-Sessions, to oblige Father and Mother, Grandfather and Grandmother, Children and Grandchildren, of poor Persons, to relieve them.



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Guardians may keep Children in the Work-house to the Age of 21, or with Consent of two Justices may bind them Apprentices to any Persons willing to take them; or may compel such Persons to take them Apprentices in Agriculture or the Sea-Service, as are liable so to do at present, under the same Penalties as at present. But none to be compelled to take them under ten Years of Age.

The present Law relating to Apprentices in every other respect to continue in Force.

As also the present Law relating to Bastardy.

p. 67.

Guardians may give reasonable Correction to the Poor in the Work-house, not conforming to Rules, or misbehaving themselves; may fine their Officers or Servants for evil-entreating them, in a Sum not exceeding 40s. to be detained out of their Wages, or levied by Distress, if confirmed by the next Quarter-Sessions; who are to determine all Differences between them and the Guardians concerning Wages.

All Fines and Forfeitures, given to the Use of the Poor by any Law in Being, to go to the Use of the Work-house of the District, where the Offence is committed: To be paid to the Guardians; and by them to the Treasurer.

Head Officers and Justices, in Cities and Corporations, to have Authority to do any thing in Execution of the Act within their Jurisdiction, as any two Justices may within the County.

The Act not to extend to Work-houses established in any Cities or Towns by particular Acts of Parliament: But such Cities and Towns shall be deemed distinct Districts by themselves.

p. 68.

Lord Chancellor may at all times appoint Commissioners to visit any of the Work-houses, to alter any of their By-Laws and Orders, and to make New (to be approved by the Judges of Assize); to enquire into the Conduct of the Guardians and others; and to punish them by Fine or Removal; and to enquire into Charities given to the Use of the Poor; and how they have been applied.

The Act not to give the Guardians, or any other Persons, Power over any Alms-house, Hospital, or other charitable Gift, already settled and particularly appropriated.

The remaining Part of the Bill concerns Vagrants, and Houses of Correction; and differs from the present Vagrant Act only in these Particulars: The Lord Chancellor was to appoint Commissioners to inspect the Condition of the Houses of Correction, who might order the Old Ones to be altered, New Ones to be erected, fitted up, and furnished, in what manner they thought proper; which the Justices of Peace were to execute in a certain Time, under a Penalty. Benefactions were to be applied, in the first place, towards the Expence; and what Sums more were wanted were to be raised by a County Rate.

Twenty

Twenty Shillings was allowed for apprehending a Vagrant, who was to be committed till the next Quarter-Sessions; where, if he was adjudged to be a Rogue, he was to be confined to hard Labour for a Year; and if an incorrigible Rogue, for seven Years, or to be transported for that Time. And an incorrigible Rogue offending a second time, was to be confined or transported for Life. p. 69.

Vagrants under fourteen were to be sent to the Work-house of the District, there to be provided for like other Poor; and the Expence to be charged to the Place where they last begged, or misordered themselves, and passed unapprehended, which was to be the last legal Settlement of every Vagrant, to which the Sessions, (after Punishment) if they thought proper, might order the Master of the House of Correction, at once to convey him, without the Trouble of passing him through other Hands.

In the last Clause all the Laws relating to the Poor were particularly enumerated, which were to be repealed.

Lunæ, 10<sup>o</sup> Die Decembris 1747.

p. 70.

Ordered,

That leave be given to bring in a Bill for the better Relief of the Poor by voluntary Charities; and that Mr. Hay, Sir Francis Dashwood, Lieutenant General Onslow, and Mr. Trevor, do prepare and bring in the same.

Martis, 15<sup>o</sup> Die Decembris 1747.

Mr. Hay presented it to the House; it was read, and ordered to be printed.

Mercurii, 3<sup>o</sup> Die Februarii 1747.

Resolved, That the Bill do pass.

Ordered,

That Mr. Hay do carry the Bill to the Lords, and desire their Concurrence.

T H E

p. 72.

T H E

P R E A M B L E

A N D

Principal Parts of the B I L L.

p. 71.

WHEREAS several Hospitals and Infirmaries have of late been established and maintained by voluntary Charities, to the great Comfort of the Poor: And whereas such Charities would probably become more general, were Men of great Station, Fortune, and Credit, appointed to receive the Contributions of well-disposed Persons, and to see the same duly applied, by which many of the Poor might be better taken care of, and the Rates for their Maintenance in Time be lessened; be it therefore enacted, That in every County within that Part of *Great Britain* called *England*, and Dominion of *Wales*, every Peer and Lord of Parliament residing within the County, the Lord Lieutenant of the County for the time being residing in the County, the *Custos Rotularum* for the time being likewise residing in the County, the High Sheriff for the time being, the Knight or Knights of the Shire for the time being, every Bishop, Dean, and Archdeacon, for the time being, having Jurisdiction in the County, or any Part thereof, and every Person residing in the County, possessed of Land lying therein, either Freehold or Copyhold, for his own Life, or some greater Estate, of the yearly Value of Three hundred Pounds, registering his Name at some General Quarter Session of the Peace for the said County, shall be a Corporation by the Name of *The Guardians of the Poor* of the said County; and by that Name shall be capable to sue and be sued in all Courts of Law and Equity, and of taking Money, Goods, or Chattels, of any Person

Person or Persons whatsoever; and shall have Power to relieve or employ any Persons who want Relief, of any Age or Sex which shall belong to, or shall be found within the said County, for such Time, and in such Place, and in such Manner, as to them shall seem meet; and they shall have a common Seal, with such Device as they, from time to time, shall appoint; and they are hereby impowered to build, purchase, or hire such Houses for the Use of the Poor, as they shall think proper, with Land not exceeding Forty Acres to each of the said Houses; and such poor Persons as they shall relieve or employ in the said House, they may discharge from thence at their Pleasure, and order them to be corrected during their Stay there; and may appoint such Officers and Servants under them as they shall think proper; and may make By-laws, Rules, and Orders, under their Seal, and alter them at Pleasure.

p. 73.

