

BOOK III.

CHAPTER I.

That the suppression of monasteries destroyed the relief of the poor—That this originated the poor laws,—disproved by the state of the people and of the laws and of monasteries in various nations of Europe.

IN the last Book I enumerated the hypothetical causes of popular distress, and their fantastic remedies. I proceed now to consider another imputed cause of pauperism in Britain—the suppression of monasteries. I cannot refrain from stating at once, that this imputation seems to involve all sorts of error respecting facts, circumstances, inference, and analogy. Yet these errors are propounded by the gravest and ablest writers. Hume¹ states, “in this year (5th of Elizabeth) was enacted the first law for the relief of the poor.” This inadvertence can now deceive no one. It is also affirmed and repeated, that the monasteries supported the poor, and that their abolition occasioned beggary; and that thence the poor laws and poor rates became substitutes for the monkish distributions of charity².

¹ History of England, vol. v. p. 484.

² Blackstone's Commentaries, vol. i. c. 9. John Aubrey, Esq. Sir John Sinclair. Mr. Bayley. Godwin's Reply to Malthus, p. 558.

That the suppression of monasteries did not occasion the poor laws, is provable in various ways. Laws corresponding to the English poor laws were passed in different countries of Europe where the monastic institutions were not disturbed. Charles the Fifth passed an edict in 1531 respecting the poor; yet this Emperor did not secularize convents, and he took refuge in one of them from the world. The Spanish Cortez preceded the English Parliament in legislating for the poor; for a law was made by them in 1525 restricting the indigent to their own township, and ordering that they should have a license to beg from the magistrates; which is precisely the provision appointed one hundred and six years after (in 1631) in England. Spain also preserved her monasteries, yet she swarmed with mendicants, and she continued in this beggarly state¹. So did France, the commonalty of which country Fortescue² described as famishing; and Vauban³ long afterward gave an equally frightful account of the numbers and indigence of the people: yet no monarch of France rudely dissipated those monuments which sin and dotage raised to superstition⁴.

These facts are incidental to the argument. But the 22d of Henry the Eighth, in 1531, (five years before the suppression of the lesser monasteries by Parliament,) is conclusive and direct. This law, which preceded the suppression of a single monastery, declared

¹ Townsend's Travels, vol. i. p. 257.

² Absolute and Limited Monarchy, c. xii. ³ Dixme Royale.

⁴ See two instances in Month. Rev. O. S. vol. lxi. p. 287.

that beggars and vagabonds have of long time increased, and do greatly increase: and by the same law it was ordered, that all officers of counties and towns should search in their respective districts for all persons poor and friendless, who were to obtain the authority of such officers to demand alms.

Yet the partizans of establishments and the wisdom of our ancestors—Burke¹, Windham², &c.—lament the downfall of monasteries and abbeys, as a spoliation of the sanctuaries of learning. Never was pathos more misapplied: some of the most ancient and opulent monasteries merely possessed missals, psalters, antiphonies, graduals³; and so late as the fifteenth century many bishops could not write⁴. To repine that what has been transferred from heirs under false pretences should be restored to the public, is sickening fatuity. Neither is it true that the monks, who by the by had made vows of poverty, were abandoned to hopeless distress by the civil resumption of abbey and other lands, for many of them, at least, obtained annuities or preferment in the church⁵. In short, the tale of distress is only intelligible when we read Hearne⁶ pite-

¹ Reflections, p. 237.

² Ann. Register, 1800. p. 140.—This same man defended in the same year bull-baiting. Ibid. p. 146.

³ Edinb. Review, 1812, p. 25.

⁴ Anderson's Commerce, vol. i. p. 526.

⁵ Thus, when the monastery of Furneaux was surrendered to the king, the chief got the rectory of Dalton; and pensions were granted to twenty-nine monks, which pensions, sixteen years after their grant, amounted to 1217. Month. Rev. O. S. vol. lii. p. 226.

⁶ p. 453.

ously lamenting that the lands, houses, and substance of monasteries, abbeys, &c. were not reserved for the Protestant clergy. The monks were in no way interesting. They had taken a bond of fate; foreseeing the brooding storm, they had been accustomed to set their lands at low rents and high fines¹: beside, they secreted most of their stock, furniture and plate:—the monks, if not innocent as doves, were wise as serpents.

Never was any proposition more unfounded than that the religious houses relieved the poor; except according to the modern science of relief, by which building churches was partially countenanced, by employing some at the expense of others. Baker² says that the building of monasteries in the reign of Henry the First, induced a great portion of the common labourers to become bricklayers and masons. Suppose that the monasteries did assist some poor persons, they obtained all their means of living and relieving by burthening others. The Roman Emperors enjoyed mighty revenues; and the King of England obtains about a million for his own personal expenses;—who would excuse the oppression of such incomes, by saying that at Rome, at the sacred plays, the spectators were fed³? and that in London a dinner and a guinea are given to two or three score paupers on Maundy Thursday, with other petty largesses from the king? Indeed, we read in Mezerai that the monks in France

¹ Lord Herbert—Hume, vol. iv. p. 183.

² Barrington's Ancient Statutes, &c. p. 76.

³ Dion Cassius, lib. li. c. 1.

in the eighth century "laboured with their own hands to clear, drain, plant and build, not so much for themselves, living as they did with great frugality, as for maintaining the poor." This, if true, was of short duration: and it also appears from Ducarel¹ that the abbeys did not support the poor. In England, at all events, the monasteries, abbeys, &c. had long ceased to be productive portions of the community. Hume² affirms "they were nurseries of idleness." Walsingham³ says, some of the abbeys had two thousand villeins, and that the monasteries possessed a similar retinue. That the monks were hospitable on some occasions is true; but the poor were not the chosen guests. Dugdale⁴ says, "And as touching the alms that they delt, and the hospitality that they kept, every man knoweth that many thousands were well received of them, and might have been better, if they had not so many great men's horses to feed, and had they not been overcharged with such idle gentlemen as were never out of the abbeys." Hume⁵ concurs with Dugdale, saying, "In order to dissipate their revenues and support popularity, the monks lived in a hospitable manner; and besides the poor maintained from their offals, there were many decayed gentlemen who passed their lives in travelling from convent to convent, and

¹ Month. Rev. Old Series, vol. xxxv. p. 194. Monasteries in France were used as penitentiaries and prisons. *Lettres de Cachet*, tom. i. p. 272. *Causes Célèbres*, tom. vii. p. 254.

² vol. xlv. p. 184.

³ page 254.

⁴ *Monasticon*, p. 1050.

⁵ *History*, vol. iv. p. 184. Eden, *Hist. of the Poor Laws*, vol. i. p. 95.

were entirely subsisted at the tables of the friars." Could such bodies, idle themselves and encouraging idleness in others, relieve the poor? Except according to the newest doctrine of Mr. Malthus, in his eulogium on indolent consumers, monks must have been onerous surcharges on rich and poor. The fact is so: they preyed on all around them: As the parochial clergy¹ possessed themselves of the poor's third of the tithe, monks and others plundered both clergy and people: they were leviathans, who in their voracity swallowed their own fry in the general gulp. In 1527² the famous supplication of the beggars stated, that the number of lepers and beggars had grievously increased "by counterfeit holy beggars, who had got into their hands more than a third part of the realm." So far from the poor being aggrieved by the suppression of religious houses, I am persuaded that their condition was rendered less wretched. Convents, nunneries, and the like, were suppressed in the Austrian Netherlands by Joseph: Did the poor increase? The French republicans followed the Imperial example: Has poverty become more hideous or obtrusive in France? Spain has suppressed 1092 religious establishments, and applied them to the extinction of the national debt; and this is the true remedy,—to relieve the poor by relieving the land and the people from its burthens fiscal and religious.

¹ "The impropriations held by them (the monasteries) were much more than one-third of all the parish churches in England divided in three parts." Dugdale's *Monasticon*, p. 1050.

² Anderson's *Commerce*, vol. ii. p. 65. *Index Monasticus*, p. 8.

CHAPTER II.

Historical and moral sketch of the origin and progress of the poor laws.

I HAVE, in a treatise on the "Defects of the English Laws and Tribunals," shown not only the intimacy of the British and Roman jurisprudence, but also the sources of the connexion. The common-law lawyers, in strange admiration of their calling, insisted that the British code was innate and underived, as the Arcadians and others reputed themselves *αὐτοχθόνες*, 'sprung from the soil.' When rude nations mingle with the intelligent, even if no dominion were exercised over them by their superiors in knowledge, they suffer a moral subjection, and they at length adopt, however old and obstinate their habits, the improvements of their associates. Whether the pauper code of the Romans, supposing it deserved imitation, predisposed the British towards the indigent, I do not affirm; yet a few observations respecting them will illustrate the subject, if not suggest some coincidence between the ancient and modern provisions on this subject.

The Roman people by the agrarian division, as all first occupants, possessed the soil among them. Then, by means which I shall fully explain in my Essay on "Property¹," they lost their share of their country's territory. Without land, and arts unknown, they be-

¹ The tract is almost ready for the press.

came impotent. From an armed propertied body¹, they became, by destitution, a helpless multitude. So inconsiderable were they esteemed by the rich patrician, that their assistance was not required until the state was in jeopardy; then, with foreigners and slaves, they were called to its relief².

Distress frequently forced the people to insurrection³. Besides the anomalous connexion of patron and client, under which plausible relation Rome also wished to conceal her dominion over subject nations, the people were cajoled by various expedients; by reducing a tax—by granting a right to be nominated to certain offices—by cancelling debts—by devising public land—by distributing corn at a reduced price⁴. At last, consumed and desolate⁵, in want of all things, they became tumultuary, outrageous, and their occasional disgust became a permanent alienation. Then, from transient donations of money, land, and provisions, there was a regular distribution to every Roman who chose to apply, of five modii (or 130 pounds) of grain⁶. With this the general purveyor or præfect of corn obtained prodigious power; and with the increased duration of offices to five years, it was itself a tyranny. Cicero lamented the mightiness of

¹ Arma quæ parare per inopiam non poterant.

² Petit, Leg. Att. p. 543.

³ Dion Cassius, lib. xxxix. c. 9. Cicero, Opera, tom. ii. p. 521. Quos fames magis quam fama commovit. Ibid. p. 205.

⁴ Plin. Hist. Nat. lib. xviii. c. 3.

⁵ Confecti et perditæ fame atque inopia rerum omnium. Cicero, tom. ii. p. 209.

⁶ Tuscul. Quæst. lib. iii. c. 48.

this quinquennial dominion in Pompey¹. The same office was limited in terror of Julius Cæsar to one year, agreeably to ancient times².

While Cæsar reigned, the pauper list amounted to 320,000, which he reduced to 150,000³. This number was enlarged. Augustus reduced the multitude to twenty myriads, or 200,000⁴.

The state of the poor varied during the following reigns:—Trajan made large distributions to the poor, and children were admitted personally to share the bounty. Hadrian and Antoninus Pius followed his example: the charity of the latter was probably quickened by the tenderness of Faustina. In Dioclesian's reign the allowance was continued; and extended to the Alexandrians.

Constantine, the first Christian Emperor, was inferior to some of his imperial predecessors in relieving the indigent: he, however, appropriated different buildings to the protection of the poor. He also prohibited the tax-gatherer from molesting the poor agriculturist⁵. To prevent the exposure of children, he legalized their sale by parents oppressed by poverty⁶; and he also controlled this doubtful policy, by

¹ Qua Pompeio per quinquennium omnis potestas rei frumentariæ toto orbe terrarum daretur. Tom. iii. p. 237.

² Σίτη επεμελήτην μήτε τροφῶν ἐπιστάτην ἓνα ἀρεῖσθαι. Dion Cassius, lib. xlv. c. 39.

³ Suetonius, lib. i. c. 43.

⁴ Dion Cassius, lib. v. c. 10.

⁵ Cod. Theod. lib. ii. tit. 3. leg. i.

⁶ Potestatem parentibus egenis filios vendendi fecit, ut emptores dominio subessent donec reddito pretio, aliove mancipio, vel a patre vel alio quovis liberarentur. Gravina, lib. ii. c. 23, p. 174.

giving the miserable fathers an equity of redemption. He also ordered that magistrates, on poor parents presenting their children to them, should immediately receive and assist them¹.

