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Elisabeth Wall ²

CONSIDERATIONS *1817*

ON

*in printed
Catalogues*

THE POOR LAWS.

BY

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FELLOW OF ORIEL COLLEGE, OXFORD.

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1817.



TO THE
RIGHT HONOURABLE
WILLIAM STURGES BOURNE M. P.
CHAIRMAN
OF
THE SELECT COMMITTEE
OF
THE HOUSE OF COMMONS,
APPOINTED IN THE LAST SESSION OF PARLIAMENT,
ON THE
POOR LAWS;
THESE FEW PAGES
ARE INSCRIBED,
WITH A GREAT AND SINCERE RESPECT,
BY HIS OBEDIENT HUMBLE SERVANT,
Oxford,
Oct. 10, 1817. THE AUTHOR.



P R E F A C E.

THE author of the following pages is well aware of the difficulty of the subject of the Poor Laws, when it is to be taken up with a view to any practical amendment of them. If therefore he should seem, in the course of stating what he has wished to say upon them, to have expressed himself any where with less hesitation and mistrust of judgment, than a question of such acknowledged intricacy requires, he has done so only to save some tediousness in the form of putting his opinions, and begs, by declaring his sense of that difficulty once for all, to be acquitted of the indiscretion of speaking confidently to others, where he himself would be glad to see his way with more certainty.

The very crowd of publications which have already appeared in this same line of inquiry, may serve in some measure perhaps to excuse

one more. In fact, in the promiscuous speculation which commonly falls upon a public question, there is a service which even ordinary men are capable of; as it comes within the reach of very moderate sense soberly applied, to pitch upon particular parts of a system, and canvass the reason of them, or ascertain their effect, with tolerable exactness: and this is something done, though the stress of duty for the practical statesman is still behind. He has to make up his mind upon the effect of the whole in its combined result; and taking one step further, has to connect plans of proposed improvement with interests not always easy to be ascertained, before the experiment upon them has been risked. Still the more confined sketches of argument, which attempt to work out any of the details of the mixt question, may assist in giving some one element or other towards the more comprehensive practical arrangement. And the chance of doing so much, is the real apology for those who may wish to throw in their share to the speculations of the day, but who neither ima-

gine they have any thing of much consequence to offer, nor yet would choose to put three sentences together in print with a certainty of their being useless.

All reasoning on such a subject as the Poor Laws must be idle, that is not supported by a real knowledge of the state of things in the country as it stands under these laws; and existing facts must shape the anticipated experience by which any given alteration of them is to be judged of. Instances and particular cases therefore commonly make a figure in most of the publications, which either describe what is, or recommend what should be. The author of these remarks has of course his facts and examples in view, such as his opportunities of observation (it has been very limited) have afforded: but he has not brought them forward to justify his notions by them. He has declined doing it, as well because particular cases, unless they are strong and aggravated, make little impression in the recital, and in proportion as they are aggravated beyond the common average, though they catch

exceedingly the popular understanding, they are of the less real value in general reasoning; and also because his assumptions will either be justified by the experience of those who may happen to read them; or if they are not so justified, the facts from which they have been drawn would be equally met and opposed by the reader's own contrary experience.

It may be necessary to mention, that the substance of these Considerations was reduced to writing in the month of June last, in order to explain why the allusion made in them to the plan of a fund of parochial contribution among the Poor themselves, is expressed under a doubt whether any such plan would actually be proposed or recommended. That doubt is now removed, by the distinct recommendation, which the plan has subsequently received.

CONSIDERATIONS
ON
THE POOR LAWS.

THE Poor Laws, as they stand at this day in system and in practice, having modified, and in some degree having made the condition, such as it now is, of the labouring class, which is the most numerous class of the community; any change of those laws, whether in the system or the application of them, should be made with such caution and leniency towards the persons whose interests have been so incorporated with them, as shall render the transition of change gradual and easy in its effect, and tolerable to the prejudice which has been permitted to work itself into the minds and calculations of the poor. Whether it might not be just strictly in the abstract to withdraw from them even at a very short notice any holding of supposed advantage which may have been conceded to them improperly and unwisely at the first, with wrong towards

others, and with much mistake towards themselves, is a question not necessary to be argued. In a legislative arrangement it cannot be considered as practically just and fair, as it certainly would not be wise, to shock, by a sudden resumption, any kind of claim which has been supported and encouraged by the precedent of a general and established usage of enjoyment. To force a new condition, without allowing time for the adaptation of circumstances and feelings, is not consistent with the principles of that sound and genuine equity, which upholds the connexion between the legislature and the subject.

But in prospective legislation, the more severe the rule is made, and the more rigorously the line is drawn, to the exclusion of undue claims, or claims of a doubtful, still more if they be of a mischievous kind, the better is the legislative arrangement; better, both for the security of the public interest so guarded, and also for the more clear and precise statement of the course of duty prescribed to the individual.

Under the first of these two general principles, it seems advisable that all modifications of the existing laws, as applicable to persons at this present time entitled to parochial relief,

or to the claim of it, should be made with great considerateness and reserve, and should be calculated rather for an adjustment by compromise of obstinate difficulties, than upon the larger views of independent and unembarrassed legislation.

But under the second general principle, in the case of persons who at this time have no title to such relief, nor any necessary access to the claim of it, the course of enactment should be different, as the subject to which it is to be applied is different. Here the ground is clear and open; and the wisdom of the legislature can make its own dispositions upon it. Consequently the strong sense of any one important maxim of policy or of justice, ought to be exhibited on the face of the public arrangement to be made prospectively, by the most pure and absolute expression of the law in its favour.

To restrain or reduce an existing inconvenience is the object in the first case. To keep an inconvenience excluded is the object in the second. In the one, much must be conceded to past mistake; in the other, nothing ought to be conceded, to the infringement of the interest in question.

Under these two leading ideas I have in-

tended to keep the main drift of the following considerations. To pretend to turn to any thing like a general maxim at every step would be to strain things absurdly to an affected regularity, and would prevent each point from being considered on its own merits. I have gone therefore upon such general maxims only so far as to take a first bias and direction from them; but shall endeavour in the detail of inquiry to follow the nature of the ground afterwards as it may happen to lie. The express and technical application of them will be brought in more distinctly in the end.

The considerations themselves will be directed chiefly to the following heads of inquiry: The provision for the dependent poor, whether able to work, or unable—the policy of a parochial subscription fund—the possibility of finding a supply of work for those who may be thrown out of employ—the amendment of the administration of the law—the management of work-houses—the artificial regulation of agricultural wages by poor-rates—the effects of the existing law upon the habits and manners of the poor—and, lastly, the expediency of a new legislative arrangement to be prospective.

If we take up the case of persons now de-

pendent, or liable to be dependent, upon parochial relief, we should have them divided into two general descriptions, obviously requiring a distinct and separate consideration; the first, of those who are not able to work; the second, of those who are able, but cannot find employ.

The case of those who cannot work is of the easier consideration. By the law at present they have a claim of relief, and this relief ought, probably, to be continued to them, without discrimination of cases or persons, except for the amount of the relief to be given according to exigency of want. I say probably, because upon the whole it would be most fair and practicable. For although the present want of some of these persons, under their disabled state, may be owing to former improvidence, and consequently not in itself, nor in the reason of the thing, a sufficient title to relief; still the selection of the provident, and the exclusion of the improvident, by a review of their past life and means, would be a business of impracticable trouble and uncertainty. The present usage therefore must be continued *for some time*, to make the parish responsible for the support of all who are disabled from work, without exception.

If however any criterion could be establish-

ed whereby to resist the claims of destitute improvidence, it would be highly expedient to have recourse to such a criterion for the future. It is reported that the Committee of the House of Commons appointed to revise the Poor Laws, have it in contemplation to recommend a system of subscription to a common parochial fund by the poor themselves, and the actual subscribing to such a fund to be made a condition of subsequent assistance from the parish. If this plan of subscription to a parochial fund should ultimately be adopted, it would supply what is now wanting, a simple criterion of the providence of the parties. I shall state presently more at large what I think of such a fund. In the mean time, it manifestly might be made to have this kind of use, to furnish a rule whereby to know what persons had used any economy and forethought for themselves when they were in health and strength, and would so far supply the defect of the title upon which relief is often demanded by the impotent and disabled. For it cannot be insisted upon too strongly, that mere disability to work does not constitute of itself a sufficient equitable claim to a certain legal maintenance. If a man were to throw away his bread, because at this moment he is not

hungry, although he might be hungry and unprovided in the course of a few hours, nobody would say that he deserved to have a loaf given him when his time of hunger and privation arrived. The case is the same on a larger view of life: and there is no account to be given, why reasonable beings should not understand the natural condition upon which they live, and learn to act accordingly. Disability to work, and want under that disability, may come, probably will come, in the common course of things. If a person have given no proof of a desire to provide at all for himself against such seasons, the fault and the suffering ought to go together; at least the law ought not to indemnify him against the penalties of his improvidence, without check or exception.

A subscription then to the common parochial stock might be made useful to improve and certify the claim of parties afterwards applying for relief, upon the plea of inability to work, as it would serve also to create, in a fair way, a part of the fund for their actual maintenance, when they came to be disabled from maintaining themselves by their labour.

But since habits of a totally different kind have been encouraged by the laws heretofore,

and the means and resources of the poor have been wasted by those habits; the demand of any subscription ought to be made (if such a measure should be adopted) with great indulgence, both as to the amount of it, and as to the length of the term of subscription after which the right of assistance from their parish should be acquired.

It should be recollected that the poor *disabled from work*, of whom we are now speaking, will be of two kinds, as the disability itself may be either permanent or temporary. The permanently disabled, whether reduced to that state by the wear of old age, by loss of limbs, or incurable infirmity, are those who have the best right to all that the law can ever pretend to do. They stand foremost in deserving its full protection. But the other class, viz. those who suffer under a temporary incapacity only, would not have so clear a right. The law never can intend to provide against every article and minute portion of such distress. At any rate, their application to the parish ought to be discouraged: and to check the beginnings of such a correspondence with the parish, it seems expedient that no relief should be allowed, till their disability, of a palpable kind, had lasted some time, as one month or

two. For so long a time, their own economy and private benevolence together, should be left to take care of them. And considering the greater activity of private charity which would follow, if the law did not profess to do so much, and the extensive relief already afforded by the circle of our benevolent institutions, which are at hand with some kind of aid in almost every instance of suffering, there is little reason to think that any severe, and at the same time unmerited, distress, would be suffered, by this delay of legal interference, even if it were extended to a longer term.

I have adverted to the plan of a Parochial Fund to be raised in part by contribution from the poor, because some such plan seems to be much thought of; and if it should receive countenance from the recommendation of so high an authority as the Committee of the House of Commons, it would then become a most important object of consideration. In the ignorance whether it may receive any such sanction or no, and under what form it may be recommended, if at all, I beg to be understood as speaking of it only as a project of floating speculation. Having admitted one use of such a fund, as a test for the subscribers' certificate for relief under disability, I should stop there, confining it rigidly to that single

object; and deprecate most earnestly the application of it to any other purpose whatever. For if it be designed to favour and facilitate in any manner the present promiscuous grant of parish assistance, and enable the parish more effectually to discharge its multiplied obligations in all their extent; one of the main defences against the unlimited and universal spread of pauperism in the country would be done away, by that very fund, the discredit of parochial dependence; and at the same time the aggregate of claims accumulate in a fearful ratio. The discredit of that dependence would then be shaken in the very principle of the thing. For the moral and adequate right acquired by contribution would make the claimants consider themselves as drawing upon their own stock; as using their own property; as taking back with some interest what they had lent to the parish. Their actual contribution would of course be only a small part of the amount of their subsequent demands. But the parish books would seem to them only a more profitable kind of funded account, from which, as proprietors, they drew a return of a doubled capital, and the loss of independent character in the transaction would be no more than follows from taking home a dividend from the bank. If a large gain is not to be allowed to

the subscribers, it is a hardship upon them to oblige them, and a delusion to invite them, to subscribe, only to have their own money again, in the shape of legal charity ; and if there is to be a large gain, the temptation to traffick in such profitable pauperism is a manifest and pregnant danger. The power of subscribing must be open and general: indeed the law must be supposed to invite all, who by any possibility may be reduced to want hereafter, to secure themselves by entering their names as subscribers. The most probable obvious consequence would be a vast influx of needy expectant contributors; and the responsibility of the parish would be pledged to them all, as soon as they had opened their account with it. If therefore the present obligations and engagements of the parish are to be continued, under the usual heads and pleas, of loss of work, insufficient wages, family of children, occasional illness, and others, the incalculable extension of its debtor concerns in the number of parties instantly and irrevocably connected with it, is the first result which threatens to follow upon the experiment. The pressure of this weight of incumbrance upon the parish could not be effectually counteracted by a diminution of the scale of allowances, any more than the

evil of the present practice could be effectually repressed by a stated and positive diminution of the allowances now usually granted: because it is not by the rate of the allowance, but by the heads and reasons of the allowance, that the evil has arisen. It is not by encouraging the poor to expect something from the parish, that they become the heavy burthen upon it; but by encouraging them to expect that something, whatever it be, on such and such accounts, and under such and such circumstances. When the reason and ground of the demand is once established, or professed to be continued, the measure of allowance will force itself, as it has done, by the exigency of each person who has the ground and reason to prefer in his particular case. It is the avenue of claim, not the amount of it, that is the spring of the evil. A parish fund therefore so constituted, for general purposes, would be a permanent nucleus for a growing and ruinous embarrassment to the whole internal system of the country. The parochial taxes would most probably be swelled in their amount by the increase of dependents upon them, notwithstanding the sums contributed by the dependents themselves. But even if the rates were lowered, the mass of account and agency in the parish concerns would be infinitely ex-

tended; and the character of an independent working class more and more lost and absorbed in the connexion.

