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Montague, F. C. (Francis Charles), 1858-1935.
London ; Cassell, 1886.

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PRICE SIXPENCE.

The Old Poor-Law

AND

The New Socialism;

OR,

PAUPERISM AND TAXATION.

BY

F. C. MONTAGUE.

CASSELL & COMPANY, LIMITED:

LONDON, PARIS, NEW YORK & MELBOURNE.

1886.

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F. W. TAUSSIG,
CAMBRIDGE,
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THE OLD POOR-LAW

AND

THE NEW SOCIALISM.

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PREFACE.

I HAVE been requested to state in a few words why it has been thought important that the Cobden Club should bring into general notice the gist and substance of the Report of the Poor Law Commissioners of 1832, upon which our present Poor Law is founded.

Few now alive remember the frightful state of the agricultural districts of England which that report disclosed; and it is evident, from various proposals now made for the benefit of the poor, that many of its lessons have been forgotten even by our statesmen.

The famous statute of Elizabeth was not successful in dealing with pauperism; but it was after the change made by the statute of the 36th year of the reign of George III. that the evils arising from a bad law, carelessly administered, began to advance with an extreme rapidity. A reader of Mr. Montague's paper will find in his statement of the operation of the law that "in 1817 a Committee of the House of Commons expressed the fear that the amount of the assessment for the relief of the poor would grow till it had absorbed all the profits of the land on which it was levied;" that "in 1832 this prophecy seemed to be approaching fulfilment;" that at the same time the system of relief forced the independent labourer to become a pauper, bribed the women to unchastity, loosened

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family ties, and destroyed family affection. In one word, the Poor Law was fast confiscating the rents of owners and the profits of occupiers, whilst utterly demoralising the labouring population. Strange to say, all classes seemed blind to the fact that they were working together to accomplish their common ruin.

The startling facts disclosed by the Report emboldened the Liberal Ministry of that day to propose the new Poor Law—a measure which the Duke of Wellington, then leader of the Conservative party, justly described as one of the most valuable, but also most courageous, measures which he had ever known to be proposed by a Government.

In the hope that we may profit by the experience, and not repeat the blunders, of our fathers, I moved in the House of Commons the reprinting of the Report of the Poor Law Commissioners, and Mr. Montague has written his very able abridgment of that Report, which is strongly recommended to the careful study of all who are interested in the welfare of the working classes or the security of property.

W. RATHBONE.

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THE OLD POOR-LAW

AND

THE NEW SOCIALISM;

OR,

PAUPERISM AND TAXATION.

I.—THE OLD POOR-LAW.

A LEGISLATION, inspired by just and humane feelings, yet more harmful than many of the worst enactments of selfish power; a legislation which aimed at assuaging misery, yet chiefly served to make it more inveterate, hereditary, hopeless; a legislation which, in many instances, proved almost ruinous to the employer, whilst it everywhere depressed the wages of the workman; a legislation which turned the peasant, for whose good it was designed, into a wretched dependent, too often into a lawless ruffian; a legislation directed to save the weak from overwhelming temptation, which filled the country with paupers and prostitutes; a legislation, carried out by the rich, which surely tended to render all property worthless, in particular the property of the class predominant in the Legislature: such a legislation might seem the wildest paradox of wasted ingenuity, were it not to be traced in the Statute Book of England, had it not left its marks upon the history of our country. In the old laws relating to the relief of the poor, we have a memorable example of the mischief which crude common-sense can do when it assumes a competence to deal with the most delicate of social questions. The study of those laws is full of in-

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struction; especially at the present time, when there prevails a general desire to improve the condition of the poor. Now, if ever, we need to be reminded that good intentions are not in themselves enough; that they are no substitute for knowledge or discretion; that at best they afford a poor excuse for mistakes which may jeopardise the welfare of millions or the very existence of a great State. The lesson has been often repeated in history; but mankind have an admirable gift of forgetfulness.