Misery increased from various causes:—the introduction of a new and expensive religious establishment; extensive wars; the pressure of the barbarians; the ravages of the provinces by Constantine, proved by the incongruous orders in the architecture of the new capital; the change of the seat of government;—all these multiplied the calamitous situation of the people.

Theodosius continued solicitously to supply them with grain², while he made laws against the strong beggar³, in our law language 'the valiant beggar.'

Justinian was equally severe, without any countervailing humanity. The law for the relief of indigent children, passed by Constantine⁴ and inserted in the Theodosian code, was not recognised in that of Justinian. The customary remission of debt to the poor⁵ by the treasury, was withheld for thirty-two years, and it was at last probably granted through dread of a public convulsion.

The care of the poor from a civil, became, after the establishment of Christianity, in part a religious administration. The progress of course was imper-

¹ Petit, Leg. Att. p. 161.

² Nam et annonæ curam sollicitudinis attendere. A. Victor, p. 234.

³ Causes Célèbres, tom. ii. p. 77.

⁴ Blackstone's Commentaries, b. i. c. 1. p. 131.

⁵ Procopius, Hist. Arcana, c. 23.

ceptible. At first, the teachers of Christianity were itinerants; they officiated gratuitously, and, though poor, their hearers were poor also. As they advanced in public esteem, they required assistance from those who confided in them—the labourer is worthy of his hire; but then if hired he laboured. The followers of Christ principally inculcated the virtue of charity; and the immediate companions of Jesus were the depositories of the alms collected. Judas was the first treasurer:—he professed great zeal for the poor, “Not,” says the Evangelist¹, “that he cared for the poor; but because he was a thief and had the bag, and bare what was put therein.” This crime of Judas continued to be the original and unredeemed sin of Christ’s ministry.

The clergy continued to preach charity, and to take as depositories the contributions of the faithful for the poor. From receiving gifts in money or kind, with a view principally to charity, the clergy changed their course;—they challenged as their right, what they had hitherto obtained from kindness or commiseration. They claimed the title of human industry, and with greater daring they appropriated the boon. According to Paolo Sarpi, tithes in the Christian church commenced in the fifth century; but it is supposed that they did not obtain the sanction of Government in France till the reign of Charlemagne², nor in England until that of Ethelwolf, about the year 837.³

¹ John xii. 56.

² Mezerai, p. 115.

³ Hume’s Hist. vol. i. p. 73.

Tithes were divided into four parts¹: one of which was consigned to the bishop, to entertain the itinerant clergy and relieve the stranger poor; another fourth was allotted to the poor of the place; but the poor’s share, Judas-like, was soon seized by the clergy wholly to themselves. The stranger poor, instead of receiving their portion from the bishop, were called vagrants, and vagrancy was declared criminal. The resident poor, disseised of their due, which violence a *moderately reformed* clergy continues, were again abandoned to the community.

Various modes were adopted to assist the indigent. There were frequent eleemosynary bequests. William the Conqueror, it is said, left 60,000*l.* to be distributed between the church and poor. There were occasional donations, periodical gifts at Whitsuntide², and at the wassels at New-year’s-tide, when the children went from house to house craving the bounty of the inhabitants, “which they were wont to have in old king Edward’s days³.” In Henry the First’s reign, lazar-houses for lepers and lame folk were common⁴, particularly in the vicinity of large towns; they received travellers also, and the sick and infirm.

By the 12th of Richard the Second, impotent beggars were to be provided for by the towns in which they were resident at the proclamation of the statute:—it added, that “if the people of the above cities and

¹ Paolo Sarpi, de Beneficiis, c. 3.

² Brand’s Popular Antiquities, vol. i. p. 231.

³ Ibid. vol. i. p. 2 and 7.

⁴ Index Monasticus, p. 13.

Tithes

towns were unwilling or unable to maintain them, they should be conveyed to other towns in the hundred, rape, or wapentake." Was not this a poor law? I may mention here, that in the fifteenth century many towns were relieved by parliamentary grants out of the dixme and fifteenth¹;—and by the 15th of Richard the Second, c. 6, it was enacted, That every license thenceforth to be made in the chancery, of the appropriation of any parish church, shall contain, by the direction of the diocesan, *a convenient sum of money*, according to the value of such church, to be paid and distributed yearly, of the fruits and profits of the said churches, by such as shall have said churches, and by their successors, to the poor parishioners of the said churches, and in aid of their living and sustenance, *for ever*.

By the 4th of Henry the Fourth the former statute was confirmed; and it was also ordered that a yearly sum should be distributed by the impropriators to the poor parishioners. Here is another proof that at all times the poor were a public concern: and that they had a claim by law is affirmed by the Mirror², and admitted by Foster³. How absurd, then, to refer the legal support of the poor to Elizabeth, or Edward the Sixth, or Henry the Eighth! The 27th of that monarch, to which two or three of prime research refer as the first law which gave the poor a title to support, proves the contrary; as it directs corporate

¹ Anderson's Commerce, vol. i. p. 603. 647. 673.

² C. i. § 3.

³ Bur. Rep. p. 450.

bodies¹,—who should, by their institutions, distribute alms out of their revenue,—to give them at the usual times in money to such common boxes or gatherings before mentioned.

By the 5th and 6th of Edward the Sixth², a register of the householders and inhabitants being made, and also of the persons unable to support themselves, by the head officer, or vicar, &c. the parishioners were ordered to appoint collectors of alms, who on the following Sunday were, after church service, to demand of every man and woman what they were willing to give weekly towards the relief of the poor, which sums the collectors were to distribute. Edward the Sixth also founded Christ's and St. Thomas's hospitals, for the relief of the sick, infantine, and impotent³. The following reign confirmed the statutes of Henry the Eighth and Edward the Sixth.

The 3d of Elizabeth made the voluntary gift of Edward the Sixth's law, a peremptory demand; and parishioners who refused a reasonable sum, or discouraged others, were taxable by the justices at the quarter-sessions, and on non-compliance they might imprison them. The 14th of Elizabeth mentions overseers, and directs a general assessment. The 18th specifies the mode of employing the poor, and justices are authorized to hire buildings, &c. The 43d of Elizabeth was a compound and modification

¹ Reeves's Hist. of the English Law, vol. ii. p. 513.

² Ibid. vol. iv. p. 454.

³ Blackstone's Commentaries, vol. i. p. 360.

of all preceding acts respecting the poor.—Thus I have given a succinct view of the commencement and growth of the pauper code.

CHAPTER III.

The poor laws not enacted from benevolent purposes—The law of Settlement made in reference to a state of slavery—The statute of labourers enacted in Edward the Third's reign, and repeated directly or indirectly a hundred times, even to our days, with the law in Henry the Sixth's reign, which disfranchised the bulk of the people, had, in Elizabeth's reign, so reduced the wages of labour, as compared to the price of provisions, that in order to secure their reduction, it was necessary to pay by law as paupers, those whom the law impoverished as labourers.

I HAVE in the first chapter of this Book proved that the suppression of monasteries did not originate the poor laws; and in the second I have proved that the poor laws preceded the periods assigned for their establishment in Britain.—I now proceed to discuss other assertions respecting the poor laws equally erroneous. A Report of the House of Commons in 1817¹ affirmed, "that the compulsory provision for the impotent, and for setting to work the able, originated, without doubt, in motives of the purest humanity," &c. Yet a subsequent Report of a Committee of the same House asserts, that the able-bodied poor, with or without families, were no part of the original system².

¹ Annual Register, 1817, p. 264.

² Morning Chronicle, August 11, 1819.

That the poor laws sprang from active benevolence to the people, I deny; and the following narrative will justify my dissent.

The poor and the poor laws are attributable to oppression¹. The poverty of slaves is referable to the law which excludes them from property; and as liberty is restricted, the evil of poverty is transferred from the sufferers to the agents of power. In England, particular classes are prohibited from leaving the country, and all labouring people were limited to their native districts. This is ancient usage: "They shall not dwell where they will, nor go up and down²." Even noblemen and gentlemen might have been seized if they appeared in town without the King's license³. The law of settlement and the crime of vagrancy were parts of a vile and suspicious policy. To condemn absence, infers crime and flight. Horace speaks of absconding as a fault; but it was in a slave: and Justinian, in his *Novellæ*, regulates the transmission of truant slaves to their masters. Settlement originally meant the master's permanent dominion; and vagrancy implied desertion. Vagrancy was criminal in the days of Alfred. The laws of Ina declare the culpability of quitting the lord or master without license⁴;

¹ Mr. Ricardo says, "It" (the poor Law) "is not, as the legislature benevolently intended, to amend the condition of the poor," &c.

² Ecclus. xxxviii. 32.

³ Rushworth, vol. iii. Appendix, p. 51. Palmer was imprisoned.

⁴ Si quis abeat domino suo absque venia ipsius, vel in aliam provinciam fugiat et ille deprehendatur, abeat ubi prius fuit, et solvat domino suo sexaginta solidos. Leges Inæ. Wilkins, p. 21.

directing that one so offending should be taken and returned whither he had departed, and that he should pay his lord sixty solidi. This is affirmed by the laws of Æthelstan, which superadd a penalty. In Scotland, any one having no fixed residence might have been subjected by the proprietor of the territory on which he was found¹:—that is, a man not located was an estray, or rather a beast *feræ naturæ*, to be appropriated by the first possessor. Thus, to want a habitation in Britain was as ruinous as blackness in the West Indies²: for a black man was reputed a slave, till the contrary was proved³; and he was sold for the benefit of the state. Settlement originally signified confinement on the lord's estate, and vagrancy was held evidence of such delinquency. Settlement and vagrancy were equivalent expressions for bondage and escape. Mr. Bourne and others insist that settlement referred to the maintenance of the poor. Certainly not; neither in its original nor secondary application. The Report of the Lords Committee has given a glimpse of the truth:—"Some of the early statutes which have been already cited, and particularly that of the 2d of Richard the Second, refer to the principle of settlement by residence: but they appear to have been enacted rather in the view of pro-

¹ Kaines's Law Tracts, vol. iii. p. 354.

² In the West Indies, "the objects of relief are exclusively white persons," said Mr. Stephen.

³ That is absolutely;—for how could such proof be effected? By the exertion of Mr. Keane, the Court of King's Bench in St. Vincent's declared, that "the presumption against freedom, and in favour of slavery, was not warranted by law."

viding against the scarcity of labourers in husbandry (which was occasionally felt in those times), than to have had any reference to the claim of individuals to relief from particular districts."—This brings me to the laws against free labour.

Edward the Third has been called a glorious monarch. He fought and conquered:—And what now remains of his glory?—The third feather in the prince's plume, which might have been added to the head-dress without committing the world in arms. The price of this bauble forcibly perverted the ways and means of the state. Contracts between individuals were broken in the gross by the depreciation of the coin; and the labouring population were first robbed by this great spoliation, and afterwards their robbery was aggravated by laws enacted against free labour and general liberty. What the King began, his Council consummated. The statute of labourers declares that a great pestilence had reduced the number of the labourers in husbandry, on which account servants and labourers demand *very extravagant wages*¹. It may be here remarked, that after the last great plague in Morocco², "the expense of labour increased enormously, because the few whom the plague spared were insufficient to serve the rich and independent." What did the Emperor of Morocco and his Council in consequence?—He let labour regulate itself. But what did the grandson of our English Justinian?—He and his Parliament in the twenty-third of his reign state

¹ Reeves's Hist. of the English Law, vol. ii. p. 388.

² Jackson's Account of Morocco.

that labourers, rather than submit to work upon reasonable terms, become vagabonds and idle beggars, it is therefore found necessary to take some compulsory method to reduce this rank of people to subordination.

Here is the cause of modern vagrancy, and the crime also. Various Acts followed in the same year, prohibiting labourers from quitting the service of the agriculturists, and from taking higher wages than were customary, under pain of fine and imprisonment:—that is, they were commanded to take the same nominal wages, when the coin in which they were paid was debased, and also when the decrease of labourers enhanced their demand.