I have so little confidence in my own estimate of expedients wholly new, that I should hardly know whether to wish the experiment of this fund to be made, even for the single and confined object which I have already mentioned; and one reason for hesitating about this simple use of it, would lie in the difficulty of disposing of the case of parishioners living at a distance from their parish. How is the contribution of absentee parishioners to be drawn? and how are their rights to be affected, if they do not contribute? Perhaps some new regulation to be made for the express purpose of modifying the conditions of parish settlement, might smooth the difficulty. But this is still to be done. The objections however are quite clear and positive against bringing any cases and concerns whatever within the range of such a fund, except the broad and palpable one of disabled strength of body and limbs under a state of destitution. This is a condition of suffering and privation that cannot be mistaken: it is not liable to be simulated by imposture; it implies no suspicion of fault; it is incapable of farther service to the commu-

nity; it is especially sacred by a reverence of nature; and it is not tempting to abuse, as a person would not subscribe to a fund under a wish of soon finding himself in the list of cripples or incurables, in order to profit by his subscription. These are distinguishing circumstances to invite the especial care of the law: and they make the exercise of that care perfectly safe. All other cases and pleas, as loss of work, insufficient wages, family of children, occasional illness, house-rent, &c. which now come within the scope of public relief, have been found to be so many distinct sources of idleness, dishonesty, vice, and perplexity to the affairs of the country.

Upon this popular topic of a contribution to a parish fund, I venture to affirm, that it is not fit that the poor should subscribe for the relief of one another. Pecuniary charity is not their duty: it is out of their province. Their own real wants forbid it; and they have not the feeling which such a sacrifice requires. In no way are they made for it. And to try to make them generous, when they have more necessary and more attainable virtues to acquire, is to misplace the attention we bestow upon them. Benefit societies among the lower classes of the poor are vicious on this account. They profess

to offer a mutual guarantee against the casualties and contingencies of life, as well as its more certain ordinary wants, out of a property too small to be exposed to the risks of other men's fortunes: and the history of such associations, in the discontent of them, the complaints of unfair distribution, and the manœuvres practised upon the direction of the funds, is partly a proof that the exercise of this mutual charity in money and kindness is not to be had among persons, whose hope and aim of gaining by the partnership disavow the pretence of a perfectly common benefit. If axioms were of any worth in practical politics, I should venture to offer two as the simplest and the very best for putting the affairs of the poor in a right train: the first, that *every man should work for himself*, which has been rudely discountenanced by the practice of our Poor Laws; and the next, that *every man should save for himself*, an axiom which benefit clubs, combined parochial funds, and some other plans, trample under foot. Upon this new ground he would neither draw from the public, which has been the practice already tried, nor would the public draw from him, which, I must think, is the converse mistake.

“*In medium quærun*t” is a tempting senti-

ment. It seems to be in the way both to benevolence and wealth. It is the sentiment by which the Roman poet has described the economy of a hive ; and a still greater poet of our own has told us, that the inhabitants of a hive may teach “ the art of order to a peopled kingdom.” But men are not bees, as in many other respects, so in this; that the love of property, exclusive property, and aversion from labour, make no part of the natural history of that wise insect; but in man they are characteristic; and they are set off in him one against another. They ought to be kept well together. He has his sympathies; but it is not in the first instance with his hive, but within his cell, with his family. The *poor* man’s endeavours can hardly extend any further. For him, the principle of joint labour and community of acquisition is put where it ought to be, when it is infused into his lesson of domestic duty. His capacity of feeling and exertion is just commensurate with it there. It fills his little circle: more is too much for him.

The value of benefit societies, is among such persons in society as are tolerably safe in a competency of subsistence, and have some surplus besides to lay out, upon the fate of which they can reckon without anxiety. The

stake of the club ought to be upon the optional or occasional comforts, not upon the necessary subsistence of its members; otherwise they are gaming for their bread. Remedies to the Poor Laws must be sought in provisions applicable to persons not quite so high in the world as those for whom benefit societies are calculated. These associations may indeed keep some from falling upon the parish, but they are not so likely to discharge and take off those who are just within its connexion. Such persons require the most stimulating inducement of gain to be quite their own, and the fears of want to be wholly their own also. It should be constantly remembered, that is not merely a security against misfortune that is wanted for them, but an antidote to their imprudence and neglect and misconduct. Community of fortune by association, upon the principle of a mutual assurance, is a fair provision against loss; but a most unfair one against delinquency and folly. It makes the good pay forfeit for the bad, by the very tenour of its rules.

When the underwriters insure, or when merchants do it mutually for each other, it is against sea-risk, against damage by accident; and therefore the ship, to be a proper subject of insurance, must be sea-worthy, and there must be a

sufficient pilot on board. There is reason in this. What would they think of an indiscriminate guarantee upon timbers of every sort, sound and unsound? So when a life-office insures, the life in question must not be in a deep consumption. In every case a certain worthiness of condition precedes the guarantee. Unless therefore a survey shall be ordered, and a report made, upon the character of the parties to be combined together in parochial associations, it never can be other than mistake and fraud, to engage them that they shall mutually indemnify one another, against any thing more than casualties, or events absolutely out of their own power, and wholly independent of their manner of acting.

A mixed contribution from rich and poor together, would be liable, as I have endeavoured to shew, to the greatest objection of all, if it is to create a fund for general purposes, open to the same forms of demand as now subsist. The poor would flock in to the subscription, which would be all for their benefit; and the multitude of indigent partners, what by their numbers, what by the confidence of an acquired creditable right, would drain such a fund more rapidly than they have ever drained the parochial taxes. The property

and the character of the two parties would be more and more approximated and confounded. Indeed any fund whatever, appropriated to the multifarious purposes which are now within the scope of parish relief, would be insufficient to meet the demands accruing upon it, if the poor are to be admitted to an interest in it by their becoming contributors. A fund for such extensive purposes could not possibly be had by contribution among the poor themselves. The subsisting practice therefore, of assessments upon the property of the other class alone, to be extorted by the occasion, is the only, or the best way of resisting and checking the pressure, as long as the present vague and promiscuous range of relief is attempted to be continued.

As the result of these considerations, if there be any weight in them, I conceive that the destination of a fund into which the poor might be invited to subscribe, should be strictly confined to a provision for them against the extreme hardship of bodily infirmity, permanent and irremediable; that the contribution from the poor themselves should be on the sole and separate account of each individual; that his deposits should be moderate, neither to press too much upon his current wants, nor to lay the whole weight of the provision for

that particular purpose upon himself; and, as a most necessary stipulation of justice, in order that he may never lose by the exercise of his economy, that the full amount of his contributions, if they should happen not to be ultimately withdrawn by his own personal want, or the remainder of them, should be restored at his decease to his family, or other representatives of blood; or perhaps, in default of near kin, as he might direct.—Whether one stated rate of deposit should be fixed, to insure a stated amount of provision, or whether the rate of deposit should be left to the option and convenience of the parties, and a proportionate rate of provision be granted upon it, would be a subordinate point to consider. Either way has its recommendations.

With regard to the second general description of persons, now entitled by the usage of the law to parochial relief, “those who are able to work, but who cannot find employ;” some test of their previous economy is as reasonable, and as much wanted, as in the former case, before the parish should pretend to charge itself with the care of them. But their qualification on that score being supposed, or being waved for the present; there remains the question,

whether it be possible to find work for them, and how it is to be furnished. According to the view which may be taken of the possibility of finding an adequate supply of work, the system of arrangement for them ought necessarily to be shaped. For that they ought to be employed, if work can be found for them, I presume, is on all hands agreed.

Labourers and mechanics are thrown out of employ by a reduction of the *relative* demand for labour ; that relativeness being taken upon the numbers who want the employ, compared with the absolute amount of it ; and this reduction of demand may be either temporary in its cause, or of longer continuance. Plans for providing employment under a temporary diminution of the ordinary demands of it may be framed with tolerable effect, in the light of mere expedients, and as measures of momentary relief ; but not as measures of direct public utility : and as such they may act in a remedial way against the occasion, but can never be regarded as integral parts of the national prosperity. The reason why they are practicable at all, is, that it will always be possible, in a benevolent and opulent country, to make a forced effort, and turn the edge of a momentary pressure ; for the whole national resources

are not in the ordinary course of things strained to their maximum of effect, but leave something more to be done by the exertions of local or personal public spirit. On the other hand, the reason why such artificial exertions are incapable of a continued and a beneficial application, is, that the generosity and the sacrifice necessarily combined with them must secretly be wasting the resources of the country; and the arrangements made for them, not being founded in the natural motives and calculations of life as developed in trade and commerce, cannot produce the effect of trade and commerce in the increase of individual or public wealth; and, as far as they are adverse to those motives and calculations, they must produce an opposite effect.

If therefore in any country there be causes in action which threaten to place any considerable number of the people constantly out of employ, in the ordinary ways and channels of established industry; neither the law, nor systems of parochial management, nor the artificial patronage of individuals, will be able, by their contrivances, to obviate the essential evil, because they will not be able to create a real demand for the spare labour. If that labour could be profitably employed, the professed

tradesman would take it up. If he cannot gain by it, the artificial tradesman, who has a worse chance, and many disadvantages to contend with, must lose by it; consequently it will be a losing trade; that is, no trade, but a fiction of charity.

In this country there are two causes, as I suppose, which do actually threaten to throw a considerable number of hands constantly out of employ, not perhaps always in the same district, nor of the same technical description; but still to leave in some part or other of our system a great stock of unapplied labour. These causes are, first, the Poor Laws themselves; and next, the fluctuating nature of our Manufacturing and Commercial Industry. Of the two, the latter, the fluctuating nature of our manufacturing and commercial industry, seems to have taken the lead in creating the present accumulated difficulty in a surplus of unapplied labour, as far as the operation of the two causes can be estimated apart; but the inconvenience so created, to have been greatly aggravated, by the simultaneous influence of those laws. Their proportion of influence however in producing the evil, needs not to be made a question, if it be granted that both the one and the other contribute their share to the same effect. But there is this

difference to be observed, that the consequence of an accumulation of unapplied labour, as resulting from the laws, may be met and restrained by all that counteracting change which it may be thought proper to introduce into the laws themselves. But the consequence, as resulting from the very nature of our manufacturing and commercial industry, cannot be regulated; inasmuch as it would be flatly impossible to separate the consequence from the system, and prudentially impossible to retract that system, or even perhaps to reduce it.

That these two causes separately and jointly do in fact tend to burthen the country with a number of supernumerary hands, scarcely needs a solemn shew of proof. The Poor Laws accelerate the growth of the population by a premature increase, inasmuch as they enter into an engagement beforehand to provide for all, though neither the mode, nor the station, of employment for all, is either foreseen or provided, nor any solid security taken from principles of general calculation, that the room for employing them will exist, or if it exist anywhere, that it shall be accessible just as it shall be wanted. The undertaking of the law is upon a *carte blanche* to the population. The provision of the employment is deferred to a subsequent and most precarious arrange-

ment, which hitherto has proved absolutely fallacious. No adequate occupation has been found for those whom the law has undertaken to support. It generates an evil which it vainly attempts to remedy by a tardy and subsequent application. It creates the labourers. It cannot, as I shall attempt presently to explain, create the employment for them. It has to go begging itself, to find methods of fulfilling its own obligations.

The effect of our manufacturing and commercial industry to the same inconvenience is apparent. These two branches of our national system are engaged in the production, or the circulation, of commodities of an unequal demand and a shifting market. Besides causes within the country, which may vary the activity of them, they are open to the fluctuations which may be induced by changes in the condition, the wants, or the tastes of all that circuit of the world abroad, with which they have any point of connexion. War and peace alternately supplant many of the foundations upon which they rest, and other minor agents come in among them to their sensible disturbance. In this unsteady system, supposing the whole effective demand upon our labour of manufacture or of circulation, to remain a constant quan-

tity, it is not always for the same commodities, nor in the same channel, that the vent offers itself. There may be an increase in the whole effective demand, and yet many hands may be thrown out of work; because manufacturers of a given description may work more; but still if there be a remission of the demand in any single department of industry, there, in that department, the exclusion from labour will take place; and the whole sum of activity will be maintained, not by an equable partition of the labour, but by a partial increase of it in one kind, and a depression of it in another. The stimulus of a thriving trade in one branch will make that quarter swarm; and when it is depressed, its superabundant labourers will not be taken off by the alternation of success in another, but the thriving line will rear and attract labourers of its own. The supernumerary hands will remain such, and will be thrown therefore for a time upon their own economy, or upon the Poor Laws, which discharge them from that economy. If an instantaneous transfer of residence, as well as of manual habits, were practicable, the shock of these fluctuations would be less felt than it is. But both the one and the other are impossible to any great extent. The mechanics especially, and

artisans of an improved country, are not so many units, but compose so many classes, which are not readily interchangeable in kind, any more than they can easily migrate to the new momentary home which a prosperous local trade at a distance might chance to offer them. It follows, that these disengaged men become so much burthen upon the other members of the community, and press heavily upon the moving wheels, which they cannot help to turn themselves. A caste of unemployed poor is engendered, and spread far and wide; the Poor Laws directly encouraging the increase of it by the promise of a maintenance, scanty as it may be; and disseminating the indigent race through the country, to their several parishes, in quest of that maintenance. The produce of the labour of those who are in work is consumed by those who have neither work nor revenue; and the most industrious country suffers in a large body of its members many of the evils of a country the most slothful and the most unimproved.