And be it further enacted, That every Person who gives to the said Guardians One hundred Pounds for the Use of the Poor, shall be a Guardian himself, from the Time it is received, for a Year ensuing; if Two hundred Pounds, for Two Years; and so on in Proportion; and during his Time of so being a Guardian, shall have equal Power and Authority with the Guardians above-mentioned.

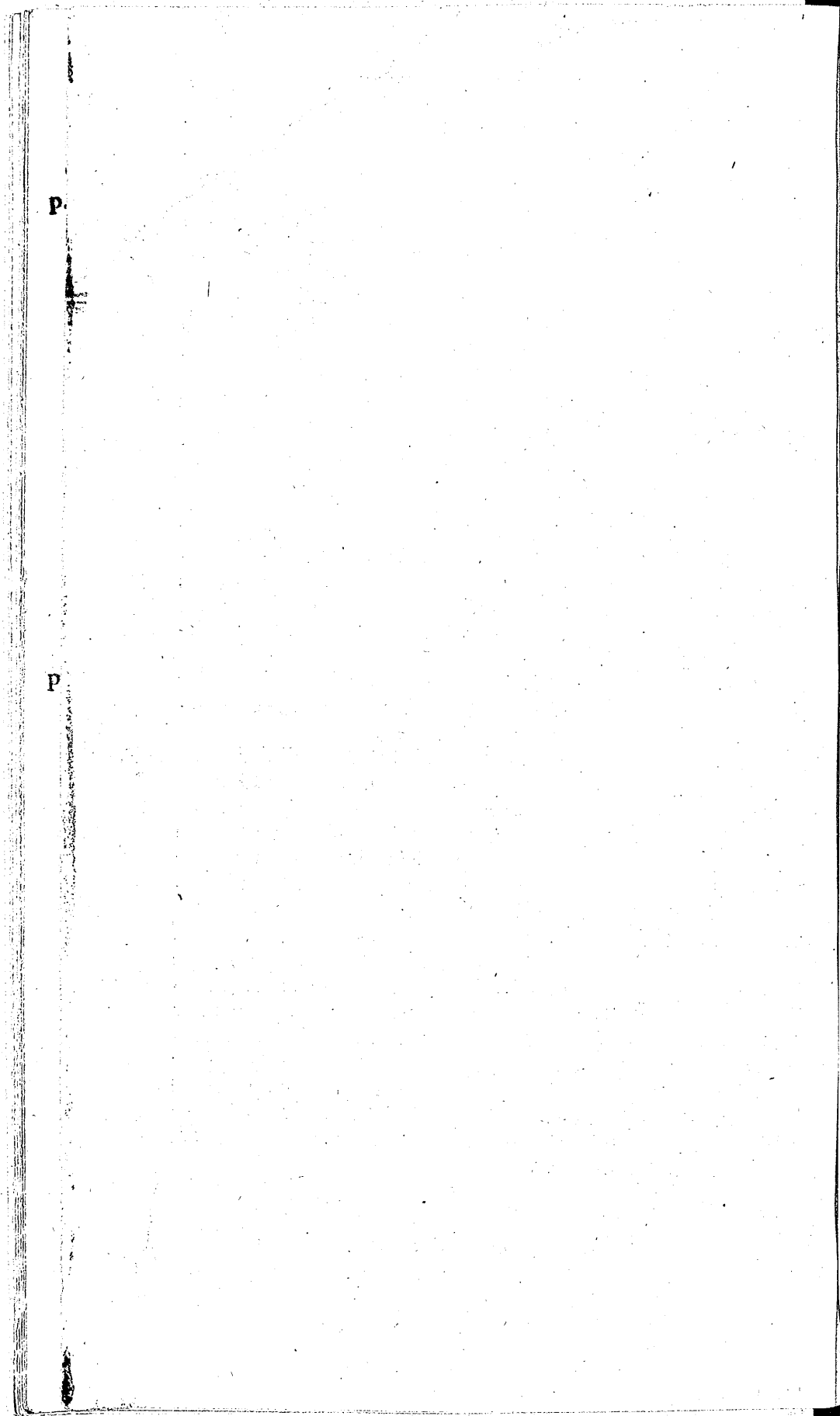
And be it further enacted, That any Five of the Guardians shall be a *Quorum*, to do any Act or Thing which the Guardians by this Act are impowered to do.

And be it further enacted, That the Guardians shall deliver in the State of their Account, under their Seal, at every General Quarter Session next after *Easter* and *Michaelmas*, there to be filed and kept on Record, but shall not be answerable for the same, unless any Five Guardians complain, by Petition to the Judges of Assize in their Circuits, of any Fraud or Injustice in any of the other Guardians; in which Case they shall examine summarily into the Complaint; and if the said Judges see Cause, shall declare and adjudge such Guardian or Guardians incapable of acting in that Capacity for the future, and impose a Fine on him or them not less than Ten Pounds, or more than Fifty Pounds, which shall be forthwith paid to the other Guardians for the Use of the Poor; and if any such Complaint shall appear to the said Judges to be frivolous or vexatious, they may impose a Fine on the Complainants, not less than Ten Pounds, or more than Fifty Pounds; to be paid and applied for the Use of the Poor, in Manner aforesaid.

p. 74.

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