The English poor-law has passed through several stages, very clearly distinguishable from one another. The earlier poor-law was harsh; often brutal in the extreme; yet it availed as little for the correction of idleness as for the relief of distress. The famous statute of Elizabeth, passed in 1601, placed the poor-law upon a new footing. It provided that the churchwardens and overseers of every parish should take measures for setting to work the able-bodied and for relieving the impotent poor; and gave them all the necessary powers of raising money for this purpose and for carrying out its other provisions. This Act established the principles, that the impotent poor have a claim to be maintained at the public expense, and that the able-bodied poor have a claim to be employed by the public: principles recognised down to this day. During the seventeenth and the early part of the eighteenth century the Act appears to have worked tolerably well. There was much pauperism, but it showed no regular tendency to increase. An Act of the ninth year of George I., which empowered parishes, either singly or in combination, to purchase or hire a workhouse and to refuse relief to all who would not enter it, appears, in many instances, to have reduced the number of paupers.

At the close of the last century, the war with France and a series of bad seasons, assisted by other causes, occasioned a great rise in the price of necessaries, whilst the law of settlement, which chained the labourer to his parish, the miserable state of popular instruction, and many other causes, hindered wages from rising in proportion, and the distress of the poor was extreme. In order to mitigate

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it, the Legislature granted unlimited relief out of the rates. By the statute of the thirty-sixth year of George III., it repealed the enactment forbidding relief to those who should refuse to enter a workhouse, and empowered any justice of the peace to order relief to be given to the poor at their own homes. The overseers were required to obey such orders. The justices, as a rule, knew nothing of the circumstances of the persons who applied to them, and very little of the condition of the poor in general. They were, for the most part, men of property, anxious to act charitably by their less fortunate neighbours. The overseers, who had more knowledge and more frugality, were mere agents without responsibility. Under these circumstances relief was lavishly given. In every parish a large proportion, in some the larger proportion, of the peasantry came on the parish. It became the common practice to supplement wages out of the rates.

The English poor-law had always admitted the right of every citizen to be saved by the State from actual starvation. It now went farther, at least its administrators went farther, and acknowledged the right of every citizen to a certain income, irrespective of his own exertions. It guaranteed to every labourer not merely his life, but a living more plentiful than he could obtain in the open labour market. It undertook that his means should increase with the increase of his family. It acknowledged the duty of saving him from suffering, irrespective of his own merits or demerits. It gave practically to everybody who asked. It charged not only the weak upon the strong, but the stupid on the skilful, the lazy upon the industrious, the drunken upon the sober, the dissolute upon the chaste, the honest upon the dishonest. When it had been at work for more than a generation, its abuses could no longer be ignored, and in 1832 a Royal Commission was appointed to examine and report upon them. The report drawn up by this Commission* condenses a vast quantity of evidence collected in every part of the kingdom.

* "Poor-Law Commissioners, First Report of 1834." This report can be purchased, either directly or through any bookseller, from Messrs.

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The House of Commons last year marked their sense of the value of this report by ordering it to be reprinted. It is, however, so long and so detailed that, unless abridged, it is not likely to find many readers. The lapse of time, too, has affected very variously the value of its various parts. Some have only gained in practical significance, whilst others have lost all but their historical interest. No sane man is likely, in our time, to propose the restoration of the old law of settlement. The reflections of the Commission upon emigration as a cure for pauperism contain little that exactly applies to our own time. The recommendations of the Commission, most of which have been embodied in our law for many years past, do not need the elaborate explanation and illustration which they required whilst yet novel and untried. That which remains of lasting value is the picture of the bad consequences of unscientific legislation and lax administration directed to the best ends. The following pages, written at the request of the Cobden Club, attempt to reproduce the main outlines of this picture. They follow the general arrangement of the report, but do not profess to form a complete compendium thereof, since they exclude all that seems entirely obsolete.

Hansard, 13, Great Queen Street, W.C., and 32, Abingdon Street, Westminster; Messrs. Eyre and Spottiswoode, East Harding Street, Fleet Street; Messrs. Black, Edinburgh; and Messrs. Alexander Thom and Co.; or Messrs. Hodges, Figgis, and Co., Dublin.

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II.—ADMINISTRATION OF THE LAW.

In the year 1832, as in our own day, the poor were relieved by the community, partly by means of outdoor and partly by means of indoor relief. Outdoor relief was at that time, however, much more important than it is now. It was granted with equal profusion to those who were and to those who were not able to work; indeed the principal abuses of the old-fashioned administration of the poor-law concerned the outdoor relief given to the able-bodied. This relief was given either in money or in kind.