From these sources then we must expect a continued, and a numerous succession of unemployed hands; numerous in proportion to the extended *efficacy* of the Poor Laws, combined with the occasional height and prosperity of

our whole productive commerce, or of some of its divisions; a prosperity which ebbs from time to time as far back as its tide had risen. I speak of the extended efficacy of the laws as we now see and feel it. They have been long acting to produce the harm to which the spirit of them gives the virtual tendency. They have been adopted by the people; and that adoption of them has brought out their theoretic mischief in its force. A cumbrous diseased excrescence has formed itself upon the healthier part of the public body, fettering its functions and eating out its strength.

But it never was the original aim and design of the law, that so many able hands should receive any part of their maintenance from the public alms. To set them to work is the letter of the law. And upon the possibility of finding them in work ought to depend, as I have already observed, a great practical conclusion in the revision of this part of the law. In the attempt then to take care of these unemployed men by finding them a supply of work, I am persuaded that it is *possible to do much* to abate the burthen of their support, but *totally impossible* to furnish them with productive employment, whereby they shall be able to support themselves, or add any thing

to the public wealth. Their labour may be turned to use, but not to profit. They may spend less out of the general stock by being set to do something. But they must be spending out of it to a certain loss, and form an item of debt, it may be a heavy one, to the public account. The first part of this proposition, that it is possible to furnish them with employment to a certain extent in diminution of the expence of their maintenance, is not likely to be controverted by any one. The law wants only to be better executed. The second, "that it is impossible to furnish them with productive employment," I should venture to rest upon this simple principle; that the activity, vigilance, and sagacity of private interest in the way of regular trade, would always be able to take up any business, and make it prosper, sooner than the unskilful attempts of any body of overseers, commissioners, philanthropists, or legislators. This appears to me a principle almost self-evident: and the consequence from it must be, that a general system of parochial manufacture of any kind with a view to profit, or with a hope of making such establishments maintain themselves, is a chimæra, a castle in the air, which only the architects of a most visionary policy will ever think of building. I

have said, that systems of parish labour cannot even be expected to make good their own expences. A very short computation may shew us, that on the side of the parish concern, the outgoings, with the necessary allowance to be made for mismanagement, will exceed, on the side of the professed trader, his outgoings and very high profits together: that is, whatever profits can be made by him must be more than covered by the disadvantages of parochial management; and if none can be made by him, the relative loss will cut so much the deeper into the parish finances.

If it be alledged, that the parish could afford to let out its labour at a cheaper rate than others could do, and might so have the advantage of the market for that labour; no doubt it is possible by the application of parish labour to break down some private dealers: but then the command of the market so obtained would be producing harm to the right and the left; and though the parish might be dealing more largely, the impossibility of making a profit, and keeping within its expences, would stand just as before.

We are driven to the inference, then, that no real supply of productive employment can be furnished by legal arrangement, when the trade of the country itself fails to furnish it.

The question may be taken up again from a consideration of the whole amount of means in the country applicable to the encouragement of labour; and the conclusion we should arrive at in that way would not be materially different. Let any amount of capital be supposed, or capital and revenue together as forming the present means of the country. Now it is not strictly true that this money will certainly be laid out, in the present year suppose, to the last shilling in the encouragement of labour. Parsimony and other causes may withhold a part of it from that use; though, to take it more exactly, the parsimony of one year makes the profusion of another, and in the average it comes nearly to the same point as an equable expenditure. As to the accumulations of a fair economy, they are all to the public benefit, even if the individual had no indisputable right to make them. But I shall allow that there may be funds which the Poor Laws might possibly touch, over and above the expenditure which the private owner might have chosen to make. Again, it is not true, that the undirected application of that money at the free choice of the individual, either in the way of spending or of trading, would be the same thing to a country, as when there is a

part of it laid by law under a special appropriation; because mere circulation differs from distribution. With a given quantity of water to irrigate a meadow, it is possible, by the choice and position of the sluices, to turn the flow of the water upon a given spot which most wants it. In like manner it is possible, that the managers of the parochial taxes might carry for a time a supply of money to a languishing trade, and lay hold of an opportunity to spend more judiciously for the promotion of labour than the original proprietors would have done. But to imagine that there could be a continuance of this superior wisdom of distribution in the parochial management, and found a national measure upon that assumption, is against all reason in a country where trade is well understood. Trading capital, when once it is created, and demand of labour, attract one another in the straight course of things with invariable certainty. In a rich country, when work is wanted to be done, money is soon found to set that work agoing, and in a spending country all the work is wanted, which there is the power of paying for. In our own country, which is both the one and the other, rich in possession and spending by habit, there is an activity and an enter-

prise in the investment of capital in traffick, which, not at the long run, but after a very short race of competition, must soon leave behind the awkward movements of a parochial committee. Consequently I infer, that the sums transferred to the parochial fund by law for the encouragement of labour, will soon be applied to less advantage for that given purpose, than they would have been under the free discretion of the proprietor or trader. In short, it seems to me that a full expenditure on the one hand, and trading funds of the promptest circulation on the other, fairly divide between them, and exhaust, in a general view, all the substantial encouragement which labour can expect to draw from our whole stock of pecuniary means. If it were necessary to trace this view of the question still more closely, it should be observed, that the poor rates must be raised and expended within the lines of parochial demarcation; without which confinement of them, there could not be a hope of any competent controul, cognizance, or proper disbursement of them. They make no transit from parish to parish; and under this limitation, the chance is greatly lessened of making any profitable use of them. The supply of labour may be in one place; the chance of turning

that labour to profit, or the want of capital, may be in another; and so on. The power of accommodating and making opportunities meet is next to nothing.

After all, in order to render the levy by poor rates available to the farther profitable encouragement of labour, it would be necessary that the supposed remaining balance of our wealth, the reserve of means which is unduly kept out of circulation, should be drawn forth by a special direction of the levy to those precise hoards which would otherwise escape unfairly. The inquisition of the rates should detect it in the privacy of its retreat, and drag it, and nothing else but it, into the course of useful traffick. But how are the rates levied? and how do they apply in respect of any such purpose? They are levied upon the holders of a certain denomination of property indiscriminately; they fall at a venture, without any selection of what is idle or active; they draw upon the stock in the mass, and not, as they ought to do for such a purpose, upon the lurking and fugitive portions of it, which are attempting to elude the general conscription of commerce. If therefore it could be demonstrated to a certainty, that there are balances behind, over and above the common run of expenditure, balances

applicable to the fructifying uses of public industry; yet, unless there was an equal certainty that the law would lay its hand upon those superfluous means, and no others, the theory of augmenting the patronage of labour by poor rates is only fallacious. To make good such a theory, it would require far better eyes than the law ever can have, and more discretionary power than it ever ought to have, in the pursuit of its revenue. What takes place in any single parish in the kingdom is enough to set this matter in its true light. The rates are levied, not upon those who spend less than they ought to spend, but upon many who would be too glad to have the spending of their money in their own way, upon their own wants and uses, according to their station in life.

If then it be granted, that it is impracticable to provide full and adequate employment for any considerable number of our people, when the spontaneous wants of the country fail to do it; the remaining consideration will be, how to dispose of such superabundant labourers in the best way, and with the least loss to the public, which is bound to support them.

I have assumed all along, that there is an existing legal obligation upon the parish to main-

tain persons who are thrown out of regular work. Such is the construction of the clause in the Act of Elizabeth, now received and acted upon. And supposing the construction to be an erroneous one, still it has grown up into strength, and could not be reversed, on the sudden, without great disorder and private distress. That preparations should be made to change the practice, is a wish closely connected with the opinion I have already expressed, of the impossibility of creating a supply of work at a call. If the hope of such an improvement is to be shut out of sight, the right management of this difficult charge of these men becomes of the greater consequence. And if the hope is ever to be realized, still the management of them in the mean time is a present question.

All persons seem to be agreed, that a more exact and systematic administration of this part of the law ought to be enforced, by making labour and relief go together, instead of prostituting the public alms to the support of dependent idleness, with its family of vices. If then such an improved administration of the law is to be introduced, one necessary step towards that end will be to vest the execution of it in the hands of persons competent to pursue such an object. The persons who

now hold it, are, generally speaking, without the character and qualification it requires. They are infinitely beneath their duties. It is a vast interest between the public and the poor, which is to be managed; and in the post of management, in the executive of the system, are placed by the name of overseers, or guardians, persons who neither have, nor can be expected to have, the industry, or the intelligence, or the independence of mind, necessary for it. It is no discredit to these individuals, that their duties are above their talents: their duties are imposed, and their capacity of business is as respectable as their condition in life can make it. But there are real differences in the fitness of men for particular duties, which, without implying either personal praise or blame, involve in them a great deal of the public interest. Application in a burthensome gratuitous office, is not to be had, except with some high feeling and spirit towards the public good; which must be sought, if it can be found at all, in the better ranks. The same may be said of the intelligence required for any service not strictly reducible to a routine of method, as well as of independence of character: they both improve in proportion as one looks higher up in society.

As things now are, the overseer handles his difficult business not worse than might be expected; sometimes yielding with a mistaken facility to importunate and clamorous demands; sometimes exasperating with an undue severity of repulse and refusal; often acting and judging amiss; and rarely giving to his decisions the impression of any authority or respect. Perhaps nothing is under a worse order both of government and finance, than the affairs of the parish revenue in many places oppressed with poor. One of the faults of the misgovernment at present, as the details of every Quarter Sessions may shew, is in the litigiousness of it. The discords, as well as the trouble and expence of these disputes, are a sore nuisance. The intricacy of the laws themselves may be in part the cause: but ordinary minds chiefly are the most infected with the misapprehension, the obstinacy, and the chicanery, which lead to much of this excessive litigation.

It would be highly desirable therefore to draw into these offices a superior description of men. The qualification now is, that they must be substantial householders. They ought to be gentlemen, where such could be had, and could be prevailed upon, of some weight of character. Perhaps an enactment to raise

the qualification of persons eligible to the office of overseer or guardian of the poor, reckoned either by property, or by contribution to the rates, would keep the option in a better class, where such a description of persons existed. The benefit however would be infinitely greater, if they would address themselves to this kind of duty of their own accord, upon a sound apprehension of the decisive service they would have the power of rendering.

But these superior men must be in the executive of the parish. It will not be enough, if they act as a committee of occasional revision and controul upon the overseer. The controul of a subordinate office is always invidious, unskilful, and difficult. The best intelligence and the highest character are wanted to be in contact with the detail of the business.—The term of management should neither be annual nor long. An intermediate term of three, or four years, would create experience, and prevent the trouble, or the trust, from centering too much in the same hands.—It ought unquestionably to be gratuitous. I mean that all the directing and managing official duties, as of deciding upon cases of application for relief, apportioning the amount of it, and levying the rates, should be in the

hands of men who can afford to do so much for the public. Stipendiary overseers could not be qualified as they ought to be. If they are persons invited to the office by the emoluments of it, they must be of an inferior condition in society. And these emoluments themselves are not unlikely to put a wrong bias upon the appointment.

The management of such a public interest in behalf of the poor as well as of the parish, is really an object not unworthy the most liberal feelings of the upper orders. It is a kind of magistracy, and it would rise in estimation by a few examples. In towns the trouble of it, by being divided, might be reduced within compass.—That condition of life however which enables men to live at their ease, by no means disposes them towards voluntary laborious duty: and if there be no sufficient motive for the sacrifice of their ease, they do well to stand upon the privilege of their fortune. It strikes me, however, that the ultimate execution of the Poor Laws in detail has much to do with the whole of our internal national economy: that it is not merely the disbursement and disposition of so much of the revenue of the country; but a very considerable force, acting upon the morals, industry, domestic manners, and gene-

ral condition of our people, that is to be regulated: and if this be at all true, there are few who can think the importance of the trust insufficient to reach them. If again the Poor Laws are making those fearful progressive inroads upon the property of landholders and gentry, the call to look into the dilapidation of their estates is pretty loud upon them. Instead of pretending however to dictate for the conduct of other men, I would submit to their attention some such queries as the following: Whether the several classes of subjects in a free country do not owe their services to it in their appropriate character? Whether when gentlemen contribute by their purse or their expenditure to the public service, they do not reckon merely as so many agents for the circulation of property? whether they have not other means in their hands? and whether therefore it be not a privilege of duty especially theirs, to lend their weight, character, and judgment, to stations of trust, where such advantages would have room to act?

As to the interest and benefit of the poor in such an arrangement, it is certain that their affairs, when they require any interference by authority at all, are never in such good care, as

when their superiors are induced to take an active and gratuitous part in them. The dispensation of good from the enlightened mind, the cultivated feelings, and the independent spirit of the higher ranks, in the way of disinterested service, is an invaluable part of the constitution of our country in its magistracy, and in some other instances of a less ostensible nature. It wants only a few distinguished examples to raise the name of Overseer of the Poor to a level with that of Magistrate.

If however this should prove a hopeless, as I am aware it is a very uncertain wish, the failure of it would be one reason more against the continuance of the Poor Laws on their present footing. For when fit and competent men cannot be had to apply enactments made, it is the strongest of all reasons against the enactments themselves. In every point of view such an improvement in the strength and efficiency of the acting officers, as I have described, is wanted; and most of all for the formation and execution of well-conceived plans of employment. Such designs really need some able heads to direct them. In the alternative, however, between abler officers of management, or a new law, I should be well satisfied to see the law altered, and the gentry of the

country relieved from the trouble of it. Only, on the other hand, if they persist in supporting the present system by their voice and opinion, I think they might do something more in its favour, and shew that it can be well administered.