The 25th of Edward the Third complained of the inefficacy of the former laws respecting wages, and it repeated similar provisions contained in them. By the 34th of the same reign, labourers and artificers who refused to work as the law ordered, were to be branded with the letter F, to denote falsity: and it was enacted, “that should a labourer or servant flee to any city or town, the chief officer thereof shall upon request deliver him up to his master.” Still landlords complained; and the parliament, sympathizing with them according to their contempt and malice for the labourer and the artizan, enacted a law of settlement: “for,” said the legislators of that day, “masters are obliged to give great wages to prevent servants from running away; and though they have increased their wages, many continue to escape and become beggars and vagabonds.” This law declared that no man or woman should depart at the end of his or her service out of the hundred, rape, or wapentake, where he or she

dwelt, without license¹ under the king's seal;—those who departed without such license, and those who hired them², were liable to different punishments. Edward, having inclosed every labouring man and woman within the limits of their birth-place by a penal circle, determined the dress and food of all ranks and degrees: and to circumvent labourers by law and judgement, he by the 21st, 25th and 31st of his reign appointed *justices of labourers*, who were to redress the forwardness of labouring men who required *unreasonable* wages.

The 2d of Richard the Second confirmed these acts: and two years after, in 1381, these execrable statutes, aided by a poll tax rigorously and insolently exacted, caused an insurrection amounting to a hundred thousand men. They demanded an abolition of slavery, freedom of commerce in market-towns without toll or impost, and a fixed rent on lands instead of services of villenage. Hume's³ remark is curious: “Their requests, which though extremely reasonable in themselves, the nation was not sufficiently prepared to receive,” &c. Thus he called the few “the nation;” for the bulk of the people, the many, demanded these *extremely reasonable* requests. Nor should the declaration of the commentator of the laws of England⁴ on this subject be omitted: “Our ancestors heard with detestation and horror those sentiments

¹ Reeves's Hist. of the English Law, vol. iii. p. 168.

² In France it was illegal to hire servants without inquiring the character. De Valazé, p. 223.

³ History, vol. iii. p. 9.

⁴ Blackstone, vol. iv. p. 427.

(liberty and natural equality) rudely delivered and pushed to most absurd extremes by the violence of a Cade or a Tyler; which have since been applauded with a zeal almost rising to idolatry, when softened or recommended by the eloquence, the moderation, and the arguments of a Sidney, a Locke, or a Milton." This is a specimen of the conciliating verbiage of Blackstone. But the direct meaning of this tortuous sophistry is, that those who were doomed to hard work for fraudulent wages, had anticipated by centuries the intelligence of a heartless aristocracy and an overbearing parliament.

The 12th of the same Richard, besides re-enacting some of the aforesaid provisions, condemned all who had been occupied in husbandry until twelve years of age to continue as land labourers. This statute continued to complain of the scarcity of labourers and servants: and in the most rueful terms it lamented the rise of wages, by which tenants cannot pay rents, *to the great damage and loss of the lords as well as the commons*. Mark this, ye landholders! Tenants could not pay rents, for labourers had the insolence, the *falsity*—such is the legal gibberish—to chaffer for wages with lords and great commoners. Now the tenantry cannot pay rents because the produce of land has fallen: consequently, as in the former case, the legislature reduced the rate of wages: now it enhances the price of grain, and for the same motive—that tenants may pay exorbitant rents to their lords. Verily the aristocracy is the same throughout all ages: they only, to use Burke's words for his own tergiversation, "vary their means to secure the unity of their end."

The 4th of Henry the Fourth prohibited individuals from hiring labourers by the week, and it forbade labourers from receiving wages on feast-days, or more than half wages for half-days work. Why did not the legislature at once declare that feasts should be fasts? This persecution of free labour prepared the statutory support of the indigent.

The 2d of Henry the Fifth empowered justices to seize fugitive labourers, and to examine them; and also servants, artificers, and their masters, on oath.¹ In the reign of Henry the Sixth, this goading code against the laborious so exasperated the nation, that an insurrection (the last resource of a desperate people against their tyrants) was so dreaded that the precursor of the Alien Act was passed. The terrors of that time were the Irish, who in the former reign were with some exceptions ordered to *void* England: but the 1st of Henry the Sixth declared generally, that the Irish who did not leave England in a month should forfeit all their goods, and be imprisoned at the king's pleasure. It is also most remarkable, that the Irish most suspected were beneficed in England, or scholars resorting to the University of Oxford. Laws were also enacted against assemblies; and the 3d of Henry VI. c. 1, prohibited congregations and confederacies under pain of felony,—for, said the statute, "the good course and effects of the statutes of labourers were openly violated, to the great damage of the commons²." In this the domineering landlords.

¹ Reeves's Hist. of the English Law, vol. iii. p. 265.

² Ibid. p. 286.

pursued the practices which Aristotle had announced to be the chief characteristics of systematic tyranny, and which the Six Acts in 1819 have mainly advanced.

The King, Lords and Commons proceeded in their wicked course. By the 8th of Henry the Sixth, under the pretence of a scarcity of agricultural labourers, they struck at the entire operative industry of the country. The currency of the realm was depreciated, and wages of course tended towards the real value of the coin; this moved the wrath of King, Lords and Commons; they reputed this necessary consequence a mischievous perversity in the people, and punishable accordingly.

In this extremity the labouring classes formed societies, in the law language *chapters*—in the vituperative language of masters *combinations*: that is, as the rich and magisterial and parliamentary combined against the people, the people (in order to countervail their enemies) formed counter associations. These of course were declared illegal.

The 8th of Henry the Sixth added outrage to the preceding enormities. Labourers were commanded to accept wages in the depreciated coin, at the value awarded by the Lords and Commons; the people were forbidden to cohere or consult together: and in this year (the 8th of Henry the Sixth) the aristocrats by one fell swoop ended all political sympathy of people and representative. By this hideous law, all who had not forty shillings a year, equivalent to as many pounds at present, were deprived of the elective franchise. For, said these most providential legislators, "elections of

knights have lately in many counties been made by excessive numbers of people, many of them of small substance and value; whereby manslaughter, riots, batteries and divisions among the gentlemen and other people of the same counties *shall* very likely arise and be," &c. That is, after the recurring curse of a hundred laws during two hundred years defrauding and robbing labourers, &c. of the just returns of their toil and industry, the Parliament consummated the plunder by disfranchising all those whom it had by unremitting vengeance spoiled and impoverished:—and why? Not that these scorers dared to assert that the riots, batteries, &c. (which by the way resemble the account by Acres' servant of the duel,) had happened,—but that they *shall very likely arise*. These rights of election, a free people, the commonalty¹ of this country, would resume; but the same orders which committed, determine to perpetuate, the outrage.

Other statutes were passed in the reign of Henry the Sixth, and also in that of Henry the Seventh, obstructing men from changing their masters, and otherwise impairing the wages of labour and the competition of the industrious. In the eleventh year of the latter king, indeed, the law nominally conferred on a poorman the right to sue *forma pauperis*. This is much vaunted; and yet no law in the whole pauper code is more insulting. The people being pauperized and outlawed,—outlawed in respect to their political conse-

¹ I have shown by the statute, and by Prynne, the general right of suffrage before the passing of this act, in "Radical Reform."

quence,—this law was made, to entitle them to beg for justice. O glorious prerogative of the British mendicant! True, it is not profitable, but then the honour is complete. The law says, The poor man may sue without charge. Then none are poor, or the poor have no wrongs; for who litigates *forma pauperis*?¹ Their right resembles that of the prisoners in the bridewell of Wymondham: according to Howard², “they are allowed to rest half an hour at breakfast, an hour at dinner, and half an hour at supper, *though no supper is given them.*” This *forma pauperis* affords a special instance of a pauperizing code *moderately* reformed, contrasted with Magna Charta the original institution. The Great Charter declared “that justice should not be denied, sold, or delayed.” Yet justice is so procrastinated and expensive, that those whom the law does not find paupers, it makes so:—let the *forma pauperis* be radically reformed, by truly restoring Magna Charta to Englishmen.

The 6th of Henry the Eighth fixed the wages of servants of husbandry and of labourers, with their meals, hours of work, &c. The 22d declared that vagrants should be whipped, and sworn to return to the place of their nativity. The 27th ordered, that once

¹ The 21st of December 1821, a person named Clarke offered affidavits to the Court of Chancery. The Chancellor said they could not be read till some gentlemen of the bar had inspected them. Clarke said he had not the means of employing counsel. The Chancellor said that no gentleman at the bar would be unwilling to read them. Clarke handed them round the court, and all refused.

² On Lazarettos, p. 153.

a week search should be made by night and day for vagabonds; and all persons were enjoined to assist in such search. If the offence should be repeated, cumulative penalties were to be inflicted, whipping, cropping:—and the third offence was capital. Never were the laborious so beset. The laws in respect to husbandry labourers were so galling, that they induced parents to send their children to cities and boroughs, in which they were apprenticed to different trades. Yet the cities of refuge soon became the labourer's prison-house: for it appears by the 28th of Henry the Eighth, that according to acts and ordinances of divers fellowships and warders, apprentices were bound by oath and surety not to hold any shop at the expiration of their apprenticeships. Thus the people, having escaped feudal bondage, were held as vassals by the occupiers of land in the country, or by master tradesmen in towns and cities. The reader must therefore observe, that the perniciousness of the laws in respect to the laborious, and not the benevolence of the legislature, promoted the pauper code, so absurdly praised; and uniformly as the statutes respecting liberty and labour became more severe and pernicious, the poor laws—those monstrous substitutes for unlimited industry and personal freedom—were advanced.

Iniquity proceeded. The 1st of Edward the Sixth condemned vagrancy to aggravated punishments. Offenders were burned with an iron stamped with V¹, adjudged slaves for two years; and should the wretch

¹ Reeves's Hist. vol. iv. p. 451.

absent himself fourteen days from his master, he was burned on the forehead with the letter S, and enslaved for ever. Wandering children were also adjudged to be slaves to the persons apprehending them; females till they were twenty, males till they were twenty-four. This statute was passed in 1547. In 1549 an insurrection of the people became general—they could not longer endure the robbery and tyranny of lords and commons. Mark, that in 1527 the value of the pound sterling, in respect to the present money, was about 1*l.* 7*s.*, but in 1551 it fell depreciated to 4*s.* 7*d.*: yet this legislature regulated the wages, and disfranchised, branded, fined, imprisoned, and enslaved for years or for life, those who would not, or could not live on the statute allowance paid in nominal money, which in twenty-four years only was depreciated four-fifths of its intrinsic value. Here is the eventful story—the dreadful tale of preparation. The laws which restricted locomotion, (for the people were but prisoners at large,) and those which fixed wages,

“Just gave what life required, and gave no more,”
caused the poor laws, as certainly as death follows starvation.

The people were stinted, and population declined. Hume says¹ that at this time the universal feeling was “a diminution of the former plenty, and a decay of people.” Cottages were pulled down, and pasturing was substituted for tillage; then poor laws, and laws against the destruction of cottages, were passed; that

¹ History, vol. iv. p. 327. He quotes Strype.

is, bad laws were counteracted by impertinent expedients. The people suffered a conscription; if they did not appear they were persecuted, while the refugees from the country met exclusionists in the city. Such practices against free labourers must have reduced the numbers of the people, and impaired both agriculture and commerce¹.

The following reign confirmed the statutes of Henry the Eighth and Edward the Sixth. Then came Elizabeth. And here it is to be remarked, that the monopolizing laws, which were numerous during the preceding reigns, were increased in hers:—some of the corporations which had been opened were again closed; and such was the progress of the narrow restrictive system, that in Elizabeth's reign, it was sarcastically said ‘Bread will become a monopoly,’ as grain is now. Such was the state of the people when the poor laws assumed the extent and character which they at present exhibit.

The 3d of Elizabeth was followed by the 5th. The preamble of this statute notices the impolicy and cruelty of the laws hitherto enacted respecting wages and labourers,—that *they could not be carried into execution without the great grief of the poor labourer and the hired man*. And yet what does this pathetic law inflict on the labourer and hired man?—It compels them to work; empowers justices to settle the amount of their wages; and renders penal the demand-

¹ The common complaint was, the decline of agriculture and the increase of grazing. Acts were passed against this supposed evil in 1488, 1515, 1534, 1552, 1562, 1597.

ing or giving more than those settled by justices interested in the reduction of wages. These, Blackstone calls *very good regulations*¹. It is incredible how the pauper code could be considered as springing from humanity.—To proceed.