When given in kind, the outdoor relief of the able-bodied consisted sometimes of grants of food or fuel; more frequently of clothing and shoes; oftenest of gratuitous house-room. The expense of providing house-room was sometimes divided between the pauper and the parish; sometimes thrown upon the parish alone. The expense was divided in those very numerous cases in which the occupant of a cottage or apartment was excused from payment of his rates on the ground of poverty. This exemption was granted in almost every instance to labourers who were, and in many instances to labourers who were not, parishioners. By this expedient the burthen of the rates was, in many parishes, thrown almost entirely upon a few tenements occupied by substantial citizens. At Kidderminster, in the year 1830-31, out of 2,826 houses, rated to the relief of the poor, only 525 paid rates; whilst the remaining 2,301 houses, amounting in value to one-third of the whole rateable property, were totally exempted from payment. The burthen thus thrown upon the minority who paid rates may well be imagined; but the relief thus apparently given to poor occupiers was, for the most part, intercepted by

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their landlords, who were enabled to raise the rent to a figure approaching the total to *which rent and rates* would otherwise have amounted. The exemption of the labourer from rates enriched the owner of cottages at the expense of the other ratepayers, and promoted the building of unhealthy and noisome habitations, since it was only granted to those whose dwellings had some defect or inconvenience.

In many cases the parish also paid the whole rent of the labourer's cottage; sometimes a higher rent than could have been obtained from the labourer himself. The overseers often gave written guarantees for payment of the rent by the parish to the landlord; and in one instance this guarantee was given by the overseer, on behalf of the parish, to himself, as an owner of cottages. In Surrey and in Sussex the practice, although seldom avowed, was almost universal. Even where no item of rent was entered on the parish books, the rent was often paid indirectly and irregularly. The tenant, when pressed for his rent, would apply for small sums to the parish officer, and was never refused, since the levying of a distress would have thrown his whole family upon the rates. In other cases the labourer was allowed a shilling a week for his third child, and this was retained by the parish to pay his rent. In a single parish containing fewer than 1,300 inhabitants, the amount of rent entered in the parish books in one year was no less than £267 11s. 6d. It was not uncommon for young couples, who had married without any fair prospect of being able to maintain a family, to demand a house from the overseer. Yet cottage accommodation was probably much scarcer and much worse in 1832 than it is now. The scarcity was in part due to the bad law of settlement which made it the interest of every landowner to prevent strangers from acquiring a settlement within his parish, and therefore to pull down cottages instead of building them. But for the badness of cottages the payment of rent by the parish was a reason. It set a premium upon ill-built or decayed dwellings and upon slovenly, squalid occupiers. Like the payment of rates by the parish, it was an alms granted to those who

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seemed most wretched, and so became an encouragement to wretchedness, real or feigned.

The outdoor relief of the able-bodied was, however, given more largely in money than in kind. The money relief was generally bestowed in one or other of five ways, distinguished by the Commissioners as relief without labour; the allowance system; the roundsman system; parish employment; and the labour-rate system. Each of these demands a few words of explanation.

Under the system of relief without labour, the parish, without exacting any labour in return, gave a daily or a weekly sum to those who professed themselves out of employment. In general, the parish allowed such persons rather less than would suffice for a complete maintenance. The parish was supposed to gain the difference, and the pauper was supposed to have a motive for seeking work. But he generally preferred to eke out his allowance and to amuse his leisure by various depredations. He thus became a composite nuisance: two parts sluggard and one part thief. In other cases the parish gave each pauper a sum sufficient to maintain him, and in return obliged him to give up part of his time. He was required to spend so many hours in a gravel pit, or in a sitting posture, or to attend a roll-call several times a day, or otherwise to waste his time in a vexatious manner. Such contrivances might seem those of a cruel idiot; but they were necessary checks upon a vicious system.