If we might proceed on the supposition of the managers being the efficient men required, to their personal judgment and experience would properly be referred the local arrangements practicable in each parish, or in a limited union of parishes, for the supply of work and occupation to the able labourers out of employ. No enactment could do more than simply direct that no relief should be granted, except with the condition of some work being done for it. But the selection of the work, as to its kind, and the details of planning it, must be left to the parishes within themselves.—No general enactment could be made either for workhouses, or against them: certainly not for them; because the circumstances of town and country make a total difference in the expediency of such a contrivance as a workhouse. In the country it can hardly be any thing more than an asylum of relief. In towns it may be made subservient to occupation. But to set up a workhouse even in towns, is to establish, at a

heavy present expence, a very hazardous system.

In populous towns a workhouse has this chief recommendation of it, that among its inmates some variety and assortment of work may be carved out for the use of the establishment itself. It may be made in part its own consumer. The mechanics of different trades may work for each other; and so far supply mutually their wants. Or, if some one simple article of manufacture should be preferred for all the hands indifferently, still it is more likely that the government of the house will be kept up, and the inspection of it attended to, in a large town, than elsewhere. But the management of a workhouse is a problem of much greater difficulty, than persons seem generally to be aware of, when they set any high expectations upon it. They think that regulation can do every thing, forgetting who are the subjects that come under the regulation. In a workhouse they will include obviously the most idle, the most disorderly, and the worst workmen in their several trades, of the whole community: as the worst workmen are the first to be discharged in a fall of trade; and the workhouse certainly will not improve them. Upon this mass of untoward

materials how is any discipline to act? By a continued struggle, by a close and scrupulous inspection, it may keep down the habits of its subjects; but, without a kind of coercion which I should think not to be compatible with the nature of the institution, it cannot reform them. The industry, and consequently the general morals, of such an establishment, must be at a low standard: the better inmates must sink by the society of the worse: the family virtues, which can thrive only in the privacy of a separate home, must be nearly extinguished among them. Regulation, if people would consider the matter soberly, is really a very impotent thing, where it has every thing to do; that is, where it has no natural motive in the subjects of it to sustain its provisions and purposes. And what poor man or family can be expected to feel for the welfare of his workhouse? Its discipline, on the other hand, cannot be mended by rigour. It is not a place of penal coercion. It must be conducted therefore on other principles than those of a hulk or a prison. I know not whether it would be practicable to make the comforts and subsistence of the inmates bear a proportion to the labour they might choose to exert, and to supply in that manner a spirit of indus-

try and good conduct among them. If such a disposition of things could be made, it might deserve the trial.

One most serious and radical objection to the establishment of a workhouse, which deserves to be well considered in places where they have not yet decided upon the measure, is, that it drags into the lowest state of bondage and degradation many who might otherwise have retrieved themselves from the less unseemly stains of parish dependence. It is the rendezvous of dreadful invitation to struggling fortunes; and to rally back again from it is no easy matter. I know that many persons consider the terror of a workhouse to be a salutary check upon the poor; and are not unwilling to press the alternative upon them of receiving their subsistence in such an asylum, or of receiving nothing. The degradation of the workhouse is to deter the approach to it. The hardship of it is to be the security they would keep in hand against importunate claims. There is a certain policy, no doubt, in this virtual correction of the wide and excessive engagement of the law to take care of every body. And whoever considers the growth of heavy demands upon the parish to be wholly independent of the constitution of the law,

and believes it is to be ascribed solely to the misconduct, or the misfortune, of the applicants themselves, neither originating in the public system, nor encouraged by it, he may vindicate the policy on grounds of justice, as well as expediency. But another, who thinks that the public system itself is in some measure a source of the evil that is to be subsequently checked by such intimidation, must consider the law as visiting its own mistake upon those whom it has misled, when it first makes a promise of relief, and then tenders the relief in such a form as may forbid the acceptance of it. Believing as I do, that the Poor Laws themselves (in their practice however much more than by their original enactment) have actually favoured the growth of pauperism, that they have loosened the motives of frugality, sober labour, and personal exertion in the country, I derive no satisfaction from the sight of these equivocal establishments intended to play off a double meaning, of invitation and repulse, of protection and abandonment; but would much rather see the laws gradually retract the erroneous principle upon which they have proceeded, than pretend to make it good in so exceptionable a manner.

As long however as the present system in

its main branches remains in force, workhouses will exist; and their good or bad management, according to their capacity of a good management, will be of great importance. The project of them was received at first, I believe, with the hope of a great saving in the parish expenditure by means of them. I do not profess to say whether this was a sound calculation or not; because, though the entire maintenance of a given number of persons, living in society, must clearly be more economical in the necessary cost, for mere diet, than it can be when they are to draw the same subsistence to their separate homes; yet the expences of buildings, ground-rent, salaries to officers, waste, and other incidents, puzzle the account farther than I will venture to follow it. Add to which, that every charge once fastened upon a workhouse is hardly to be shaken off. It is, as they say, a place for life; and few wind their way out of it, except when they have been forced there by some extraordinary season of national distress. The most general history of it is one of constant inhabitancy: whereas an outdoor patient of the parish is often assisted as much as he wants by occasional relief; and is sometimes discharged off the list. But setting aside the calculation of comparative economy,

which is a previous question before a workhouse should be set up; when it is once set up, the financial concerns of it are those which are the most capable of a clear and satisfactory management. It is the accessible point in the system. Application on the part of the managers, open eyes, and a few Arabic figures do the business. Even in this department, easy and simple as it is, much, if I mistake not, remains to be done, under an improved management; not by invidious interference, nor upon factious professions of reform; but by the steady determination of men of leading and authority in a town, to take their proper share in the duties of parochial affairs. Many mistakes and abuses would vanish before them; abuses which spring up, not from any want of personal honesty, but the mere defect of intelligence, or of courage, or the proper habits of government and controul, in those who have had the charge of it thrown upon them. But infinitely greater would be the benefit to the workhouse from such an amended administration of it in its more difficult province; in its police, manners, and general economy. These are greater objects in themselves. They require some sense and intelligence to conceive how they may be promoted. They require still

more weight of character to uphold the provisions made for them. In short, I think that from the walls of a workhouse the very strongest attack is to be made upon the gentlemen of England, to reduce them to a surrender of some part of their time and thought to the parochial service; that the post bears point blanc upon them; and that the fire from it ought not to cease, till they have consented to come and take it into their own charge, and skreened themselves from its aim by getting within the walls. They pay largely to the garrison, but it will never be in good order till they take the command of it.—They have not spared themselves in promoting the interests of the lower classes in other instances of a very extensive concern. By an almost unanimous effort, they are now giving education to the infant youth of their country. The public benevolence would not be less, if they would take up the cause of arbitration between the wants of the poor and their vices, in the administration of legal charity. The nature of the duty, in some of its aspects, is perhaps not very inviting. It is not all pure pleasure, to give a weekly or monthly attendance in the reiterated details of an irksome examination of cases; to be molested by the insult of prodigal indigence; or afflicted

with the nearer view of the irresistible distresses of life in broken families, desolate old age, and remediless suffering. These are things to pall the delicacy of an indolent, fastidious, hesitating virtue. They are strong in themselves; and some of the accidents and exterior circumstances of appearance under which they are presented to the notice, would be enough to make the idler in practical benevolence turn away from the company he had fallen into by his over-zealous pretensions of service. They would exercise the patience of even firmer characters, wrought to the cast of a more useful temper, and ready to take the good and the bad together in their intercourse with life and its concerns. But if there be any solid force in what I have attempted to shew, that there is a real opportunity for men of a certain character to restrain much of the obnoxious matter that gathers about these laws when they come to be applied, and to obviate many of the ill results of them; and that no others can do this so well as themselves, or rather, that none but themselves can do it; their aversion from the personal trouble, or the distaste, of the occupation, will surely be overmatched by the stronger challenge and provocation of a manlier feeling and principle; and like the prince in the old

history, which history, if they choose, they may make a modern one, they will strip off their mantle for a while, to help the public wheels out of the mud where they have lodged. Most desirable of all would it be, that these exertions should be engaged with the prospect of a speedy termination of them ; that it should be an extra force, opposed to the consequences of the past system only in the interval which the law might think proper to interpose before its own authoritative correction of them. But whatever may be decided, as to the principle of the law, the operation of it, for good or for evil, as long as it remains, will depend, in no small degree, upon a closer and wiser attention to it, on the part of those persons whose property and public ease and interest are as much connected with it, as I have endeavoured to make them think their obligation of duty is.

To take leave of this subject of workhouses, I would beg to suggest, whether it might not be of some advantage to their good order, if an inspection of them at stated times, suppose twice or four times a year, were directed to be held by a committee of magistrates, and one annual report made by them, of their internal condition, with the particulars of the number of

inhabitant poor, course of work, amount of expence, accompanied with such general observations, as might mark their sense of the correct or faulty state of management ; and this report to be presented at the Quarter Sessions, with a copy of it to be sent to the Home Department of State, *or the Privy Council*. By which means, among other advantages of the practice, there would be a set of important data of information on the state of the poor maintained in these houses throughout the kingdom, continually in the hands of the chief civil government ; with an index of the increase or diminution of them ; and some connected correspondence of observation upon these establishments, through the several public authorities of the state.

To pass from the town to the country.—In the country, by a very general usage, more prevalent however in the southern and midland counties, I believe, than in the northern parts of England, but certainly of a very wide spread, labour and mendicity are so mixt together, that it would not be easy to separate them, and set them clear of each other, by any regulation short of the introduction of an entirely new principle of practice in the law. The strange discordant combination of wages, and a general supplement to wages, by charity,

is the phænomenon of our rural economy, as the Poor Laws have shaped it. Things absurd in the reason, are not however always equally hurtful in the practice. Whether in this inconsistency of wages and alms blended together, the effect is not quite on a par with the reason of the usage, it may require perhaps an abler judgment to determine; but there are mischiefs, and those pressing and operative, which have their root in the usage, and which the most cursory observer of it may perceive. The labourer reckons half with his master, and half with the overseer. Towards his master he has neither the zeal nor the attachment he ought to have to his natural patron and friend: and with his parish he keeps up a dependence which has something in it at once abject and insolent; abject in the real condition of it, insolent in his manner of shewing it. By this dependence interposed, the personal bond between the master and the servant is loosened, though they are parties made to draw closely together by the tie of a common interest; and the invisible corporation of the parish buys its pensioner's ill-will, or sullen and thankless contentment, with its weekly offerings.

The utility of this system, when it is vindi-

cated at all, is often said to be in keeping wages low, and keeping them equal. These in themselves are no certain benefits; rather the reverse: but they ought to be of the most extraordinary value to the agricultural interest, to compensate for the disorder they bring along with them. Wages however are not kept low, as far as they are made up by the poor rates. It is only drawing the payment of them from the purse of B, who has no work done, instead of from that of A, who has the work done. The community pays what the master does not. If it be said, that the master, whether farmer or other, is enabled to send the commodity to market so much the cheaper, in consequence of his labourers being paid in part out of the pocket of his neighbours; this cheapness has clearly been paid for, by some person or other, in the amount of the rates; the full cost of the commodity has been accounted for in the parish books; and the consumer either is the person who has paid so much in advance for it, or it is the dealer himself, or it is some third person, who has far less right than either of the two to do it. The rates therefore either take from the buyer, or the seller, and of course can cheapen nothing between them; or if they take from a third

person, who has no concern with the transaction, it is the more preposterous to regulate their market at the cost of an unconcerned party: but in either case, the great party, the country, can gain nothing on the head of cheapness.

If it be argued, that the whole cost of wages to the community for the labour of these men, who are half labourers and half paupers, is kept down by the rigour of the overseer holding a closer hand with them than the master would be able to do, if he had the whole of the account to discharge; upon this forced reduction of the labourer's earnings where is the gain to be reckoned? Stinted wages will be met by stinted labour; work ill paid will be ill done; and there is certainly no very strong stimulus upon the labourer towards his employer's service, when he reflects that he draws a portion of his subsistence from a quarter to which he renders directly no work at all. The real state of the account in country labour between the farmer and his workman, when wages and parish allowance are mixt together, is no more than this—that for so many *days' work* so much is paid by the master, and so much added by the parish. But that the farmer gains more by his men, than he would do if

he had the whole bargain with them, and paid them better, is quite another point. How much is lost to the farmer and the country by lowering the labourer's heart and spirit, and unstringing the sinew of his working powers, is an item not easy to be reduced to an arithmetical account: but it is something considerable; and calculators ought to be very strong in their balances computed in money paid in wages, and saved by the medium of the poor rates, before they specify any sum which they will set off as an equivalent for the diminution of the great productive springs and principles of human and rational industry.