The 39th of Elizabeth, c. 4, enumerates the descriptions of persons who if found loitering or signifying their distress *shall be deemed rogues*, and whipped till their bodies are bloody: this punishment might have been inflicted on any one above seven years of age. This statute of 1597 followed immediately: great misery², and laws respecting wages and labour continued probably with aggravation; for it is agreed that the circumstances of the labouring people were deteriorating. Mr. Malthus admits it: he says³, "Still, however, it is quite certain that the condition of the labouring classes of society was growing much worse during the time that the depreciation of money from the discovery of the American mines was taking place:—and after it had grown comparatively very bad, as in the latter end of the reign of Queen Elizabeth, it was likely to lead to those measures relating to the poor which marked this period of our history." That is in other words, the poor laws were the result of the statutes respecting wages. The poor laws in their institution, in their progress and continuance, were meant to depress labourers, and to reduce their

¹ Commentaries, book i. c. 14, p. 426.

² It was so great, that in Somersetshire alone 40 were executed, 37 flogged, and 183 discharged, who were represented as vicious and desperate. Strype's Annals.

³ Principles of Political Economy, p. 283.

profits by prohibiting all competition among their employers. The population declined, the remaining persons became more miserable, vagabond and plundering; they could not subsist on the statutory wages; and thence the poor laws were enacted, to grant partially by charity what should have been universally paid by contract. The depression of the people in a few years was extreme; the prices of mutton, beef, pork and veal, were fixed in the 24th of Henry the Eighth at a halfpenny the pound¹; and it appears that these four sorts of butcher's meat were the food of the poorer sort. Yet in Elizabeth's reign, Harrison, who wrote in 1577, speaking of the people, said "that those who had houses were enforced to content themselves with rie or barleie; yea, and in time of dearth, many with bread made either of beans, peas, or otes, or of altogether with some acorns among, of which scourge the poorest doo soonest taste." See to what misery the aristocratic conspiracy had reduced the people, who sunk into the abyss in Elizabeth's reign: for while in the beginning of the sixteenth century, according to the statute prices and the average price of grain, half a bushel of wheat would purchase little more than a day's labour, towards the end of Elizabeth's reign, that is in one century, the same quantity of wheat purchased three days' labour². In this state of things the great pauper code—a miserable expedient to perpetuate evil—was

¹ Hume, vol. iv. p. 277.

² Mr. Malthus admits this. Political Economy, p. 127. He seldom is so popular in his admissions.

passed. All that is now said in hatred of supplying half wages out of the poor rates, should be repeated with tenfold imprecations on the poor laws, and particularly on the great law the 43d of her reign.

The poor laws proceeded in the spirit which originated and prepared them. The 1st of James praises the 5th of Elizabeth, affirming that it *hath been found beneficial for the commonwealth*; and then it extends the power of rating wages "to labourers, weavers, spinsters, and all workmen, either working by day, week, month, or year, or taking any work at any person's hand whatsoever to be done in great or otherwise." By the 4th of James, houses of correction were ordered to be established in every shire. James (called the Mæcenas of his time) granted to Stowe, as a royal reward for his literary labours, a begging patent¹, "to gather the benevolence of well-disposed people within the realm of England."

Then came Charles the Second's reign, when settlement, another graft of *benevolence*, was inserted into the crabbed stock of the pauper code. Yet the law, after lamenting the increase of the poor, vilifies itself, saying, "the law concerning the settlement of the poor, which doth enforce many to turn incorrigible rogues, and others to perish for want." Such is the judgement of the law on the law. Yet the statute which contains this avowal, in defining settlements

¹ This is not unlike the Brahmins' charity to the prostitutes in the temple. When old, they say the gods dislike them; then they give them a patent, recommending them to the charity of the public.—Dubois.

added intricacy, distress, and litigation to that already perplexed and vexatious subject. In the same harassing spirit the supplemental poor laws have been conceived; as that regarding workhouses in the last reign, as the 33d of George the Third respecting removals: by this, the labourer who spent his vigour of life in a chosen spot, and which he had enriched by his industry, may be hurried off, and condemned to live in his old age where he is unknown and unknowing, drawing a scanty subsistence from an unwilling hand. Mark, this is a mitigation of the rigid law of settlement; and who after this relation does not feel the force of Æsop's doctrine—that Prometheus mingled tears instead of water with the earth of which he made man?

By the 12th of Anne, any master of a ship bringing into this realm from Ireland, Man, Jersey, &c. or from any of the foreign plantations, any vagabond, beggar, or any one likely to live by begging, was to forfeit 5*l.* for each such person¹. This is harsh enough, for a master of a ship must be a diviner to import no one likely to beg: the sequel is still more monstrous; for in respect to the authority of the magistrates of London to relieve an Irishman, he must first beg in the streets²—this qualifies him for the Poultry

¹ Beaves's *Lex Mercatoria*, p. 57. There is a similar law in the Isle of Man:—the penalty is the forfeiture of the boat. Johnson, &c. *Account of the Isle of Man*, p. 133.

² The Scotch Hospital was meant to relieve the Scotch who became poor and had no settlement. One would suppose there were no Scotch in distress in England; yet there are 500 without settlement, and about as many thousand Irish.

Compter¹—then he is relievable; that is, he is to be sent in the vagrant's cart from parish to parish toward Ireland, where there are no poor laws and no fund to succour the miserable. How much better is a shipwrecked mariner on the coast of Portugal², than an Irishman in England! An Irishman is in a worse state in the sister isle than a Quaker Adamite in Connecticut³. The Irish are considered a rabble, a rout; and nothing resembles their treatment by the pauper English law, except the pursuit and expulsion of the demons by the gods in the verse of Empedocles⁴. Yet many of the Irish, so neglected in England, came from their home not to idle and beg, but to work in harvest-time, &c. They are serviceable in many cases, and often, if Michel⁵ observe truly, necessary assistants. The Irish are in London in some measure as the Barberins⁶ at Cairo,

¹ The Lord Mayor of London said so. Press Newspaper, Feb. 15, 1813.

² 8th Geo. I. c. 18.

³ No food or lodging shall be afforded to any Quaker Adamite or other heretic. Law of Connecticut.

⁴ Αἰθερίον γὰρ σφε μένος πόντονδε διώκει.

Πόντος δ' ἐς χθονὺς ὕδαρ ἀνεπτύσσει· γαῖα δ' εἰς αὐγὰς

Ἡελίῳ ἀκαμάντος. ὁ δ' αἰθέρος ἐμβάλε διναις.

Plutarch. Moral. p. 405.

⁵ He says that Herefordshire would be ruined without the assistance of the Irish in harvest-time. On Legislation, p. 107. This interchange of people is customary between those of Upper Hungary and the Lower country. The French, indeed, prohibited the entrance of the Neapolitans into the Roman territory at the hay-making season. Ann. Reg. 1798, p. 64.

⁶ Leigh's Travels, p. 61.

the Gallegos at Lisbon, the Borgamese in Genoa; and these strangers are cherished in the respective cities. Besides the Irish who were labourers and who became destitute, nine out of twelve of the reduced Irish in London—according to the evidence of Edward Quin, Esq. a member for sending the poor Irish to their own country—have been broken down in the army or navy, and most of them encumbered with families, “who have no means whatever of returning.” Thus are the Irish trepanned and pressed; and having lost their vigour in the English service, they are harassed, imprisoned, abused by the poor laws, for they have no settlement in England, and finally they are sent to starve in Ireland. What is beating a cripple with his crutch to this? Yet the repeal of this hideous law is not in the contemplation of the reformers of the poor laws; this is not to be touched. Thus Mr. Scarlett's bill contained the following clause: “Provided always that nothing in this act shall in any wise be deemed to alter any law now in force for the punishment of vagrants, or for removing poor persons to Scotland and Ireland.”

CHAPTER IV.

Errors and contradictions of different writers, who contend that the poor laws have increased population, (though they have not and could not) proved by various arguments and numerical statements.

IT might appear that the foregoing chapter precluded the necessity of a regular argument to disprove the

position that the poor laws have increased population: yet as it is a maxim with some theorists, and as the question is pregnant with important results, I shall consider it at some extent.

Sir James Steuart¹, speaking generally, considers charity as one means of multiplication; and he compares charity to manna in the Desert: his reason is, that whatever gives food gives numbers. Sir James Steuart mistakes: for it is not by giving food that population is increased, but by producing food. To take from one to give to another does not increase population: on the contrary, it is more probable that such a process rather reduces than multiplies mankind. —But to the point.

Mr. Malthus², speaking of the poor laws, says: "Their first *obvious tendency* is to increase population without increasing the food for its support." Yet this obvious tendency in the sequel becomes none, according to his own showing³: "They clearly tend in their

¹ vol. i. p. 90.

² Population, vol. ii. p. 96.

³ See more of this tendency, which is affirmed and negated in the same breath. "But besides that spirit of independence and prudence which checks the frequency of marriage, notwithstanding the encouragements of the poor laws, these laws themselves occasion a check of no inconsiderable magnitude, and thus counteract with one hand what they encourage with another. As each parish is obliged to maintain its own poor, it is naturally fearful of increasing their number; and every landholder is in consequence more inclined to pull down than to build cottages, except when the demand for labourers is really urgent." vol. ii. p. 106. "The obvious tendency of the poor laws is certainly to encourage marriage; but a *closer attention* to all their indirect as well as direct effects may make it a matter of doubt how far they really do this." vol. ii. p. 472.

general operation to discourage sobriety and economy; to encourage idleness and desertion of children, and to put virtue and vice more on a level than they otherwise would be: but I would not presume to say positively that *they tend to encourage population*." Beside a direct contradiction, in which he triumphs over all modern writers, he has assumed a tendency to population from a variety of vices which on other occasions he considers essential checks to population. And Hume has actually referred to the supposed vices as inducing a decrement of people: for, speaking of the idleness, debauchery, and decay of population at Rome, which he attributed to the situation of patron and client, he adds: "The parish rates have at present the same bad consequences¹."

Mr. Ricardo says generally, "that charitable institutions of all sorts tend to increase population beyond what it otherwise would be." And yet this writer insists that the poor law deteriorates the condition both of poor and rich: "Instead of making the poor rich, they are calculated to make the rich poor." This seems a downright contradiction. How can a system which tends to increase pauperism and want universally, increase population?

The Edinburgh Review is most dogmatic concerning the effects of the poor laws: "With respect to the gradual abolition, it must be observed that the present redundant population of the country has been entirely produced by the poor laws²," &c. Yet in the same Number the reviewer, in the face of this peremptory

¹ Essays, vol. i. p. 465.

² January, 1820, p. 95.

dogma, in speaking of "the alarming increase of pauperism," adds: "Neither are we disposed to agree with the Committee of the House of Commons, and those who contend that it is chiefly, if not entirely, owing to the pernicious operation of the poor laws." The Quarterly Review also repeatedly affirms the multiplying principle of the poor laws¹: "Our poor laws, as now administered, are neither more nor less than a standing bounty on increase or redundant increase," &c.

How can the poor laws have populating effects? How can deducting from one portion of the community to administer to the idleness and vices of another, increase population? This seems to me to be uttered passionately, and in pure ignorance of the means and principles of increase. The first faculty of increase is the power of generation, and that increase is rendered effectual by the means to continue life—food, firing, clothing, lodging, &c. But I repeat, it is not the transfer of those things from the productive to the idle that can promote the multiplication of mankind; but the actual increase, or rather creation, of those articles which constitute the means of existence. Do the poor laws call human subsistence into being? Do they prepare or render that which is produced more available? I insist that they do not. Whatever is given to the idle and improvident (and paupers, though falsely in this argument, are so reputed,) is taken generally from the thrifty and prudent. None can give and have: yet to

¹ October 1816, p. 91; July 1817, p. 400.

give to the idle what has been produced by the industrious, and which probably would have been made more productive by the same industry, tends to stop population by interrupting the progressive increase of capital and income. To conclude in such circumstances that the poor laws promote, or tend to promote, population, is to suppose a miracle greater than that of the gatherers of manna in the wilderness: "He that gathered much had nothing over, he that gathered little had no lack¹."