Under the allowance system, the parish allowed its labourers, employed by individuals, relief in aid of their wages. In some places allowance was given only occasionally, or to meet occasional wants; to buy, for instance, a coat or a pair of shoes, or to pay the rent of a cottage. In other places each member of a family received a certain weekly sum or the price of a certain quantity of flour or bread. In several counties scales of allowances were settled by the magistrates and published as a law for the guidance of parish officers. The following is a table of scales for the county of Cambridge, promulgated in the December of the year 1821:—

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"County of Cambridge.

"The churchwardens and overseers of the poor are requested to regulate the incomes of such persons as may apply to them for relief or employment, according to the price of bread, namely:—

"A single woman.....	the price of	3	quartern loaves	per week.
A single man	,,	4	,,	,,
A man and his wife	,,	7	,,	,,
,, ,, and one child	,,	8	,,	,,
,, ,, and two children	,,	9	,,	,,
,, ,, and three ,,	,,	11	,,	,,

"Man, wife, four children and upwards at the price of two quartern loaves per head per week.

"It will be necessary to add to the above income in all cases of sickness or other kinds of distress, and particularly of such persons or families who deserve encouragement by their good behaviour, whom parish officers should mark both by commendation and reward.

"By order of the magistrates assembled at the Shire Hall, Cambridge, 15th December, 1821.

"Robert Gee, Clerk to the Magistrates."

The apparent reasonableness and humanity of the allowance system made it popular. At a time when food was dear and wages were low, it seemed only fair to insure to everybody a minimum income, and to distinguish by particular liberality the upright and industrious. It also seemed prudence and frugality in the public not to undertake the maintenance of the labourer, but to supplement his earnings. In most parishes at least a pretence was made of ascertaining the sum earned weekly by those who applied for relief, and of limiting the relief given to the difference between that sum and the sum allowed by the scales. But accurately to ascertain the earnings of an applicant was a very difficult and very unpopular task. Even if it had been accomplished, the least efficient labourer obtained the most liberal relief, and the fear of discouraging merit acted as a new motive for asking no questions. Thus the rule of paying only the difference between the actual and the ideal earnings of the labourer became nugatory. The Commissioners found that in one parish—that of Old

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Swinford—men who were known to earn 16s. or 18s. a week were habitually in receipt of relief, and that allowance was refused only in cases in which it was shown that the weekly earnings of the family amounted to 25s.

Both employer and employed regarded the parish allowance as part of the remuneration of labour. The employers acted upon this view. Thus we read that in the borough of Arundel, at a meeting of the inhabitants, held on the 19th of November, 1830, "the masters agreed to give able-bodied men 2s. per day, wet and dry, and an allowance of 1s. 6d. per week for every child (above two) under fourteen years of age." The large farmers who employed most labour in rural districts favoured the system because it transferred to others part of the burthen of wages. Upon those who did not employ labour nor receive parish relief the practice bore very heavily. In the parish of Kettlewell, in Craven, the overseer, calling upon the little farmers for their rates, would sometimes find that they had neither money nor provisions; whilst he was often obliged to pay allowances to men who could easily have maintained themselves by their own labour. The labourers generally regarded allowances from the parish as their inalienable right. A remarkable instance of this feeling was mentioned by Mr. Stuart, one of the Assistant-Commissioners:—

"A case was mentioned to me of nine men who had been able to earn 15s. each by taskwork in three days, and who came to the parish for the other three days of the week, during which they had no employment. The overseer, aware of the profitable work in which they had been engaged, offered 1s. a day for the lost days, instead of 1s. 6d. a day, which would have been their allowance according to the scale. This the men rejected, left the work which they then had, and went to a magistrate to complain. The magistrate sent an open note by the complainants, appealing to the humanity of the overseer. The men, aware of the contents of the note, backed the recommendation of the magistrate by threats, which induced the overseer to comply." (*Report*, p. 19.)