The *equality* of wages (as the lowness of them) is merely nominal, if it cost so much inequality of allowance from the poor rates to keep them at their pretended standard. But if it be alleged, that the current stipulated wages are the real pay of the labourer, and that the relief issued from the rates is not given in part of wages, nor with any reference to the man's labour, but only to the necessities of his family; then this is the prodigious and preposterous attempt made upon the whole system of the country affairs—that a person shall be maintained according to his necessities; but shall not work, contrive, or provide according to his necessities; instead

of it, he shall draw his maintenance out of the labour of others: for labour of some kind ultimately supplies all the means of the country, and in the transfer of them from hand to hand they must either be earned, or received for nothing: and in this manner a vicious equality of duty in labour is substituted, where a radical difference of obligation exists; for a man's own wants make his own obligation; and all the force supplied by that higher degree of obligation is sacrificed to the country, and the sense of it to the individual. To supersede the personal motive, is to throw away so much force of labour; and to equalize the compensation, is to add a positive discouragement to it. And after all, the equal standard is not secured. It is not secured even nominally. There is a great difference, and always has been, in the current reputed wages, both in districts compared with one another, and within the same district itself; a difference created either by local practice, or the master's choice, or the labourer's worth. The tampering attempt of the law has succeeded only very partially: as far as it has succeeded, it has done it with these sensible disadvantages, injudiciously and unfairly.

If this parochial system cannot stand on the

ground of a good national husbandry, still less can it on the principles of a sound legislation, directed to the care of the personal habits and manners of the people: and if the Poor Laws have a tendency hostile to the public manners, they act unhappily in that way, in which it comes within the competence of human laws to act with the greatest power. For the efficacy of human laws may be cast perhaps nearly into the following scale: their direct power to inspire men with the love of probity, diligence, sobriety, and contentment, by positive command, is small; their power to restrain the opposite vices is far greater; their power to discourage or hinder good habits of character, by mistaken institutions, greatest of all: because here they act at an advantage; and the institution and the bad part of human nature go together; whereas in the other cases, they are opposed, and the enactment has to force its way. This one consideration makes the error of any intrinsic virtual immorality of laws of the last importance; and yet it is the error with which our Poor Laws are commonly charged, and charged with such a confidence of imputation, as is usually expressed when men are speaking of a fact to be lamented, rather than discussed. I know of no sub-

stantial reply which can be made to that charge. They discourage many of the best habits of the people, of which their industry, the most obviously affected, is only the first. They may have been counteracted, they have been counteracted, by the presence of other more wholesome invigorating powers in the compound of our national fortunes; but their tendency by themselves is to paralyse and corrupt those whom they profess to protect. There is poison in the alms of their mistaken charity.

This unfavourable spirit of these laws, in many different respects, is so generally felt, that I believe, if the question of their repeal turned solely upon it, they would be put down by the acclamation of all the thinking men in the kingdom. I might therefore content myself with the concession, almost unrestricted, of an almost unanimous agreement of opinion, and pass on without enlarging upon this particular topic. But as it is here that the most forcible reasons for the amendment of the existing practice lie, and as the weight of these reasons is the most conclusive part of the whole of the practical inquiry, according to my own apprehension of it; I shall trace, very briefly, some of the modes of that bad influence

which our Poor Laws in their practice throw upon the manners of our population, without the least hope of adding any thing to the forcible exposure, which has been made of it by others already.

The first aspect of a fixed legal provision of maintenance, in the contingency of want, independent of personal character, or any other pledge of antecedent economy, exertion, prudence, or merit of any kind, is a most pressing invitation to all who like bread better than labour, and living at ease more than on the practice of self-denial, to remit much of their pains, especially the pains of contrivance and frugality in the husbandry of their affairs, to the readier and less irksome plan of living at the cost of others on the wide open common of parish subsistence. If they cannot resort to it for all they want, and make it their sole revenue at once; still to push the advantage of their use of it; to think of it as a sure resource against their heedlessness, indiscretion, and mistakes; to play with their duties, which they may discard at will, and be quite serious and settled in their view upon the liberality of the law, which cannot discard them, seems to be a true picture of the fact and the theory of our parochial constitution, as ad-

dressed to the feelings of our common people, against their industry. Originally, indeed, it was intended that the grant of relief should be purchased by labour. But the providing a place of work is a part of a man's own duty. At the best, therefore, the law undertook to relieve him from one instance of his proper duty, and so far did amiss. But the law has failed grievously in the threat of performing it for him, in finding him the employ, and is glad to do the best it can to keep its promise of finding him the subsistence. Upon this ground of engagement he has gained over the severity of the law, and profited by its kindness; and stands at present on a tenure of very easy conditions, with a right to be as dependent as his vices or idleness can make him. If one might hint at differences of national temper, such laws are more injurious to the mere industry of an Englishman, than they would be to the native of many other countries. He is more inclined of himself to efforts of work, than to a continuous and sober assiduity in it; he has more spirit than patience, and likes to earn, better than to practise any good thrift upon his earnings. His own way would be to divide himself between working hard, spending fast, and living idle. In this ground of

character, the law makes the greater disturbance: it just hits the faulty part of the character, and strikes in with the propensity of it.

The foundation of all moral feeling and moral conduct is in a responsibility, in a man's own person, in the consequences of his conduct. A sense and perception of this responsibility is the spring of the practical principles of virtue. It enters into our highest duties. The Poor Laws shake this foundation. They tell a man, he shall not be responsible for his want of exertion, forethought, sobriety. They deal with him, as if no such responsibility existed. By cancelling the natural penalties of a great deal of his vice, they darken and perplex his own notions of the demerit of it.

One of the happiest appointments of life, is in the exercise of the domestic duties, upon the principle of a natural or a chosen affection. Out of this fountain of kindly feeling, which flows from the rock of nature, comes much of man's happiness, and much of his virtue, without which indeed the happiness could not be. Among the poor especially, whose feelings and principles are more nurtured by the circumstances of life in which they are cast, than they ever can be by the artificial discipline of any cultivation, their home is the school of their senti-

ments, and their best enjoyment entwines itself round the care of their moral family obligations. To have really the charge of his family, as a husband and a father; to have the privilege of laying out his life upon their service, and of seeing them rest exclusively on his protection, is the poor man's boast, in the estimate of the mere relative conditions of life. He himself is all the better for having so grave a charge upon his hands. The wants of his family are his call to work; and no call sounds more piercingly, nor more gratefully, to an uncorrupted ear. There is music in it, with all its sharpness. But the breath of the parochial law tarnishes the colouring of this family picture of cheerful native virtue. It flings another atmosphere upon it. By exonerating him from the sole charge of his offspring, it abrogates the father's proper character. It makes him begin to think them an encumbrance, from which he ought to be discharged. It means, indeed, to do no more than take off from him the load of their support; but it does take off the pressure of much sacred obligation. It makes him and them less intimately pledged to each other; less dear to each other. It sows thistles among the flowers. And is he the happier for this substituted relief proffered

to him, almost imposed upon him, by a fixed practice? Suppose he has yielded to the temptations of its convenience, so far as to accept it without repugnance, he retains neither the same solid claims upon the gratitude of his children for an undivided care of them; nor can they look up to his example with reverence, nor feel the same force of filial piety, expanding into a great motive of future reciprocating duty. In the country especially, the family ties have been nearly burst asunder by the artificial adoption which the law has made of the children. It has made parents, children, and brothers hardly know themselves to be such. The interposition for their necessities has disbanded their affections.

I add, with a great respect for those who seem to hold a contrary opinion, that the Poor Laws are not favourable to virtuous marriage. To bare formal marriages they are too favourable. To the promotion of the virtue of the marriage union they are most adverse. The virtue of that union implies, I should think, a settled and ascertained preference of affection, with so much force in it on the side of the man, as to make the maintenance of his wife and offspring a part of his most positive calculations and intentions. Perhaps this is begging the ques-

tion at issue. But I know not how others can reduce the character of the married state to the solemnity of a formal union and domestication. They intend, it is true, a great deal more. They think the husband and father is bound to do all that he can for the supply of that maintenance. But this very duty to do all he can, is abridged, discouraged, and superseded before-hand. He is not left to look at the full extent of his obligations: he has no need to reflect upon them, nor pledge himself to them: the indiscreet offers of the law mask and disguise the very sight of them. Among the lower classes, in their marriages, I should think that the deliberate purpose and prospect of taking common fortunes together, upon the stock of their endeavours within themselves, is a great part of a right affection, and the only safe criterion of it: and when a hasty, inconsiderate union, without regard to such a duty, is said to be imprudent or indiscreet; the word seems to me ill chosen: it might be more properly called marriage without the appropriate affection of it. If it be asked, why the married poor may not look to the parish relief, as others do to their property or independent fortune; or why their virtue should be less, because they are to live upon that relief? For

the same reason that, although water is water, there is a difference between drinking it from a clear spring, or at a stagnant miry pool, fed only with the oozing drainage of the adjoining lands, and contaminated by the trampling of the many clovenfooted beasts which have been there before.—The necessities of the poor plainly make their duties; then their duties, as those of all other men, make their character, their improvement, their enjoyment. We cannot abolish their necessities. It is equally vain to try to separate their character, if it is to be good for any thing, from the just apprehension and plain fulfilment of their especial and personal part of duty in life.

The parochial dependent has himself but little gratitude for the relief afforded him. It might have been expected, that public alms would be repaid with thankfulness at least; but the expectation, if not taken up on a false and narrow view from the first, is certainly disappointed in the fact. The most dissatisfied and discontented may be seen among our parochial poor. Whether it be, that the loss of the vigour of honest exertion spoils the temper; or that the gross intemperance frequent among them, eats out their sense of right and wrong, as much as it aggravates their wants; or that

the captiousness of disputing upon an indefinite claim makes every thing seem too little for them ; or that the practice of looking to others for help must make a man restless in himself, and throw him off from the centre of his repose ; or that alms, which were meant to be medicine, and not food, vitiate the moral habit, merely by being constant ; or some touch of all these provocations together ; we certainly can see little of the spirit either of thankfulness or contentment under the most profuse expenditure of legal charity. It must be granted, at the same time, that the professed attempt of the law is beyond its power. It cannot in any way adequately maintain its numerous petitioners. It has promised too much ; so that, besides the comparison which indigence is apt to make between its hopes and its receipts, unreasonable enough in itself, there is the complaint produced by the half-measured performance of an indiscreet impossible promise. The tranquillizing effect of sober habits of labour, is so much of the peace and good order of society. It is not the labouring bull that begins to gore, and throw the meadow into alarm ; but the mere idle grazers, who, if they have any bad blood in them, are stung to violence by the first fly that molests them. It

would be well therefore, if every parish retainer would be satisfied with being idle: but he is likely to be as troublesome as he is idle, and as mischievous as useless.

If such consequences of impaired contentment, sobriety, diligence, and strict moral apprehension, are traced with any degree of truth to the spirit of our parochial system, we have cause to be thankful that other principles among us have been able to hold it in check as far as they have done. The influence of it however, when taken by itself, constitutes its proper character; and as far as that character can be consulted, must decide the wish to retain or reject it. The actual progress of the harm, in contaminating the hearts and habits of the people, is, I am persuaded, very far short of all that overflowing measure of it which might have been let in upon us, if it had not been powerfully resisted: and if this persuasion be well founded, there is the fairer hope of our being able to retrieve ourselves, and make a successful turn, under those better energies, when they shall be more left to their own action, and disengaged from the counterpoise which has been hung upon them. The harm not yet produced, shews they have been strong at the bottom; and it is therefore

a most substantial encouragement. The soundness of the constitution has been tried by the malignity of the poison which has not proved mortal to it. For that a great degree of the bad influence of this system has not yet made its way among our people, is, I think, most apparent. We have examples among our lower classes, of sobriety, diligence, good conduct, and patient contented labour; many cheerful, thriving, independent working families, though they have been pitched upon the very edge of the precipice, which the law has cut away under their feet: and every such example is in derogation of the natural tendency of the mistaken method in which they have been treated. Perhaps the sketch of our history is this; that a religious, free, active, and enterprising people, have a depth and solidity of resources within them not easy to be exhausted. Even the Poor Laws have not exhausted them. For had we not stood on some such ground of more than ordinary strength; had our people not had a conscience, a spirit, and a staple of honest feeling within them, to withhold them from accepting with unchecked avidity the corrupting overtures of eleemosynary maintenance, and to qualify the partial and constrained acceptance of it to which they have

yielded; had they not had a sober religion continually recalling them to their obvious duties; and a breed of character naturalized among them by the greater virtue and efficacy of many of our other constitutional laws themselves; what is there in the nature of these parochial laws, as they are now applied, which could have saved us from the degeneracy and degradation of having become one great national poorhouse, overrun with the infection of a Spanish or a Neapolitan leprosy of mendicancy?

The evil however must be expected to be progressive. It has entered deeply enough into the habits of the people to propagate itself there; and the very difficulties which are beginning to press in many places upon the supply of the parish revenue, the supply being straightened by contributors passing into the class of receivers, and the remaining contributors being proportionably impoverished; these very difficulties make the prospect on the side of our general resources, an affair of some apprehension. It is quite possible for a very opulent country to be most seriously shaken and disturbed by obstructions and embarrassments in the balance of a sum, or the making up of a debt, which may be

absolutely insignificant in comparison of its whole opulence. It makes a vast difference, whereabouts in the sum of its public affairs that difficulty of balance or debt may happen to rest. If it affects the first sources of supply, if it cramps and disorganizes the system of the labour of the country, by converting labourers into mere spenders and consumers; the real detriment produced by it is infinitely greater than it would be, if there was a defalcation from its means to the same nominal extent in any other part of its system. The rentcharge of seven or eight millions a year, which has fallen upon the landed property of England, for the poor, is not in itself the grievance: but that a moiety of it should be necessary for the forced support of that class, from which an increase of means, rather than an absorption of them, should be expected. For it cannot be unknown, that a very considerable portion of this rentcharge has been expended, in relief to the able labourer, in the prime of life, without having its value replaced in work or produce of any kind. Much of it has been given in pure consumption for maintenance. This circumstance makes the worst onus of the debt, and shews that it is a loss very different from its mere amount. A nation could better afford

to owe its stockholders five times the amount. It eats in fact like a canker at the root of our resources. For the labour of the kingdom, with its myriads of working hands, is that fibrous root which extracts for us the first elements of our growth, and sap of circulation. If this root of labour makes its way, and can strike its last fibres freely, the timber will thrive in its strength of trunk, and pride of branch and foliage; if it does not, the finest suns and rains over head will not be able to make the plant grow. It is commonly said of the palm-tree, that no weight, laid upon its head, can kill it. I have not heard whether naturalists have made the other experiment upon that indestructible species, but I should suppose that a much smaller force would be sufficient to do it a serious mischief at the root.