My opinion regarding the poor laws in respect to population is directly the reverse. I believe that they and their cause have prevented the increase of mankind. Mark how they affect the substance of the nation. Property may be impaired by an equal pressure; but if the same sum be assessed unequally, the evil is augmented. The poor laws are guilty of this partiality in an extraordinary degree. By their administration at least, personal property (and I do not wish it chargeable) is in a great measure exempted. This exception, which throws nearly the whole burthen on land and fixed property, is so far injurious, as by relieving one portion of the property of the country the other is overloaded: and this evil, so far as it operates, is increased with the comparative advance and value of personal property. But whatever may be the advance of personal or real property, there has been to that amount an increasing partiality; and therefore this has superadded to the evils of the inequality. This iniquity is sometimes prodigious: in

¹ Exodus xvi. 18.

1819¹ a district in Yorkshire counted 1767 paupers, of whom 1400 were miners; yet the mining property in respect to the landed property was 11,000*l.* to 6,000*l.*

Besides this unequal assessment on different species of property, the poor laws oppress portions of the same property in many cases to their extinction. The county rates in the township of Halifax have advanced from the year 1800, when they were 82*l.* 2*s.*, to 461*l.* 6*s.* 1*d.* in the year 1821; and it is said that the same scale of augmentation has succeeded in the other townships of the West Riding of Yorkshire². Taking the unequal pressure on the same sort of property, even at short intervals, the effects are ruinous. From 1816 to 1817 the poor rates rose in Birmingham from 9*s.* 4*d.* in the pound to 14*s.*; and in the latter year the assessment in Stoke-Damerel had increased from 10,959*l.* to 16,545*l.* In Stourbridge the rates had amounted to 40*s.* on the acre³. About Coventry in 1819 they were 19*s.* in the pound on houses, and 45*s.* on the acre. In Bilsden in Staffordshire the poor rates equalled the rack-rents⁴. In Wilton, near Salisbury, they exceeded them. In West Grinstead containing five thousand acres set at 4000*l.* the rates amounted to 4500*l.*⁵ In Wombridge the

¹ Morn. Chron. April 24, 1819.

² Times, May 1, 1821. So in a few years the advance has been from 6000*l.* to 31,000*l.*; and at Plymstock in Devonshire, in a few years, from 60*l.* to 1500*l.*

³ Morn. Chron. March 5, 1819.

⁴ Monthly Review, Nov. 1820, p. 321.

⁵ Morn. Chron. Feb. 10, 1819.

annual value of the land, if let rent-free, would be insufficient to maintain the paupers¹; and in a parish in Cambridgeshire, it happened lately that one individual was charged with the whole of the poor rates, which of course soon absorbed his income².

The inequality of the pressure is not only extreme, in respect to the two great divisions of property, exempting one while it burthens the other; but it aggravates, according to time and place, the load on the same property. Thus, the injury to the mass of property is enormous: and inasmuch as the poor laws produce these consequences, they limit population by impairing a main source of the support of the people. To these instances of the pernicious effects of the poor laws in this particular, I may also mention that property—and that of the richer classes—is often assessed partially, to the surcharge of the smaller proprietors. Beside, there are in England two hundred places called extra-parochial, which do not maintain their own poor³. If the poor laws have these effects respecting property, I insist that they manifestly limit the numbers of mankind.

But there are still more important circumstances connected with the pauper code as affecting population:—they obstruct free labour and the marketable price of industry. Now whatever impairs the free

¹ Ann. Register, 1817, p. 273.

² Edin. Review, June 1816, p. 257.

³ See Population Returns, p. 16.—The reason for these exceptions is, they have no overseer on whom a magistrate's order may be served.

circulation of labour must diminish the profits of labour, and weaken the enterprise of the industrious: thus the law of settlements injures both. The great object of parish-officers is to prevent the obtrusion of strangers who may become chargeable; and the greater adepts employ various means to disburthen themselves at the expense of others. Mr. Burnby says, it is not uncommon for parish-officers to give a worthless pauper female five or ten pounds, that a worthless object of another parish may marry her¹. The law of settlement having fixed the native in his parish, committed a double injury to property and industry, as in consequence the strong and willing become frequently idle and miserable; being prevented from assisting others who wanted their exertions abroad, they sink in hopeless penury at home.

The throng of the distressed, principally in consequence of the law of settlement, may be conjectured by the following instances. Mr. Lambton presented a petition from Sunderland parish, which in 16,000 people enumerated 8000 paupers. Mr. Curwen presented another petition from Wellington in Shropshire, praying relief; as out of a population of 8000, 3600 received parochial aid. Mr. Calcraft presented petitions from Langton and Swanage: in the former, 419 out of 575 were relieved by the parish; and in the latter, of 1500 inhabitants, not one in seven could maintain himself; and the rates were so excessive, that every occupier of land, except one, had served notices that they would abandon their holdings. If

¹ Month. Rev. Old Series, vol. lxiii. p. 68.

the law of settlement did not exist, many who were *imparished* and in misery, would have passed abroad; and thus, while they would have relieved their own district by their absence, they would have assisted other parts of the country which afforded a market for their labour.

The law of settlement is pernicious in other respects. The pretence of passing vagrants to their original habitations costs, it is computed, 100,000*l.* a-year¹; and this fund must be abominably applied, when a monkey is passed as a man². Beside, it appears by evidence, that the persons charged to the parish as transmitted, are seldom passed to the parishes to which they are returnable; the contractors to pass beggars dismissing them on the road: and if some do arrive at their parishes, they receive little relief. Add to all this the expense of litigation under the poor law³:—this alone is calculated at two millions in ten years⁴; and the appeals entered in respect

¹ Mr. Chetwynd's Speech,—*Times*, May 26, 1821.

² A man who had a monkey had a regular pass made out for Scotland, with the usual allowance of 8*d.* a day: the man said he could not maintain himself and his monkey for that price: the clerk being amused with the monkey, gave a blank pass for the monkey, under the name of John Strange, with an allowance of 8*d.* a day, to be passed from the West Riding of Yorkshire to Scotland.—*Times*, Sept. 9, 1822.

³ Fielding's *Increase of Robbers*, p. 135.

⁴ Burn's *Historical Disquisitions*, &c. p. 67. Colquhoun says 200,000*l.* a year. One single cause mentioned in the *Times*, January 25, 1823, of a man who returned to a parish whence he had been dismissed, cost 1000*l.* and was not finished. The man had been a pauper; but had recovered his health, and was in the employ of a respectable person, and much esteemed by him.

to settlements at the four quarter sessions in 1816 amounted to 4700¹.

But the great grievance is, that the poor rates universally depress the wages of labour. Mr. Malthus on the subject of wages is, as usual, hypochondriacal in the extreme: he says "that the tendency of population to increase beyond the means of subsistence, must after a certain time lower the wages of labour²." Now, as he holds that "the constant effort towards population, which is found to act even in the most vicious societies, increases the number of people before the means of subsistence³;" it follows that wages must uniformly decline, according to this sapient observer. Yet, notwithstanding this doctrine so announced, we have Mr. Malthus's opinion in favour of what he calls the *natural price of labour*; and also that this price was withheld in consequence of the poor laws. The passages I allude to are as follow: "During the last ten or twelve years (from 1795), it cannot be doubted that the annual produce of the land and labour of Europe has very rapidly increased, and in consequence the nominal wages of labour have greatly increased; but the real recompense of the labourer, though increased, has not increased in proportion⁴." Now, to what does he attribute this disproportionate state?—to an increased population? No; to the poor laws: "The poor laws of England appear to have contributed to raise the price of provisions, and to lower the real price of labour. They

¹ Ann. Register, 1817, p. 298.

² On Population, &c. vol. i. p. 22.

³ On Rent, p. 17.

⁴ Ibid, vol. ii. p. 126.

have therefore contributed to impoverish that class of people whose only possession is their labour¹." He repeats the same opinions in his Principles of Political Economy, lately published²:—"It is on this account, that on the fall of the value of money which took place from 1793 to 1814, and which was unquestionably accompanied by a great increase of capital, and a great demand for labour, I am strongly of opinion that if the price of labour had not been kept down by artificial means, it would have risen higher in proportion than the average price of corn," &c. And he explains what he means by the *unnatural keeping down*, the baneful system of regularly maintaining the children of the poor out of the rates.

This is the opinion of one whose habits and prepossessions are altogether aristocratical, and who has overlaid the people with all expressions of contempt and outrage, because they tended to breed beyond his ratios. If then the poor laws have impoverished the labouring people (which I believe they have), by fixing their wages at the stint of subsistence, and which must in consequence have reduced their ability and industry, how could the poor laws have increased population? It may be said, that what is taken from wages is added to profits; and that if population is limited among labourers by the poor laws, they have advanced population among their employers. All who have studied the subject, must admit that the great increase of population depends on the lower orders, and that their increase depends effectually on

¹ Population, &c. vol. ii. p. 97.

² p. 288.

the price of necessities in respect to the amount of their wages, which are chiefly expended on necessities: whereas when opulence is confined to a few, labour and capital are consumed on comparatively unprofitable objects.

That an abstraction from the price of labour must be injurious to labour, there can be no doubt; indeed no impediment to trade or commerce can be so injurious to society as an interference with free labour; for labourers are not only the largest body in the state, but the wages of labour exceed the outlay in any other department. Consider then, that laws which affect the fair profits of labour derivable from supply and demand, and quantity and competition, necessarily derange the great system which involves the comforts and necessities of mankind; and thus the means and motives of the people's increase are impaired. In fact, as the law interferes with labour, liberty is abridged; and in proportion as liberty is narrowed, the freeman verges to slavery,—a state the least prosperous for population, and only less injurious to the master than to the slave. Slave labour was dearer in imperial Rome than even free labour is now in Britain; and the luscious drug elaborated in the West Indies costs twice as much as the same substance produced by freemen. Nor should I be surprised if the difficulties in the corn market had some reference to the iniquity practised against the labouring people, by eking out the wages of labour with parochial assistance; for as the people are the great producers, they are incomparably the greatest consumers.

That the labourers are defrauded, is manifest; and this is done advisedly. Sir John Sebright, who condemns the practice, said in the House of Commons, that farmers told him that if wages were increased, and no aid given from the parish, unmarried men would have the advantage, and their money would be spent in the ale-house¹. Thus, then, farmers rob labourers of the *natural price* of labour, as Mr. Ricardo terms it, through love of the people's sobriety²: just as our ancient kings falsified the standard of money, enacting at the same time sumptuary laws. That labourers are so robbed, is notorious. Yet as some men deny any position not specifically authorized, I subjoin the following ascertained truths. Sir F. M. Eden says that the practice in Newtown Valence is for each labourer, old or young, with or without a family, to be allowed flour at 8s. the bushel, and the extra price is charged to the poor rates. Nichol mentions that in Bolesdale in Suffolk the wages are 6d. a day: so the labourer sometimes receives 3s. a week as wages, and 20s. as poor rates. Mr. Ellice said that the manufacturers in Coventry, having worked 14 or 15 hours a day, received a certain sum, and a certificate with which they went regularly to the parish for the *remainder of their subsistence*³. This mode of paying labourers has obtained a particular term; and

¹ Morn. Chronicle, June 12, 1819.

² "The natural price of labour—the price of the food, necessities and conveniencies, required for the support of the labourer and his family." p. 91.

³ Morn. Chronicle, February 9, 1819.

pauperised labourers are called roundsmen. The mode of paying labourers by the poor rates was noticed at Woodbridge session in Suffolk; and condemned at the quarter-sessions in 1818 by the magistrates of Staffordshire. The fact is indisputable; and the operation of this sentimental robbery must have grievously injured the capital and industry, and of course obstructed the progress of population.

Nor is this humiliating custom limited to those places where it is practised as a succedaneum to wages; its effects are extensive and pestilential. This abuse in one parish vitiates its fellows, and it extends from provinces to nations. Mr. Burn, in his *Historical Disquisitions on the Poor Laws*, after mentioning the evil of the poor laws in England in reducing wages, adds: "Where the price of industry is so low in the southern districts of the kingdom, it is natural to expect that the greedy and parsimonious will make it their study to bring it down among us to something like the same standard. Accordingly we find, that while the value of money has rapidly diminished, and while the public burthens, enhanced by taxation and in other ways, have been very heavy on the working classes, the price of their labour has by no means risen in proportion¹." I therefore insist that the poor laws, instead of increasing the people, must have had a contrary effect, as they impair property, and the profits of stock and wages and liberty.

Their evil effects in these particulars are manifold. Men of influence and power pay less as landholders²

¹ page 142.

² Walthew on the Poor Laws, p. 22.

and householders to the rates¹. This must be so. The Committee of the House of Commons also remark, that a large portion of property necessarily escapes its share of contribution². Again: it is said, and Sir William Temple³ and Fielding⁴ are the authorities, that churchwardens and overseers are apt to consider their offices in respect to their private emolument, and to waste part of the money raised for the poor on feasting and riot, and too often to pervert their power to foreign and sometimes to the worst purposes. The officers are also negligent and peculating:—In St. George's, Hanover-square, 18 officers to detect vagrants apprehended 23 persons in a whole year⁵. The poor laws promote bastardy, which I consider a positive loss to population; as such children seldom attain a physical or moral account among men. These laws are most cruel to the transgressing girl⁶; and to their severity some attribute the murder of pregnant girls by their paramours. How many children are lost by transferring them from their parents, when they become chargeable to the parish, and afterwards

¹ Month. Mag. July 1822; an account of Clerkenwell Prison.

² Ann. Register, 1817, p. 269.

³ Works, vol. i. p. 265.

⁴ Increase of Robbers, p. 58.

⁵ In this parish the officers of the Mendicity Society had in the same time apprehended 273.—Times, March 15; 1821.

⁶ By the 7th of James the First, a female having a bastard child, which became chargeable to the parish, was to be punished by hard labour for a year in the house of correction.—At the Cornish Sessions in 1812, Mary Luke, for refusing to declare the father of her child, was remanded to prison, where she had been for nearly three years.

by sending them to sea¹, or to masters of manufactories², who obtain a bonus for discharging the parish of the incumbrance.

To hear declaimers against the poor laws for promoting population, one would suppose that they afforded a perennial and excessive supply of all the comforts of life; and that all who claimed relief received more than they demanded, and that with an ample supply they were cherished and applauded. Yet the fact is, relief is often a pittance³, and most wantonly administered:—a sum is proposed, and if the wretch is not satisfied, the workhouse is the alternative.

Your plan I love not; with a number you
Have placed your poor, your pitiable few;
There in one house for all their lives to be,
The pauper palace which they hate to see:
That giant building, that high bounding wall,
Those bare-worn walks, that lofty thund'ring hall!
That large loud clock, which tolls each dreadful hour,
Those gates and locks, and all those signs of power:
It is a prison with a milder name.

In this case poetry sinks beneath prose. Mr. Wal-

¹ 2d and 3d of Anne. Parish officers may hire out boys, who are themselves or whose parents are chargeable, to the sea service; masters of ships were obliged to take them.

² This has been discontinued in different manufactories; at New Lanark.

³ In towns where they have a workhouse, it is customary to desire the pauper demanding relief, to go to the workhouse: if he objects, he is given 1s. 6d. a week, which only pays his lodging. But the workhouse could not contain all these paupers:—a pauper in the workhouse costs 3s. 6d. or 4s. a week.

thew¹ says that the paupers of the metropolis, sooner than apply to the parish workhouse for lodging and maintenance, often commit theft; preferring crime, and eventually a prison, to innocence and a workhouse.

The pauper, observe, before he can obtain relief by the means of a workhouse, forfeits all he possesses, even his clothes. The internal management accounts for the abhorrence of the people to enter it. Mr. Colquhoun said², "that in many places those on a small scale will be found to be abodes of misery which defy all comparison of human wretchedness." Sir E. Brydges considers the large ones (called associated workhouses) as still more distressing. Sir R. Heron, speaking of one at Lincoln, affirms that bolts and chains are applied to young girls and to men of seventy years old for venial offences: ill treatment in some of them has driven lunatics into a state of confirmed raging madness³. Can this system promote population? Mr. Colquhoun⁴ said truly, of the 9th of George the First, c. 7, which generalized workhouses; "The spirit of this act can be considered in no other light than that of a continuance of the system of hostility at least to virtuous indigence, which is so strongly depicted in the laws of settlement and removal. All who dared to apply for relief were to be placed in a workhouse, to be set to work under the control of a contractor, whose profit was entirely to

¹ page 16.

² On Indigence, p. 222.

³ Edin. Rev. August 1817, p. 446.

⁴ On Indigence, p. 220.

arise from the degree of labour he could force them to perform; and the limited portion of food upon which he could enable them to subsist." Is this a system generally or partially connected with a populating principle? And mark the effect of workhouses on human existence: in the Norwich workhouse the deaths in 1805 were one in five. Observe, also, the *improvement* on workhouses—namely, farming the poor¹;—a practice (O shame to manhood!) once praised by Sir F. M. Eden², though long since reprobated in the severest manner³. An improvement! it is a white slave-trade, a domestication of slavery! Yet who has not rebuked Fletcher of Saltoun for proposing to enslave, in order to relieve, the Scottish mendicants that pestered society in his time?

It is a grievous error to suppose that the poor laws are humane, or generative in their principle or execution:—they have no kindred with "that quick and soft touch of many a string." The very foundation of the right to support, settlement, is most confused and often most pernicious. If a widow with children marries one of another parish, she does not communicate her new settlement to her children by a former husband⁴. Yet the Mahometan law says, that even

¹ The following is another species of farming the poor. In parts of Cumberland (and perhaps elsewhere) it is customary to advertise a *woman to let*; that is, a single woman with child is let to the lowest bidder for her maintenance till the child is born. Annual Register, 1806, p. 386.

² page 5.

³ Month. Rev. Old Series, vol. lix. p. 76.

⁴ Colquhoun on Indigence, p. 201.

in the sale of captives mother and children shall never be separated. Sometimes a settlement is not attainable; and even when attained it does not ensure relief¹. Mr. Rose said, that of 15,000 beggars in the metropolis, 6690 had settlements; which is agreeable to Mr. Martin's statement, that one half of the beggars of the metropolis are entitled to relief which they do not obtain: and the difficulty of obtaining parochial assistance Mr. J. Stafford and Sir N. Conant declare is the chief cause of mendicity.

The poor laws do not afford a table to applicants: they too often, in Mr. Malthus's heartless language, hear that the table is occupied; there is neither room nor food for them. An overseer of the parish of Spitalfields lately stated on oath, that many poor in his district had died of absolute want. The proprietor of extensive mines between Birmingham and Coventry told me the same sad tale of workmen, on his own knowledge. Have not our newspapers frequently recorded instances of the death of individuals through want²? And how many more would be added to the

¹ Thus, a youth was bound apprentice to a cobbler, who lived in one parish, but whose stall was in another, and the apprentice lived in a third with his father. The Court held, the boy had not a settlement in any one of the three. Law Dict. vol. i. p. 142. Again; An exception was taken to the right of apprentices to settlements when the contract was not indented. Colquhoun on Indigence, p. 197. This induced another law.

² Morn. Chron. Jan. 8, 1820.—An inquest was taken at St. Giles's workhouse some time ago:—One jurymen said, "I think he died of want." "If we bring a verdict to that effect," said another, "it will be a stigma on the parish."—So they found "Died

list of premature mortality, if the Mendicity Society, the Houseless Poor Society, &c. did not actively and largely assist the destitute and diseased? To end this question arithmetically, respecting the populating effects attributed to the poor laws;—it appears by the two last returns under the Population Act, that the increased people in England was 18 per cent.: in Scotland, 17 $\frac{1}{4}$; in Wales, 15 $\frac{1}{4}$. Thus Scotland, with comparatively no poor rates, has advanced considerably on the population of Wales, which has poor rates; while Scotland's population approaches within a fraction the progress of England's increasing people. Considering the prerogative advantages, climate, soil, seat of Government, enjoyed by England, we should therefore conclude that the poor laws, instead of increasing the people, counteracted the march of population.

CHAPTER V.

The poor laws have not multiplied the poor—proved by various statistical facts.

AS it has been untruly said that the poor laws increase population, so the lamentations regarding the progressive increase of the poor are in a great measure

by the visitation of God." It was the English law, that to steal victuals to preserve life was not felony. This, Staundford says, has become obsolete; because it is (Pleas of the Court, Law Dict. vol. ii. p. 150) supposed that the poor laws prevent any such extremity. In Proverbs it is said, "Men do not despise the thief if he steal to satisfy his soul when he is hungry."

¹ This society relieved 6000 in a year.

unfounded; and this in respect to the whole, and even to inconsiderable parts of the nation. The subjoined tables of marriages and rates¹ in different parishes, will show the reader that the advance or stop or reduction of people is not ruled by the amount of the rates; according to the assumption, that the poor rates encourage the poor to contract marriages, and produce a beggarly progeny. From the accounts of three parishes, it is obvious, that in the years when the rates were highest, the marriages were fewest; and that they were most numerous when the rates were lowest. The tables will also show that the baptisms do not increase with the rates, but the contrary. In short, as the marriages and baptisms are fewest,

Parishes.	Year.	Marriages.	Rates.		
			£	s.	d.
Meopham.	1786	3	429	9	6
	1787	6	432	0	0
	1788	7	448	0	0
	1789	1	451	0	0
	1790	7	339	0	0
	1791	5	456	0	0
Kibworth Beauchamp.	1786	10	159	0	0
	1787	6	121	0	0
	1788	4	132	0	0
	1789	8	132	0	0
	1790	14	79	0	0
	1791	10	141	0	0
	1792	10	119	0	0
St. Nicholas, Hereford.	1773	4	58	0	0
		8	47	0	0
		1	205	0	0
		7	145	0	0
		1	243	0	0
		16	169	0	0

St. Nicholas.

the rates for the most part are highest; and as marriages and baptisms become numerous, the rates decline.

The increase of marriages, conceptions, births, baptisms, depends on causes much more operative than the pittance granted by the poor rates. Population is regulated by the state of property, the nature

Parishes.	Years.	Baptisms.	Rates.		
			£	s.	d.
St. Nicholas.	1772	23	58	0	0
	1774	7	61	0	0
	1778	18	47	0	0
Meopham.	1779	25	213	0	0
	1780	30	212	0	0
	1781	21	283	0	0
St. Martin's, Leicester.	1775	86	714	0	0
	1776	90	735	0	0
	1777	85	744	0	0
Uppingham.	1779	21	149	0	0
	1780	33	123	0	0
	1791	18	146	0	0
	1792	30	138	0	0
North Luffenham.	1779	12	52	0	0
	1780	7	75	0	0
	1787	14	49	0	0
	1788	11	84	0	0
	1789	7	75	0	0
	1790	6	93	0	0
Bishop's Castle.	1680	36	161	0	0
	1685	45	98	0	0
	1690	17	103	0	0
	1691	15	106	0	0
	1784	26	171	0	0
	1785	11	187	0	0
	1786	28	144	0	0

These tables I take from Sir F. M. Eden's History of the Poor Laws.

of the Government, the price of food, labour, &c.—For example: from 1780 to 1794, the quartern loaf varied from 6*d.* to 7½*d.*; and in this period the marriages increased from 64,306 to 71,791; the baptisms also increased from 228,361 to 256,811. In 1795, the quartern loaf rose from 7½*d.* to 12½*d.*; then marriages declined from 71,797 to 68,834; and baptisms from 266,769 to 254,870. Regarding the middle of the last century, we find the same results from similar causes. In the unproductive years of 1757 and 1758, marriages were 58,383; births 165,177; while in the abundant years of 1759 and 1760, marriages were 46,593; and births 176,214.

It is also remarkable, that in the years when the marriages and births were fewest, most died: the deaths in 1757 and 1758 amounted to 142,424; and in 1759 and 1760 (the two successive abundant years), the deaths declined to 122,745:—and in 1795, when the quartern loaf rose from 7½*d.* to 12½*d.*, the deaths increased from 197,740 to 210,339; and in the next period, in 1800, when the quartern loaf advanced from 13*d.* to 17*d.*, the deaths increased from 189,585 to 208,063. This confirms Sir William Petty's observation¹, that the years in which most die, fewest are born; and, as I have said, the rates are the highest generally in the years of lessened births and increased mortality. Hence it follows, that the poor rates do not increase population: they may arrest the progress of death; but this cannot be said to promote population; nor is the position so understood.