The progress of embarrassment however, which there is just cause to apprehend, if the system out of which it springs is permitted to take its own course, is not to be reckoned exactly from year to year without intermission, though perhaps in that simpler view also, the gatherings of it may be visible, but rather by the returns of seasons of public difficulty, brought on by other causes, during which the evil makes its push, and runs rank upon the

occasional distress of the country. Seasons of leisure and security therefore are particularly valuable for the beginnings of any prudent measures, calculated to give another turn to the obliquities of the past, before they are carried farther away by a great movement at once, under the crisis of any serious public emergency occurring again. Nor does it often happen, that any single mistake, or wrong cast of policy in the internal affairs of a country, is quite beyond the reach of redress, when once the error itself is fully understood, and the deliberate view of it is followed up by systematic endeavours to obviate it; provided those endeavours carry a general concurrence of feeling with them, and come recommended at the first by the steady countenance of an authoritative wisdom in the national councils. The good sense of a country, when rallied to a point under a right direction, is a pledge upon which one may rest, opposed to circumstances in themselves the most unpromising. But sufferance of the mistake, and passiveness under it, whether owing to the want of a leisurely attention to it, or the failure of a strong confederation of sentiment in attempting the remedy of it, is to resign ourselves to it with a kind of patience, which will by no means

make it more lenient and merciful in its turn.

At the same time, projects of amendment have no right to be very sanguine in the extent of their aims. For the particular interests of the country, which are the most nearly affected by the constitution of our Poor Laws, are by no means beholden to those laws for all the injury or benefit of which they are capable. We must not suppose therefore, that, if they were set as completely at ease, as the most satisfactory removal of all that is objectionable in these laws could set them, they would immediately pass at once into a state of extraordinary high order, vigour, and perfection, like so many smooth spheres, spinning on their axes, in free space, along the national ecliptic. This is no more than a truism, resulting from the complexity of all such affairs; and I mention it not for others, but for myself; lest I should be thought to exaggerate the importance of the subject of the Poor Laws, and conceive that they contain in them more than they do, and under that notion seem to be making vast anticipations of the beneficial effects of any amendment of them, however well conceived and applied. The order of Providence has made no such disposition of our

affairs, as that either the welfare of them should be wholly at our command, or that our own part in contributing to that welfare should terminate in any single achievement of public duty. When men measure their steps, and follow the best light they have, in applying the soundest principles of reason, equity, and morals to their public arrangements, they are in the course prescribed to them. But they will find something more to be done on every new ground they acquire. Each step of improvement is only a term in a series. But there is this to encourage them, that in the progress of the series, when it is steadily pursued, the difficulties are the diminishing quantities, the encreasing ones are benefits.

There are a few slight observations more which I should wish to make, before I go on to the more difficult task of attempting to specify, what is the application to which this general view of the subject may seem to lead, if the view itself can furnish any thing like the materials of a farther application of it, in any way at all.

The first of these observations relates to the law of Settlement. That law, as it now stands, is found to be a source of endless litigation ;

and it is the occasion of frequent removals of harrassing hardship both upon the poor and the parish to which they belong. A common case is, that a petitioner for relief has to leave the home where he has been established many years, to break up his little fixtures of connexion, and travel to the other side of the kingdom, to thrust himself, after an absence which has made a stranger of him, upon his legal settlement. Unless the value of this hardship be in frustrating the offer of the relief, it deserves a remedy. The very cost of these removals, including the expence of the law-suits they create, would clothe and feed in plenty many who gain only wretchedness by them. The vagrancy which they generate, and the vagrancy to which they furnish the excuse, is another, and a most serious objection to them. In some seasons England scarcely has the face of a settled country, its inhabitants are so scattered upon their travels in every direction in quest of their home.—The returning influx upon some of the agricultural parishes, by this law of unsettlement, from the manufacturing districts, takes them occasionally by surprise. After the draft has been made by the manufacturing districts from the country, the agricultural population is still kept full in its own resident numbers,

and any return forced back upon it is overstocking it, by an order, beyond and against its arrangements. In prudence, the check ought to be put upon the influx into the manufacturing districts, by charging those districts with the support of a population they have adopted for their own uses. There is no wrong policy in this, because there is no fear of their trade being impeded for want of hands; but much fear of their increasing in numbers too rapidly for a steady and permanent prosperity, as well as for their internal quiet and good order. There is no hardship in it, but such a degree of hardship as there ought to be; viz. that of a check applied to the direct seat of the inconvenience. If it be said, would not the incumbrance be intolerable, by keeping a dense population dependent for all its parochial relief upon the impoverished resources of its own district, in a season of great commercial distress? There may be a hardship in this which calls for some remedy, but by no means the particular remedy of throwing back the disbanded mechanics upon the remote agricultural parishes. The commercial quarter has the use and benefit of these men; and it cannot be required that the country should keep vacant places for them, against the

time when they may chance to become useless. I am aware that something may be urged in favour of a rapid supply of hands, to be ready to come in whenever there is a quick demand of them, and that a population always flowing in, even to redundance, tends to keep manufacturing wages low ; but the wiser, because the safer practice, is, to favour the aggregation and confluence of people to any given quarter, just so far as there is the power of maintaining and establishing them in their acquired homes. When manufacturing numbers go beyond this limit, they ought to bear the inconvenience of it themselves, for the same reason upon which their mills and engines are obliged to eat up their smoke, when it becomes troublesome.

On many accounts, therefore, it would be a judicious alteration, to attach the right of settlement more than it is now attached to inhabitancy. The demolition of cottages in some places, in order to evade the stroke of this regulation, and the dismissal, in towns, of some recent settlers, which might be expected to ensue, if the regulation were to be retrospective, make it expedient that it should be in force for the future only, and follow the cases of new inhabitancy ; unless it might be thought better to apply the regulation generally at

once, leaving a power to individuals, if they chose it, to redeem their removal, and establish themselves in their present quarters, by an engagement discharging the parish for themselves and families.

The objections to the present law of settlement are the hardship, the expence, the litigation, the vagrancy, the indiscreet and tumultuous aggregation in manufacturing towns of new comers from all quarters, produced by it. They point out a modification of it to be made, which should reduce it to more simplicity, and dispose it to more affinity with the natural bearing of things; that tenancy, occupation, years of intercourse, and past employment, should make a man's proper legal home; and that he should find his legal rights at home with him. The same modification would enable parishes to know better than they now do the whole muster of their people. At present they have parishioners, who may become dependent upon them, they know not where, nor how many of them, till their unwelcome return revives a connexion, which has subsisted, with a perverse constancy, through distance of time and place, out of all recollection.

I shall advert next to the plan of a Limita-

tion upon the amount of rates to be assessed in future. This limitation, as it is a pledge of some protection to the property now subjected to the maintenance of the poor against the indefinite encroachment which otherwise threatens it, is, in that light, certainly a benefit: and supposing it were rigorously adhered to, the very knowledge, among the parish expectants, that there was some limit to their range of expectation, some barrier which they could not pass, might incline them to turn their thoughts homeward again to the care of themselves. But it is an arrangement, at the best, far from being satisfactory. In the first place, there is much reason to fear that such a limitation would not eventually be maintained, after the example of a similar one having failed before, and considering that the urgency of the applicants, as long as they retain the principle of dependence upon the parish unqualified in any one of its main articles, would probably overbear a mere barrier of figures in the parish account. Then there would be much real difficulty in the proceedings, to be governed by such a limiting rule. For the use of the limitation would be chiefly, or solely, in cases where there is some struggle between the ordinary supplies of the parish rates, and the

exigencies of the poor, or a kind of run and pressure upon the parish by a mass of indigence; and in circumstances of this kind, it would be hard to know how to distribute the supplies under a fair proportion to the applicants, known or expected; hard to know how much might be granted for the present, and how much should be kept in reserve for the remainder of the year's service. The real intricacy in such a distribution of account would shew itself in disproportions and inequalities of allowance, impossible to be avoided; and the applicants would have one pretext more for discontent.

The limitation itself in many places would be only in words and figures. It would be set, I presume, by an average of certain preceding years. But the average taken upon the preceding years might be a sum exceeding in its real value the highest amount of the assessments of any of the averaged years, under the great change which has taken place in the value of money itself. A given rate, or assessment, nominally the same, or lower, might in this way be a greater real money value than it was some time before. In many of the most distressed districts, where the parochial rates have nearly equalled the rents, a nominal average

would therefore be no effectual benefit; and yet it is in those districts that the alleviation of the burthen is the most wanted.

It is manifest also, that a peremptory restriction of the whole amount of money applicable to the parochial service, though abundantly justified in many districts by their particular condition being so impoverished as to make the measure, for them, almost a measure of necessity, if nothing can be substituted for it; and where the same extreme necessity does not exist, still justified by the prudence of preventing in some way the interminable increase of the parochial burthens; still, that such a restriction is an ill-adjusted measure in itself, and would in many instances operate very inequitably. It would fall unfairly in some parishes, where the relative state of the poor and the parish might render an increase of the relief as just and reasonable, as it is possible for any thing to be under the Poor Laws at all. It would deny to many possible fair claimants the whole, or a part, of that degree of relief commonly granted elsewhere to persons in their condition, on this or that account of claim. Leaving the reason of the present demands wholly unimpeached, and unexplained; directing no distinct warning or remonstrance to the parties, in the line of their affairs, by putting a

check to their expectations upon positive matters implicated in their conduct; which would be speaking to them in a definite sense, and a sense applicable to all: this plan of limitation would nurture the whole mass of the claim in its origin, and deny the allowance of it to thousands, on account of reasons properly affecting a distant quarter of which they know nothing. The want of a clear method, and of a good principle at the bottom of it, in this direct compulsory restriction, renders it, I think, wholly unacceptable, unless it be the only possible plan that can be devised for accomplishing the same end. If a parish had to keep its account with a single dependent, the plan would be much more useful in that case. For the ascertained fact of the total amount of his expectations might set his mind at rest, and put him on a decided course of providing for himself. But, in the limitation proposed to be made, the ascertained fact is of a general amount only, not of each man's share in it. Consequently, each man has his indefinite expectations left to him, and every separate specific ground of expectation remaining as before.

I have now finished the outline of such considerations as have occurred to me, in attempt-

ing to form some estimate of our existing practice under these laws. The outline, I am sensible, is exceedingly incomplete in several parts of the reasoning of it, and will require to be assisted by much of the reader's own discernment, in order to give the topics of it their proper force, as well as his indulgence for the defective illustration of them. But among persons who are heartily intent upon the substance of the subject itself, and who are examining it for use, if there be any truth and soundness in the notions I have followed, they will be taken with that kind of enlarged interpretation, which looks to the essential reason of them, rather than the imperfect manner in which they have been represented.

In passing from the effects of the existing system to the mode of amending it, every considerate person must feel he is stepping upon the ground of most serious difficulty. He is passing from experience to the application of it. To make a report of results which have explained themselves to our very senses, is a thing comparatively easy, and wholly different from the forecast of the effect of untried arrangements, which will have to meet with interests and prejudices of a nice feel-

ing, and of much combination. Experience indeed must still be his guide: but it is no longer a guide who attends him close at hand, but one who sends him forward under a general direction.

When however the seat of an evil is truly ascertained in any case, and the results of the past have been connected with the reasons of them, those reasons themselves serve to point out the better arrangement to which we must endeavour to make our way, and reduce it to this, that it must be formed more or less upon the antagonist principles. In this manner, on the subject of the Poor Laws, experience demonstrates, I think, two ways, *for* and *against*; *for* the principles which the past system, in some of its branches, has violated, as much as *against* the practice which has been found in those branches of it to be injurious. But then in the pursuit of the new advantage thus brought to view, but by no means placed within immediate reach, the practical hindrance intervenes, that literally it is not possible to impose a new plan and system upon human agents and their affairs, all at once; no, not under the most perfect wisdom: the present holdings and interests stand so much in the way; and they are there, whether we think of them, or

no; and will be sure to find our plans out, when they come to be applied, if we have previously overlooked them. When therefore we hear of novel and extensive schemes, founded upon no ascertained principles of observation, but setting out from an ideal point in the state of society, and asking as liberally, in postulates, from the common sense of men, as they promise to repay in the public happiness they are to produce, I begin to think that the authors of them must have faculties of another order and ken, which enable them to soar at such an extraordinary rate, totally unincumbered with any regard to the position and fixture of the system which they profess to replace with a better, and unchecked in their flight by the tedious tentative process of an analysed and corrected experience. They really leave us, and our difficulties, behind them.