¹ page 134.

I may here remark, in corroboration of this reasoning, that though in general the years in which most die, fewest are born, it does not follow that in the years in which fewer die, more are born:—as in 1801, when the quartern loaf fell to 10½d., in that year the deaths were reduced from 208,063 to 204,434; yet marriages continued to decline from 69,850 to 67,228, and baptisms in proportion. It appears, therefore, that the immediate relief from excessive distress was able to stay the hand of death, though it was unable to restore the active current of life. It appears from various lists in England and Scotland, that after a year of scarcity two or three years of comparative plenty are required before the marriages and births reach their former average¹:—and yet we shall be told that beggarly alms swell the tide of human existence.

In all ways, I am persuaded that the poor laws do not increase the poor by encouraging marriages. Is it conceivable that many (for I speak not of a few base reprobates) could be induced to marry and have children, on the prospect of parish relief for themselves and families? The poor have increased numerically, but not relatively, in respect of the increased population. Then how absurd is the cry, that the poor rates have increased the poor! Were there not numerous poor in England before the poor laws; and did they not increase without the operation of the poor rates? Sir F. M. Eden² quotes a writer, who

¹ Mr. Burns in his Hist. Disq. has remarked this in Scotland, where, he says, the people live upon oatmeal.

² vol. i. p. 156.

said, in 1622:—"Though the number of the poor do daily increase, there hath been no collection for them—no not these seven years—in many parishes of the land, especially in county towns." Did not the poor increase in France? Yet Fortescue, who wrote in the reign of Edward the Sixth¹, says of the French: "They drynke water; they eate apples with bread right brown made of rye; they eate no fleshe, but if it be, seldom a little larde." Their misery continued, with some slight modification, under the management of Sully;—and it was at its height under the glorious reign of Louis the Fourteenth; who, agreeably to our laureat's politics, was a great almoner;—for he expended largely². Vauban said that the tenth of the people were mendicants³. Yet, instead of relief, the poor were persecuted, marked *au bras*, and sent in companies of twenties to work on the roads⁴.—Still the poor multiplied: and Mons. de Valazé lamented and propounded notable schemes for their relief⁵; as the increase of royal manufactures and *travaux publics*. Such was the progress of poverty in France: and it is remarkable that the poor just began to be reduced in numbers, and a comparative plenty diffused, when

¹ On an absolute and a limited Monarchy, c. 4.

² Louis said, Un roi fait l'aumône en dépensant beaucoup.

³ Près la dixième partie du peuple est rendue à mendicité. Dixme Royale, p. 4.—This is just the amount of the poor at Berlin, according to Mirabeau, Histoire Secrete, &c. tom. ii. p. 326.

⁴ Pastoret, Loix Pénales, partie ii. p. 83. Valazé, p. 308.—Ann. Register, 1771, p. 67.

⁵ Loix Pénales, p. 218.

the population increased: and certain it is, that poor laws had no operation either way in pauperizing or relieving the French people¹.

The poor increased and increase in Ireland, where no poor laws exist deserving the name.—They did increase frightfully in Scotland, where poor laws similar to those originally enacted in England prevailed².

¹ The small approaches to poor laws, I need scarcely mention; yet I may say, that Turgot gave *Instructions* in respect of the poor:—First, to supply those who can work with the means of employment;—Secondly, that gratuitous support should only be given to those who could not work. Provision for this purpose, either by self-assessment, or a tax “sur tous les cotises à proportion de leurs facultés, et d'en former une espèce de rôle.” Turgot des Bureaux de Charité: *Ceuvres*, tom. v.

² Hundreds of writers and talkers affirm there are no poor laws in Scotland; as my Lord Liverpool, the Prime Minister, on the 18th of May 1822. The fact is, that every movement in England had a sympathetic operation in Scotland. The constitutional change under Leicester was probably followed in Scotland in the reign of Alexander the Second. *Regiam Majestatem*, p. 328. The suppression of monasteries and nunneries, amounting to 143, beside the houses of St. John and the Templars (first Edin. Rev. in 1755, p. 82), followed the suppression of 624 of the same conventicles in England.—The coincidence of the systems of the two countries is striking. In 1406 (Anderson's *Commerce*, vol. ii. p. 11), it was ordained, “That none shall beg but lame, sick, and impotent people, under a penalty on the magistrates suffering any others to beg.” This was contemporary to the reign of the English Henry the Fourth. In 1424 (Burns's *Historical Disquisitions*, &c. p. 54), importunate beggars, who shall be troublesome to their lieges, shall be punished by the sheriff, and find security.—By a law in 1449, they were to have their ears nailed to the market-cross, be banished, and, if they returned, to be hanged (Henry, *Hist. England*, b. v. c. 3. § 2). In 1466, copper money was coined in Scotland, “four pieces to

Fletcher of Saltoun calculated the beggars in ordinary years at 200,000; and when he wrote, shortly after a scarcity, at double that number. This Mr. Burns does not deny¹; yet Mr. Burns, disparaging the pre-

each penny, for the ease of the King's lieges, and for alms deeds to be done to the poor folks.” (Anderson's *Commerce*, vol. i. p. 643.) In 1499 fishing was encouraged: “Wherefore on account of the great advantage which thereby might be had, and to cause idle men and vagabonds to labour for their living.” (Ibid. vol. i. p. 731.) In 1503, the law of 1406 was confirmed. (Ibid. vol. ii. p. 11.) In 1579, poor persons begging in their own parishes, were to be punished as vagabonds. (Burns, &c. p. 266.) So far the poor laws in Scotland and England did not differ materially, and they were almost equally inconsistent. But the inconsistency in respect to the Scotch laws ceased with the Union; the confusion by the new laws not affecting or applying to Scotland. (Burns, &c. p. 68.) For instance: the law of settlement is simple in Scotland. It was at first determined by seven years' residence, which was afterwards reduced to three years. (Burns, &c. pp. 22 and 52.) Removals are unknown. The Scottish artizan may change his abode and his trade as he pleases, and common begging is not punished as a crime. (Burns, &c. p. 22.) The Scotch system regards only the poor and the impotent of the district. (Burns, &c. p. 68.) In Scotland the concerns of the poor do not devolve on strangers or hirelings. (Burns, &c. p. 25.) Therefore order and economy are preserved; and the poor are generally relieved and provided with work at their own houses. In England, the resort is the common workhouse; the regular and occasional poor are distinguished. In Scotland, from 10% to 50% are distributed over a population of 1000; in England, from 500% to 1500%.

¹ He says, however, “The beggars were strangers, gypsies, fortune-tellers, impostors from Ireland, England, and the Continent.” What in God's name could make Scotland a rendezvous for the stragglers of all nations in this age, and during a scarcity?

sent time, says, that previously to the 18th century assessments were hardly known in Scotland,—that hitherto the poor possessed a safe retreat *in the moral feelings and benevolent habits of a Christian people*¹. Mr. Burns repeatedly refers with asperity “the rapid growth of pauperism to manufactures of all kinds²,” and he calls “large cities, those nests of poverty and wretchedness³.” Yet this writer, so imbittered against manufactures, cities, and people, (after admitting that the population returns of 1811 were much less than the actual amount, and that the population of Paisley stated at 19,936 should have been 37,216,) acknowledges that out of the 37,216 people in Paisley there are only 259 paupers; of which number, 203 are above 60 years of age: and that of those classed under 50 years old, nine-tenths of them labour under mental derangement or bodily

¹ Historical Disquisitions, &c. p. 128. We find how very operative these feelings were, by Fletcher's account just quoted. These Christian feelings, by a passage in Mr. Burns, were not very forward, generally speaking: p. 130. And he also says, that in 1742 the inhabitants of the parish of Jedburg were obliged to assess themselves, in order to obtain the contributions of absent proprietors, p. 149. See also p. 110: 295.

² pages 137, 138.

³ p. 132. How very different was Cicero's notion! “*Tum ager incultus sine tecto, nunc est cultissimus cum optima villa*!”—Mr. Burns would have all wild, feudal chiefs, and the deadly feuds—the good old time when man rent was known in Scotland (Stair's Instit. p. 19); and when witches were burned. Burns remarks that many were burned in the 17th century, p. 266.

weakness⁴. This, then, is the dread total of the pauperizing effects of the poor laws in Paisley in Scotland. If so, the poor laws may be accused of making a few men old, insane, and feeble. There is no greater proof of the innocence of the poor laws, as encouraging population, and thus increasing the poor, than the tables of the Paisley rates and paupers:—The 1st of October, 1818⁵, the pensioners were 61 males, of which 35 were past 70 years of age;—198 females, of which 95 were 70 years old; and of the whole 198 females, 130 were widows, and 60 of them had not been married. The evidence of Mr. Burns—an unwilling witness—is important, in speaking of the interval from 1811 to 1818:—“On the whole, the increase of our poor has not been so great as the ratio of population would authorize us to expect.”

Another capital error in calculating the amount of the poor is—that the increased poor are not contrasted with the increased population: it is said that the population in Edward the Third's reign, according to the subsidy-roll, amounted to 2,353,000⁶; that in Queen Elizabeth's it amounted to 5,000,000⁴; in 1688, the population is stated at 5,300,000⁵, and the paupers at 563,964⁶; in 1785, with an increased population,

¹ Mr. Burns also says, that of the 259 paupers or pensioners, in Paisley, 198 are females, p. 394. The paupers in Glasgow are almost all females, being 1036 to the whole number of 1182.

² Burns, p. 391.

³ Ann. Register, 1801, p. 24.

⁴ Ibid.

⁵ Month. Review, July 1816, p. 330.

⁶ Gregory King calculated them at 400,000—according to Davenant.

the paupers amounted to 818,851; in 1801, the population amounted to 8,872,980, and the paupers were considerable¹; in 1811, the population amounted to 10,150,615; and in 1821, to 11,977,663. Are the paupers, compared with the population, greater in the last than in all the former periods? Certainly not—Then the assertion is false.

The poor laws tend to pauperize, but not as their antagonists in the present argument insist; they pauperize not by giving, but by abstracting from the people's wages under the show of relieving them: yet, comparatively, the paupers have not increased in respect to the increased population.

CHAPTER VI.

The portion of the poor rates paid to the poor has not increased considering the increased population, the depreciation of money, &c.—the labouring people the only order which has sustained itself amidst excessive expenditure and distress.

I COME now to another vulgar error—the tremendous increase of the poor rates. Mr. Malthus² considers the poor laws *an evil in comparison of which the national debt with all its magnitude of terror is of little moment*. Lord Stanhope computed that in 1819 the poor rates exceeded ten millions, others eleven; and Mr. Ricardo writes that “while the pre-

¹ The paupers in 1803 amounted to 1,040,716.

² Population, vol. ii. p. 317.

sent laws are in force, it is quite in the natural order of things that the fund for the maintenance of the poor should progressively increase till it has absorbed all the net revenue of the country.” Yet, has the increase of the rates been progressive? No, neither parochially nor nationally. For along time after the institution of the present pauper code, no poor rate was levied in many parishes¹. Again, how many instances are there of the rates being reduced? The whole expense of the poor in Llanferris in Derbyshire in 1719 was 5s.; in 1740 it fell to 2s. 6d. In the township of Leeds in 1818 the poor rates were reduced two shillings in the pound; in the parish of Woodbridge in Salop the expense declined two-thirds; in the parish of Broadwater the rates amounted to 3383l., and in 1820 to 1589l.; in Birmingham in 1820 the weekly expense for maintaining the out-poor was 613l. 19s. 10d., in 1821 it fell to 373l. 13s. 11d. In Wiltshire², from 1813 to 1821 the poor-rates have fallen 62,942l. Neither has the increased expense of the poor been progressive in those parts of Scotland where the poor laws have been in operation. In Paisley the assessments began in 1785; thence they have had time fully

¹ Sir F. M. Eden, vol. iii. p. 889.—J. Aubrey said, “There were no rates for the poor in my grandfather's days; but for Kingston St. Michael (no small parish) the church-ale at Whitsuntide did the business.” Brand's Popular Antiquities, vol. i. p. 231.

² The amount of poor-rates collected in this county in the year 1821 was less by 62,942l. than in the year 1813, or about one-fourth; and 34,783l. more than in the year 1815. From 1815 to 1818 they gradually increased; and in 1819, 20, and 21, they have as gradually decreased. Devizes Gazette.

to develop their effects. Mr. Burns affords the following table¹:

Years.	£
1807	1237
1813	1818
1814	1654
1815	1252
1816	1946
1817	1237

He also states a similar table of years and expenses for Glasgow, adding, "This shows the increase, not from an inherent tendency in the thing itself, but chiefly from the circumstances of the times and the alternate changes from year to year²." Neither have the rates been progressive generally throughout the kingdom.

The poor-rates by computation amounted—

In 1660	to £665,362 ³
1673	840,000 ⁴
1676	608,333 ⁵
1677	700,000 ⁶
1698	819,000 ⁷
1748 }	
1749 } annual average	690,000 ⁸
1750 }	

¹ Burns's Hist. Disqu. pp. 165, 332.

² page 164.

³ Davenant's Works, vol. i. p. 41.

⁴ Harl. Misc. vol. viii. p. 60: the writer says 70,000*l.* a month.

⁵ Andrew Yarranton in Eden, vol. i. p. 196.

⁶ Richard Haines, in ditto, p. 194.

⁷ R. Dunning, in ditto, p. 249. ⁸ Report on the Poor Laws.

Thus for ninety years and longer, the rates, if such calculations can be trusted, were nearly the same. To continue the enumeration:

In 1774	£3,000,000 ¹
1776	1,720,000
1783 }	
1784 } annual average	2,000,000
1785 }	
1803	5,038,205
1809	7,000,000
1813	6,676,105
1814	6,294,583
1815	5,418,845
1816	5,724,840
1817	6,910,926
1818	7,870,804
1819	7,516,705
1820	7,330,256
1821	695,249

I have remarked that it appears by this statement that from 1660 to 1750 the poor-rates increased only as 690,000*l.* exceed 665,362*l.*; that at the time of the American war the poor-rates increased considerably; and that in consequence of the late war they advanced in some measure according to its extent and duration. What was the cause? Certainly not the poor-laws, but the enhanced price of necessaries. Mark the exposition of this fact. In the parish of Eastwood²,

¹ Ann. Register, 1775, p. 81.

² Burns, p. 439.

Years.	Ordinary Poor.	Expenditure.
1793	24	£ 74
1811	48	253

If the maintenance of the poor had not greatly increased, the expense in 1811 compared with 1793 should have been 148*l.* instead of 253*l.* Continuing the comparative calculation, with the charges in the charity work-house in Edinburgh, the account runs thus:

Years.	Poor.	Expenditure.
1812	1402	£1598
1813	1501	1778
1814	1740	3078
1815	1752	3807
1816	1775	4812
1817	1881	4965

Here then the increase of the poor in 1817 exceeded that of 1812 about a third; but the expense was more than trebled. Now those excesses of expense in the management of equal numbers of poor, even in thrifty Scotland, is considerably greater than the excessive charge of the whole poor in England from 1793 to 1817, even if we should not take into the estimate the increased population.

Try the increase of the poor rates by another comparative increased expense. By a Report of the Committee on the Poor Laws in 1820, it appears that the sums expended for purposes foreign to the relief of the poor (as church-rate, county-rate, highway-rate, law expenses, on removals, to assisting overseers, for erecting and repairing workhouses, &c.) increased *still*

more largely than the *bona fide* expenditure on account of the poor; and by the last Report of a similar Committee in 1822, it appears that while the expenses for the poor had diminished, all other expenses had increased. Yet the Edinburgh Review insists, that "the evil is rapidly and uniformly progressive;" and this, though in the same article and in the next page it is stated "the number of paupers relieved in 1813 was 971,913; in 1814, 953,995; in 1815, 895,973¹," which declining numbers are accompanied with a corresponding decline in the amount of the assessments.

Then the poor have not increased in respect to the increased population; they have not uniformly increased relatively or absolutely; nor has the expense of their support uniformly advanced, though the sums charged in the rates, and for which the poor and people are no way accountable, have increased and are increasing. See the progress of one of those items of extra expense. In 1817 a Committee of the House of Commons furnished the following proportionate levies and expenditure:

¹ To add to this contradiction, it is stated that the population of England and Wales, as taken from the abstract laid before Parliament in the year 1811, appears to have been 10,150,615; so that the number of persons relieved from the poor-rates appears to have been 9 $\frac{1}{2}$ in each 10 of the population. Edin. Rev. No. lviii. p. 500. "Such is the extraordinary picture exhibited, on the highest authority, of the richest, the most industrious, and most moral population that probably ever existed;—more than nine-tenths of its whole amount occasionally subsisting on public charity."

Assessments in	Whole sum raised.	Expended on the Poor.
1776 . .	£1,720,316 . .	£1,556,804 . .
1783 } . .	2,167,749 . .	2,004,238 . .
1784 } . .		
1785 } . .		
1803 . .	5,348,205 . .	4,267,965 . .
1813 . .	8,651,438 . .	6,679,654 . .
1814 . .	8,892,729 . .	
1815 . .	7,068,999 . .	5,421,168 . .

Thus it appears that in the first period the expense charged on the poor-rates for purposes not regarding the poor was less than a tenth, and in the last between a third and a fourth.

Compare the expenditure on the poor and the increased expense of litigation connected with settlements.

In 1786 it amounted to	£35,791
1803	190,072
1815	287,000

And it has been said that the expense of litigation now amounts to 500,000*l.* annually ¹.

Compare the increased paupers with the progressive number of bankrupts.

In 1749 they amounted to	90 ²
1797	864
1809	1100
1811	2000
1816	2029 ³

¹ Mr. Scarlett's Speech. Times, May 25, 1821.

² Ann. Reg. 1811, pp. 30, 271, 352. ³ Ibid. 1816, p. 352.

Compare the paupers with the increasing insolvents.

Years.	Insolvents.
In 1814 they amounted to	63 ¹
1815	71
1816	242
1817	296
1818	346

And let me add, that of ten millions for which the insolvents failed, their creditors did not receive a half-penny in the pound. Thus it appears that the laborious, emphatically so, have resisted with the greatest ability the pressure of times and events; and that, considering the extent of population, the comparative reduction of wages, which I shall notice hereafter; the monstrous fraud of paying as poor-rate what should have been received as wages, computed by some at two millions²; the abuse and confusion of the currency; the vicissitudes in trade and commerce; the death and abduction of fathers of families by wars on sea and land with all the world; the prodigious taxation; and the monopoly of the prime necessary of life by the lords of the soil; the wonder is, not that the rates have advanced, but that

¹ Morn. Chron. March 20, 1819.

² This was stated by Lord Castlereagh: "This accounted, in a great measure, for the rapid rise in the amount of the poor-rates from 1½ to upwards of 7 millions. He was convinced that in cases where 19*s.* or 20*s.* in the pound were paid for poor-rates, 15*s.* of that would be found to be wages paid in the shape of poor-rates." Lord Milton said nearly the same. Speech, May 10, 1819.

the people have subsisted with so small a drawback amidst such aggravated and prolonged enormities practised against them.

CHAPTER VII.

The poor-laws have not destroyed or impaired the spirit of the people; on the contrary, their providence and enterprise have increased with the difficulties of the times and their fortune.

YET has this ever-during spirit been libelled by many. Mr. Malthus as usual, intent in reviling the people, said, "The poor-laws are strongly calculated to eradicate the spirit (of independence): they have succeeded in part¹;"—and repeating the same opinion he concludes—"and in the end they will probably destroy it completely²." This was the cant when the Malthusian reveries were in great vogue, and excess of people tormented the gossips in political economy, as now excess of production. This absurd and derogatory opinion has often disfigured the pages of the Edinburgh Review. I shall quote only two passages from the many recurring insults of the same character—"The poor-laws, or their perversion, having destroyed all scruples in the minds of the people about receiving parish relief, they now calculate upon this as a source of their support, and contract marriages in the certainty that their offspring will be

¹ Population, vol. i.

² Ibid. p. 452.

provided for¹." This most malevolent aspersion the Edinburgh Review pronounced in 1816. In 1821 it declared, "Our whole reasoning is founded upon the assumption that no system of laws was ever so completely calculated to destroy industry, foresight, and economy in the poor." Yet, amidst these dicta, dogmatically asserted, the Review with great good-nature states facts in full refutation of this abuse of the people, as follows: "There is no ground for supposing that they (the poor-laws) have operated more injuriously during the last twenty-seven years than in any former period. It is only during the present reign that friendly or benevolent societies, formed for the express purpose of preserving the members inde-

¹ June 1816, p. 276. Mr. Curwen improves on all these condemnations of the poor-laws as openly as he does the English people: he says in his Travels, "The Irish peasantry, depending solely on themselves and possessing the necessaries of life in a much less proportion than falls to the share of those numerous parties who receive parish relief in England, are in point of happiness vastly their superior." Preface, p. 4. In his speech he repeats the same; adding, after relating the horror and disgust the Irish and their habitations at first excite—"and yet the conversation and the conduct of the people indicate content and even happiness; for they are independent, they live by the fruits of their own industry, and are never assailed by the degrading appellation of pauper. Their hearts are full of strong feeling and warm affections, and their wretched hovels are the seats of open-hearted hospitality." p. 373. Morn. Chron. Feb. 21, 1817. "It is true, few are more miserable, and none more kind." Thus they may rejoice the Divinity, according to the saying in the Isle of Man—"When a poor man relieves another, God himself laughs for joy;" but that their situation should discredit the poor-laws and the people of England, is insanity.

pendent, and of avoiding the necessity of having recourse to assessments on the other classes of society, have been introduced¹." With almost equal insult and incoherence the Select Committee of the House of Commons, in 1817², declared that the people were idle and unthinking in their connections, while they stated, "The occupier pays in the shape of poor-rate what should be more properly paid in wages."

This vain lamentation, supposing that the authors had not refuted themselves, assumes that charity precedes distress, and that men are wretched because they are relieved. All this I have answered by tables of marriages, of births, of the prices of necessaries and of rates; in fact, increased rates prove reduplicate misery, redoubled rates quadrupled distress. The weavers in Glasgow in 1803 had 25s. a week; in 1812 and 1813 their wages declined considerably; in 1816 they fell to 10s.; in 1819 they sunk to 5s. and 5s. 6d.³ Mr. A. Buchanan, partner in the house of Messrs. J. Finlay, also stated, that the cotton-spinners *have nearly as little wages as they can live on*: and yet for this pittance (and some of their wages were as low as 2s. a week) they worked for 12, 13, 14, and even 15 hours a day.

So in Birmingham, in the first four months of 1820 the assessment amounted to more than 10,000l.; that is, double the amount in the same period in 1816. Yet during the enhanced rates between 1818 and 1820, the cattle slaughtered declined from 5147 to

¹ January 1820, p. 158.

² Ann. Register, 1817, p. 265.

³ Morn. Chron. December 10, 1819.

2783¹; other articles consumed by the lower and middle orders were reduced a third: yet part of this reduced consumption was effected by means of a credit ruinous to the sellers. Besides, James Busby² (overseer of the poor of Birmingham) said that in 1820 many thousands were in a state of starvation. If the poor-laws are destructive of independence and thrift, what must have become of the British public? As the present poor-laws have continued for two or three centuries, the people must, under such inveterate mischief, have long since sunk paralysed and reprobate, while the whole revenue of the state had been diverted into the paupers' fund. And yet what is the case?—That from 1660 to about the period of the American war, the poor-rates were nearly of the same amount; and that when the prices of necessaries increased, the augmented rates bore no proportion to the pressure of the time, and the calamitous demand for assistance from the other orders. And moreover, as the distress and difficulty increased, the people—the libelled people—rose to meet the evils with recruited energy. Thus in 1812 the numbers of friendly societies in England and Wales amounted to 704,350³; in 1813,

¹ Morn. Chron. Sept. 18, 1820.

² Ibid. January 22, 1821.

³ This sort of insurance against adversity is not peculiar to the present time, nor to this country. The same societies have long been established in Barcelona (Townsend, Travels, vol. i. p. 81.) The friendly societies are in bad odour. A learned counsellor at Manchester said, that "all societies, whether benefit societies or otherwise, were only cloaks for the people of England to conspire against the state, and they all must be put down."