But on the other hand, to be wholly governed by that difficulty which has been created by the footing and possession of a present arrangement, is to forego our own hopes, and make a mistake, once committed, irretrievable. It is to take the discretion of other men who lived before us, for the last rule of our affairs, which they might understand very imperfectly; and sometimes to set up a party by no means so well deserving of

our confidence, as the discretion of any men, but their heedlessness, and oversight, and the ill-reasoned abuses of time, in lieu of all our own self-government. As to the circumstances of obstruction themselves, they may or they may not be insuperable; it is a question of a prudent calculation, to be taken up with a fair rational courage. They are always to be consulted, and to be accommodated: but a previous determined feeling to leave them as they are, and with them their known inconvenience, is, as nearly as possible, a stultifying of our own reason, and a desertion of the conduct of our affairs, whether in public life or in private.

After these preliminary remarks, I shall not shrink from the hazard of stating, under some few separate heads, what seems to offer itself as the practical result issuing from the general considerations which have been suggested. And in doing this, I shall follow the simple and obvious division applied before, by considering the cases of the Disabled Poor, and the Able Labourer, apart.

The fundamental principle of our Poor Law was charity. And this principle ought to be preserved sacred and entire, in all cases where nothing but charity can help the claimant, and where nothing but unequivocal charity can be

fostered by a provision of the law in his favour. Upon this ground, the wants of extreme and hopeless debility in the decayed and worn-out labourer, the wants of female decrepitude in the destitution of singleness or widowhood, and the wants of orphan infancy, should remain, not only as fit and allowable, but as most imperative claims upon the public humanity of the country: the legal support being to be granted in all these cases, as it is at present, only when there is no near relative of sufficient ability to bear the charge of it on the motive of a natural duty of kindred. This restriction however would apply only to a gratuitous provision. If a subscription from the poor themselves, in any degree, towards it, should be introduced, the public would be making a contract absolute with them for their future maintenance, not to be so restricted. No subscription can attach to the orphan case.

There are three ways in which this future maintenance in old age might be secured to them: either gratuitously; or upon the condition of a previous contribution; or with a certain rate of gratuitous allowance, to be general, leaving it to their choice individually to secure to themselves, by a certain rate of contribution, an increase of comfort and subsistence. This last method, combining the other two, would

provide that something should be given, upon pure compassion, to all ; and it would reward the economy of those who might choose to practice it, with a more liberal support.

Instead of thinking that the present expenditure, made in the relief of persons like these, is carried too far, or that there is any excess in the usual grant of it, I should hail it as one of the most satisfactory consequences of a stricter frugality of the law, in all its other branches, if out of that frugality a more effectual maintenance could be secured to them. It is only the discharge of a debt to our common nature, when its extreme and guiltless imbecility, under destitution in old age, is made a special object of care : and there is much reason why the law, if it is to attempt charity at all, should exercise it on cases of want like these, rather than any others. For they are cases of a continued and uniform indigence, and therefore they are of a simple management ; they are the most safe from the suspicion of abuse, and therefore fit matter for a general enactment ; and they are the least likely to be adopted into the care of private benevolence, on account of the permanence of the distress in them, a circumstance which commends them so much the more to the protection of the law.

The humanity which it was designed, by the

original text of the main statute upon this subject, to infuse into the law of the land, is a memorial of English feeling, which has a right to be kept inviolate ; and its just praise will be better understood, when it comes to be purified from the mistake, which either a careless abusive usage, or an unpractised and inexperienced policy in the extent of its first enactment, may have combined with it. It is the page of mercy in a book which has to deal much, of necessity, in severer things ; and there is a spirit of Christian kindness in it, particularly fitted to recommend the whole authority of law, as a system framed for the well-being of its subjects. I would therefore as soon see the best clause of Magna Charta erased from the volume of our liberties, as this primary authentic text of humane legislation from our statute-book. And if in the course of a remote time, the establishments of liberty and humanity, which we now possess, are to leave us, and the spirit of them to be carried to other lands, I trust this one record of them will survive, and that charity by law will be a fragment of English history, to be preserved wherever the succession of our constitution, or religion, shall go.

We have been considering the relief of the

permanently disabled. In cases of temporary inability to work, from sickness, I incline to think there ought to be no positive legal relief, unless it might be after a certain duration of illness ; but to exclude it altogether would be safer. This case however will be considered hereafter.

The remaining class, the vast body of able labourers who have been drawn to a dependence upon an artificial support, furnish a subject of another kind of consideration. Yet here, as it appears to me, it is not that the conclusion of the question relative to them is so doubtful in itself, as it is unwelcome ; viz. That the present law is wholly erroneous in its principle. But to act rightly, we must understand things as they are, whether that view of them be welcome, or not, and adapt our proceedings to them. I must be allowed then to repeat here in substance, some general opinions, which I have previously submitted to consideration ; I dare not say they have been well established, but they have been reasoned upon, and they certainly have a strong appearance of being well founded : viz. That the law has not sufficiently measured its own power, at least for the present state of commerce, when

it undertook to find work for labourers out of employ : that it has charged itself with an impracticable duty, which ought to be considered as void by the tenour of it : that the name and pretext of such an obligation, on the part of the law, weakens the most necessary and most praiseworthy habits of the working classes ; and substitutes for their own sobriety, economy, discretion, management of their own affairs, a fictitious and a fallacious guardianship of them, detrimental to their comforts and enjoyments, as well as their duties, and adverse to the public prosperity. On these accounts it is highly expedient, that the indiscreet interference which the law has made in the regular system of the public industry should be retracted, after a certain time, as soon as suitable arrangements can be matured for that purpose.

As an illustration of the inability of the law to execute any general promise of supplying work, I may mention cases of the most ordinary occurrence, which shew that it is hardly feasible, in the coarsest way, to furnish even unproductive work. Servants who know no trade at all, nay, artificers of many trades, how can they be set to work every chance month or fortnight, when they are out of regular employ ? Must there be a workhouse in every

parish; and must these dependents go into it for that month or fortnight? If they are to live at home, how are they to render the work, and how is it to be disposed of?—Still there ought to be work demanded, if able labourers are to draw any support from the parish. And if this principle of supporting them is to be upheld, some most troublesome, and most ineffectual expedients must be contrived, to furnish the course of work. The right conclusion from the whole is, that a measure which must be so ill executed ought not to be attempted; since no machinery of plan can ever be constructed, in which to embody the principle of it.

As to the support of children, the general adoption of them by the parish is a solecism against the simple and powerful politics of nature. And if the parish could take better care of them than it ever can be expected to do, yet it has no right to dissolve the most sacred obligations between parents and children; obligations founded upon the will of the Creator, and to be maintained only by the nursing care of the parent's exclusive protection, and the returns of filial duty in requital of that protection. The virtue of the marriage union is also equally reduced and degraded, when that union is contracted

without a stipulation of the parental care for the support of the offspring. And since the domestic virtues of the poor make up so large a share of their duty, and their natural affections are the beginnings and best hopes of whatever is good in their character, any law which turns this order of natural duty out of its course is radically wrong towards the poor; and for their sake it ought to be altered. It is the most spurious humanity which discharges them from their virtues.

With a view then to restore the family virtues of the poor to their just estimation among them; and to direct the able labourer to trust to his own resources, in his frugality, and assiduity, and recommendations of character, for his support, and to restore him to the independence of being intrusted with his own affairs; I shall suppose that for a certain term of years the present law is to remain in force, in its whole practice relative to children, and to able labourers; and consider what are some of the means and opportunities of mending their affairs, and putting them into a better condition, if they choose it, which the poor would have, either in the mean time, or at the commencement of a better practice.

For convenience' sake, the labouring popula-

tion may be classed under two kinds, manufacturing and agricultural. There are many indeed who are distributed through the business of town and country, who do not come within the precise meaning of such a division, having nothing to do either with the fabric of commodities, or with tillage of the earth. But the pure labourers of the country, and the pure manufacturing workmen, compose the chief muster of our people, and go far in making up the whole working population of the country: and since also they are the makers of our whole internal produce, natural and artificial together, they have the most important part of our fortunes in their hands. The healthy, thriving, and well-organized condition of these two departments of labour, must therefore be itself a great portion of our internal prosperity, and communicate through the rest of the state something of their prosperous condition.

For the country, I assume, that if the poor rates were withdrawn from their connexion with labour, the wages of labour would rise. I assume with much more confidence, that, in such an event, they ought to rise, on two separate grounds. The farmer, hitherto, has palpably speculated upon the poor rates in his bargain with his men; this has been the general practice: ac-

ording to the farmer's own calculations therefore he ought to advance his wages, if the poor rates should no longer enter into them as a part. But there is another and better ground to expect that rise of wages: inasmuch as the probable improvement in carefulness, attention to his master's interest, and desire to gain his good-will, on the part of the labourer, would make his service worth more than it is now. For the parish relief, though often reckoned bona fide by both master and labourer as part of wages, has not the effect of wages in quickening the labourer's heart for his work. It is like manure laid upon land, with the invigorating juices and fermenting powers of it quite gone before it is laid. In this advance of wages which we might expect to follow, is there any good cause to think the farmer or landlord would lose by it? I do not wish to pretend to any great foresight in such matters, in which indeed, except as an ordinary observer, I have had little concern or experience; but on general principles, I should risk this kind of calculation, that the landed property of England would save in rates more than it would have to pay in wages, if the labourer's wages were more exclusively connected with his work; and if they circulated through his

heart, as inducement and reward, instead of through the parish books, as matter of strife and dependence, and worthlessness of service.

In the country, the labouring class, if they chose it, and were either trained, or reduced, to the best management of their own interest, might establish themselves in greater comfort and ease of condition, independently of the advance of their wages. They have resources and facilities not to be had in towns. Their garden, their potatoe ground, their speculations in pork and poultry, and other incidents of a simple course of management, are at hand, in addition to the leading task and duty of their hired labour, to promote their subsistence, and without diminishing their competence for their main service. The very quiet, and comparative solitude of the country, are circumstances favourable to habits of occupation and domestic attachment. This is the posture of the labourer's condition; an account of what he might be, if he availed himself, or were more obliged to avail himself, of the opportunities before him. If it be called a plausible story, I answer, we must know perfectly well, that, with or without the Poor Laws, men will never be as well-conditioned as the fairer side of their possible fortune might pro-

mise for them. Farms and villages will have no resemblance to paradise, till the inhabitants of them shall be much more perfect than human laws in their best state can make them. But what then? Is it nothing to obstruct many of the natural opportunities and happy invitations of their condition, and remove many of the inducements to their virtue? If the labouring classes have not the discretion, sobriety, and ready spirit to improve some of the advantages, in the planning of their affairs, which manifestly their situation offers; the Poor Laws only add a reason the more on the side of their misconduct, and almost acquit them of the blame of it. Take away the Poor Laws, and there would be improvidence, waste of time, ignorance and carelessness in men about their own business, and misery still. But nothing of all this is checked by those laws, but some degrees of it added by them: and that is their demerit.

The agriculture of the country in its mass is capable of vast extension and improvement. There is therefore scope in the possibility of things to the increased application of labour in a proportionable extent. What are the modes of promoting that improvement, of animating both the agriculture and the labourer together,

by any arrangements in the system of rural business, is a great subject for the inquiry, and the public-spirited endeavours of those who have their science, or their property, vested in the soil of the country. But the earth itself at least is not as yet in fault, if we are insufficiently fed. The inequality of cultivation at present is not to be wholly resolved into difficulties in the supply of means, nor original unkindness in the soil, nor any other local hindrance. There is a defect; and apparently it is for want of exertion, or want of knowledge. The very weeds of the kingdom might employ some thousands of hands more; and since a blade of corn will grow where the weed is taken away, an extension of superior accuracy, carefulness, and diligence of farming would be a certain quantity of work and subsistence added at once. But whilst the improvement in the higher province of farming is to be expected from the spirit of our agricultural societies, and the propagation of example and instruction communicated by them, the humbler essays of the labourer's own department want to be assisted: and it would repay the trouble to any man of a good heart, and some knowledge of the business, who would put the common villager, or labourer, in the

way of understanding the little resources which he has in possession, and turning them to account, not by writing books upon it which never reach his cottage, but by a closer intercourse with his capacities, capable of direction, and with his feelings, capable of being trained. The art and method of being a cottager would make an insipid treatise ; it would be a most productive practical study. And that the political economists may not think too meanly of its value, let them say whether the live-stock of a cottager, of whatever size or kind, and the produce of his garden, are not real subsistence, and subsistence added to the whole public store : whereas the pay of the parish only gives him a title to consume some part of that which has been raised already. The whole value however of such an improvement in the methods of the labourer, will depend upon their being taken up at his own cost, upon his own risk. Donations of land, which cannot be general, neat cottages built to his hand, and other artifices of humanity, do not help the condition of the class, upon any certain and permanent principles. The labourer must continue to work in that character still, from first to last. And then the additions to his comfort will never be at the risk of disturbing the

system of the country. I reckon upon these accessions of subsistence, not as the foundation of his main support and livelihood, but only as an equivalent to him in part for his parish relief; which turns his mind wholly away from them. And excepting the inherent and unchangeable fault of human nature, which must be an equal datum on every side, there is no one reason so likely to explain why our parochial poor in the country are so deficient in intelligence, in activity, in good sense about their own interests, as that they have been kept in a state of pupillage, and not permitted to think for themselves to the extent even of their next day's support. One moral use of the necessities of men seems to be that of calling forth their understanding. Common reason absolutely must begin at that point, of a stimulating necessity: and the labour of thought is the last labour that men will take up, if they can in any way do without it.

There is one method in which small grants of land might perhaps be made safely and beneficially; that is, in cases of enclosure, by one general arrangement with the poor of the whole parish, the grants being made as an equivalent for all demands upon the parish for

ever, with the reservation only of the relief in old age. It is too obvious, that the absolute discharge of the parish is a necessary stipulation. For if the parish had still to provide generally for the population, other poor would soon appear in the vacant places; and the whole charge in a given time would be the more by all the value of the grants made. Without the opportunity of an enclosure, would it be impolitic, or impracticable, for the landowners to redeem their property in the same absolute manner, in some parishes, by a compensation in small portions of land, or tenements, exonerating the whole parish in perpetuity? Those grants, upon a fair estimate, in some purely agricultural parishes, would make the poor small proprietors, but by no means independent of a hired service of labour.—I lay no stress upon this. It is a measure which could be adopted, if it all, only in a few places: and I mention it merely in passing.

The manufacturing labourers, who are the other class to be considered, are brought to distress by two causes, differing from each other—their own habits of life, and changes in the prosperity of their commerce. Of the two, their own habits are their worst evil,

in the degree of it, quite as much as the blame of it. Their wages are so high in good times, that if they worked steadily and lived with moderation, they might very well reserve out of them a fund of supply against a time of want, which would carry them through, till their trade revived, or till they had settled and adapted themselves to some new occupation. But the whole history of their life is of the most opposite kind, as far as it can be comprised in any one general description. The excesses of these men, in their intemperance and prodigality, the rashness and recklessness of their expenditure, their division of the week into days of work, and days of the most gross and obstinate idleness, and the unfeeling neglect of their families, are some of the striking lines in the character of our manufacturing population. In numerous instances, the indigence of these people, which the law takes such anxious and extraordinary pains to relieve, implies more of real moral delinquency, and more harm to society, than many of the crimes for which our most severe penal statutes have been framed. And one consequence of such a life is, that when it meets with any check, they have such distempered and extravagant notions of a necessary support, as make them

ready to spurn the fare and diet which other people hardly enjoy in the times of their most perfect competence. They become destitute and unreasonable at once. Their wants are not the wants of other men. Upon a round estimate, it would not be asserting too much, that these labourers are perfectly well able to maintain themselves from year to year. Their income might be made both a present and a future support. The excess of their earnings at one time, (or of what they might earn,) above a fair substantial maintenance, would fully meet the deficiency of them at another, under the *ordinary* fluctuations of their trade. The means are there; they only want to be more evenly distributed. They are the men of all others who need to be taught the value of that trite maxim, that "frugality is a fortune," *quam magnum vectigal sit parsimonia*; and none have the power of learning it more successfully, since they have only to practice their frugality upon an abundance.—The blank days of idleness in the manufacturer's life, which are quite a matter of choice with him, have this further effect, that they make a greater number of hands necessary for any brisk flow of work; and then when it slackens, they are proportionably incommoded by their numbers. Their

idleness, in times of work, reproduces a forced and necessary loss of work in the sequel; which they might avoid, if they pleased.

The system of manufactures then may be considered as circulating among its dependents, though not evenly and uniformly, a stock of wages fully adequate to the wants of those dependents: only the inequality of circulation must be met by a certain line of conduct very different from that which these men now pursue; and pursue with the greater confidence, under the bill of indemnity granted them beforehand by the Poor Laws. Reformation of their manners to any degree of sobriety, providence, or domestic care, would be both a moral and political benefit, beyond every other. Every thing that can be done towards it deserves to be encouraged. And every thing that can be done is not more than is necessary. Education, religious instruction, and whatever else can be applied, will all find work here for their largest endeavours. But instruction, whether to old or young, must be futile in the end, if the law continues to speak, as it now does, and with a great practical force, in a sense opposite to all sound instruction. The best education would tell a person to do many things, which the

law would tell him he need not do, which is nearly the same thing as telling him he ought not to do them. It could only be a conflict between the law and his education. Why should not these two powers be made to act in some harmony with each other?

But I have had in view only the ordinary changes of commerce in its shorter intervals of fluctuation, from month to month, or from year to year, when I have stated it as my belief, that their own economy in the manufacturing labourers might fully meet the inconvenience of these changes. There are great reverses in manufacturing commerce, which occasionally convulse the system so far, that only an extraordinary relief from other resources can support the people who have been engaged in it, when their loss of work becomes general in any great branch of it. Against such rarer emergencies of distress and indigence, some fund of relief ought to be in expectation. And in the other general estimate, the estimate taken upon a comparison between their means and the common current risk of a failure of those means, there would always, from the very mixt nature of the manufacturing life, be a variety of cases eluding the estimate,

though correct upon the whole; and for these arrears of distress, equally, some fund of relief ought to be provided. For these distresses in some measure grow out of the public prosperity; they ought therefore to be, in part, relieved by the public. They grow still more out of the habits of the men themselves; and on that side they ought not to be relieved.

It is obvious that Provident Banks, which are like the secreting organs of the economy of the labouring class, are exactly and especially adapted to the use of the manufacturing population, under the variableness of its means of income. They give a machinery for the economical habit to work with. And wherever any other machinery is at work, this one species of it should be there, by the side of it, to take up, and turn to future use, the overflowings of its produce. These institutions of economy have made less progress, I believe, hitherto in the manufacturing counties, than in many others. Is this slow adoption of a benefit precisely made for them, owing to the extreme exhaustion of those counties; or to another cause, and a cause intimately connected with their welfare in a thousand points of view—the absence of

the guiding care and influence of men of weight, character, and public spirit, to give things a proper direction ?

To bring matters to a close then, I conceive it a fair presumption, that, if a certain term were given to the present general practice of our Poor Law to remain in force, there are available resources and opportunities, which can be specified, to furnish a substitute for the gratuitous or artificial relief now granted to the labouring classes ; a substitute, not to cover every probable degree of their necessary want, but the most considerable portion of it ; and it is only fair to assume, that there are other resources and opportunities, though they cannot be specified, but which a quick-sighted industry, exercising its wits in its own concerns, would discover for itself. And in the mean time, if a vigilant and correct administration of the present legal charity were applied, the habits of parochial dependence might be reduced, and the actual need of it reduced in the same degree. In this way, the more direct transition from parochial dependence to independent exertion, would be rendered easier, as it would be narrowed to a change of less extent : especially if there should be a strong and general concurrence of feeling in the country, in promoting so

salutary an improvement, and preparing the way for it. Much will depend here not upon circumstances, but upon men. A decided impulse upon the public mind and judgment, emanating from Parliament, circulating through the country, and not interrupted in its course by non-conductors, who explode the subtle fluid of communication, instead of passing it on, might ensure the successful and satisfactory reception of every measure of amendment that could be wished.

But still, many cases of distress, from the immense variety of the circumstances of life, would remain, requiring a distinct provision. Consequently some known fund of relief ought to succeed to the contracted disbursement of the parochial revenue. And a fund of voluntary contribution from the rich, which has been recommended, is indisputably the most proper for that purpose. It should be a fund of stated and regular times of contribution, measuring itself by the benevolence and the discretion of the contributors, applied to their respective parishes. I need not enlarge upon the security of these voluntary supplies. The benevolent spirit of the people of England in Pecuniary Contribution, is a source of supply which I shall not fear to include in our most

certain prospects. The exercise of that benevolent spirit itself, in the offices of a personal kindness, in a real intercourse of sympathy with the wants and sufferings of the poor, has been too much superseded; and the rich have been great losers by the general substitution of a legal impost, for the natural cultivation of their own living, active, and discriminating virtue. Reversing the attributes of that mercy which is said to be twice blest, in him that gives, and in him that takes, our legal alms are bestowed without charity, as, with a full retaliation of sentiment, they are received without gratitude. I would not pretend to say, that the bare relief of the keener wants of nature may not be as effectual to the poor, when it comes from the iron hand of a formal and constrained beneficence, as when it is blest with the kindness of the giver's heart. But human beings are not mere machines capable of hunger and food, and there is much more in them to be studied and consulted, than the satisfaction of their purely animal wants. Society therefore, which, in the great Order of things, was meant to promote the utmost attainable good of the human race, will depend for its best feeling and spirit upon the interchange of a real good-will and re-

flected kindness, between its divided members, quite as much as it owes its fundamental security of order to the positive enactments of law. In this point of view, to reinstate charity in its own powerful character among the rich, and to restore the correspondent feeling due to it among the poor, might be of itself a reason sufficient for the revision of our prevailing system.—It may deserve to be noticed, whilst we are on this subject, that when the legal grant of a general relief was first made, there was one great difference in the state of things compared with the present time. The opulence of the country was then in the hands of a few. Its wealth was not diffused, nor distributed, as it is now: and its distribution is a greater change of things, than the increase of it, large as that increase has been. The relief of indigence of any kind could not therefore be expected so well from any competent supply of private beneficence.

The Following Sketch would represent more clearly the ground-work of amendment, which these considerations seem to chalk out, if the practical reason of them is allowed.

I. The provision of the law for the Disabled Poor in old age, or under incurable infirmity,

to be continued in full force; and to be improved and augmented hereafter.

II. The present practice of parochial relief, in its several kinds, to Able Labourers, to be continued without exception for ten years, being placed, in the mean time, under a more judicious management.

III. After the expiration of ten years, no necessary relief by law to be granted to Able Labourers. But in every parish, a voluntary subscription in lieu of it to be substituted, for their relief. A separate trust of management to be appointed for this subscription, independent of the Overseer, who would continue to have the administration of the legal relief to the decayed poor.

A general enactment would express, that after the term of ten years, no person should demand legal relief, in consideration of his being out of work. Another enactment, that after that time, no person should demand legal relief in consideration of his having children, the offspring of a marriage contracted *prior* to the passing of the law; (Unless he had Three at least under the age of Fifteen.)

IV. With regard to children, the offspring of a marriage contracted *subsequently* to the first passing of the law, that from the date

of the amended law no person should demand any legal relief whatever on their account.

At the expiration of ten years, then, there would be a legal revenue for the support of the aged and infirm:—a voluntary contribution for others:—and in addition to the charge, for the aged and infirm, upon that legal revenue, might be added, the relief also of certain definite cases of severer distress, to be distinctly specified in the enactment; as in families including Three children under the age of Fifteen; and, in families deprived of a father; and perhaps, in long continued sickness. Under Fifteen, children do not earn much: at least if there be Three of them, there may be some difficulty in their maintenance.—The inhabitants of Workhouses, who might then be found in them, would be continued there, drawing their support, as before, from the parochial assessments, till that class of persons should have passed away.

The simplest, and the most equitable, amendment of all, would be that which referred the entire charge of children, the offspring of a marriage contracted *subsequently* to the passing of the amended law, to the care of the parents. And this is the only application I

have intended to be made of the equitable rigour, in all its closeness, of a law to be purely prospective. The marriage so contracted, would be wholly independent of any artificial inducement; the parents themselves would understand and appreciate their proper character; and in that character would pledge themselves to provide for their offspring upon the principles of a natural duty. The alleviation of the parochial burthens, and the redress of much abuse of the parochial law, under the effect of this one regulation, would be immediate, silent, and progressive. It would be a Sinking Fund created upon the existing evil. Another race, born and reared under happier auspices, would be springing up. The good habits and example of the parents, which they would not be able to sacrifice with impunity, would reckon both for themselves, and for the propagation of a healthier feeling among others. Such parents and families would take the lead in helping to restore the deteriorated spirit, as well as condition, of their whole class in the community.

In casting an eye forward to the general state of our labouring people, under a system amended after some such method as I have been de-

scribing, we might consider them as furnished with the following inventory and apparatus of means, for their whole stock in hand or in hope. On one side, their own energies and understanding more steadily directed to their own interests and duties ; which, under the blessing of Providence, is the poor man's strong ground.—On the other, a fixed provision by law for certain definite cases of indigence, particularly in old age. Secondly, the various aid of public and local endowed establishments of charity. Thirdly, a voluntary stated parochial contribution, under a public trust. Fourthly, the supplies of private benevolence. These two last, the voluntary stated parochial contribution, and the supplies of private benevolence, are means of assistance, which would be dispensed under a continual discretion. The extent of the assistance to be expected from them both together, is to be calculated by the tried liberality of the more opulent classes in this country, which has never been found deficient in the mere gift of money, and by their power to give, which when it varies, so ought also the demands upon it.

I shall close these considerations with a single remark upon the policy of the original act of the reign of Elizabeth, which in the event has oc-

casioned us so much trouble and anxiety. It is possible that the very low state of the general improvement of the country, at large, at that time, was such, as to furnish the means of giving work and subsistence artificially by law, for a long time, prospectively, to a growing population, more readily and easily than at present; and the general imperfection of commerce, and manufactures, which in the science of them were less understood, and less brought into system, might render it not so very unskilful a proceeding to take labour under a parochial management. In many ways the law might be either really useful then, or less inconvenient than it now is: while consequences since disclosed and brought to an issue, dictate most strongly another course to be pursued. It is a light imputation upon the legislature of that day, that they could not foresee, in a very complex subject, all that would follow in the course of two or three hundred years. But to ratify and bind for ever their inapplicable provisions, will be a graver mistake than they intended. They had the praise of establishing charity by law. Improvidence, intemperance, and forfeiture of domestic, manly, and independent character, established by law, is another matter. We may be assured that the

present practice of our Poor Laws is in full contradiction with the national character of our people, and with the spirit of our constitutional system. For there can be no greater contradiction than between high rights of liberty, and mean personal qualities in those who are to exercise them. I never see the more disgraceful proceedings of an English populace, but I wonder how such persons can be found in such a country. Upon mature thought, I see the law itself, in one instance, contributing to make them what they are.

FINIS.