Yet those who received allowances were the greatest

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losers by them. In the first place, the labourer lost by the fall of wages the larger part of that which he received in allowances. In the second place, being assured of an income plentiful, according to his ideas of plenty, he ceased to care about finding work or doing his work well; he became less industrious, less intelligent, less thrifty. Thus in a certain parish situated in the Bedford Level, where the fertile land lately reclaimed could employ more labour than the inhabitants could give, a labourer's family could earn on an average from £60 to £70 a year; yet during frosts, and generally from November to March, almost all the labourers came upon the parish. A resident magistrate, when remonstrated with, replied, "Why, what are we to do? They spend it all, and then come and say they are starving; and you must relieve them." In the third place, the allowance system assured the largest income to the largest family, made it lucrative to beget children, and artificially stimulated the natural growth of population; thus again glutting the market for labour. Lastly, it failed to keep the paupers out of mischief. Many insulted and menaced the very officers who paid them, and agrarian outrage was incomparably more frequent than it has ever been since the passing of the new poor-law.

Under the roundsman system the parish paid the occupiers of property to employ applicants for relief at a rate of wages fixed by the parish, and depending not on the services, but on the wants, of the employed. The employer was repaid by the parish all that he advanced beyond a certain sum. Sometimes the parish would sell to a farmer the labour of one or more paupers at a certain price, and make up to the pauper the difference between that price and the allowance to which he would be entitled by the scales. In other cases the parish would contract with an individual to have work done for him by the paupers at a given price, the parish paying the wages. In other cases there was a regular auction of pauper labour. In one parish all the unemployed were put up to sale weekly, and ten men were knocked down to one farmer for 5s. But whatever the details of the system, as applied in various places, its

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principle was everywhere the same, and its results were tolerably uniform.

The roundsman system, like that of allowance, equalised the bad labourer with the good; for it ensured to the idle or dishonest as high wages as could be earned by the upright and industrious. In the parish of Goudhurst, in Kent, every man with a wife and three children was entitled to have his wages made up to 12s. a week, and to receive 1s. 6d. for every additional child. Thus, a labourer with a wife and seven children would have been entitled to 18s. a week. It is pretty certain that in Kent half a century ago the best labourer could not have earned a higher wage for himself. Again, labour under these circumstances had no tendency to go from places in which it was superabundant to places in which it was scarce. Thus, the pauper took away work from the independent poor. In another parish of Kent an attempt was made to protect the independent labourer by pledging the employer to set the pauper labourer to no necessary or essential occupation. But it was impossible to constrain the employer to fulfil so ruinous an engagement. Moreover, the number of applicants for relief was ever on the increase; and not only labourers, but even small tradesmen often threw themselves upon the parish. Every evil which had been produced by the allowance system followed upon the roundsman system, and the really humane intentions of those who administered the poor-law were altogether defeated.

Yet another system of giving outdoor relief was the system of parish employment. Of all the methods then in force this was, perhaps, the least objectionable. It was also the least frequently employed. In the course of the year ending on the 25th of March, 1832, out of £7,036,968 spent in the relief of the poor, less than £354,000—about one-twentieth of the whole—was paid for work done by paupers, including the work done by them on the roads and in the workhouses. For this apparent perversity the Commissioners gave the following reasons: To require work in return for relief is more laborious than to give relief for nothing. Wherever work is to be paid for, there must be

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superintendence; but much more superintendence is needed by the pauper labourer than by any other. In ordinary cases, all that the superintendent inquires is, whether the workman has performed an average day's work; and, in respect of piece-work, he need not make even that inquiry. The practice of the trade then fixes the market price of the work. But the superintendent of pauper labour has to ascertain, not what is the average day's work, or what is the market price of a given service, but what is a fair day's work for a given individual, his strength and habits considered; at what rate of pay for that work, the number of his family considered, he would be able to earn the sum sufficient for his and their subsistence; and, lastly, whether he has done all the work which, under all the circumstances, he ought to have performed. Calculations of this kind are obviously very difficult, and, on any extended scale, impossible. It is their impossibility which makes impossible national workshops, giving regular employment at high wages to all comers, even if such workshops could be organised and governed without fear or favour. The paupers were collected in gangs for the performance of their work; and association with the worst of their class was found to corrupt them even more than parish pay, drawn without doing anything in return for it. Besides, the employment of labourers by the parish was not a source of gain to any individual. The other systems by which employers could partially shift to the public the burthen of paying their workmen were preferred by them.

The results of this system depended entirely upon the way in which it was administered. In the very few parishes in which the pauper was required to give as good a day's labour as any other workman would have given, and for a smaller remuneration, there were few who applied for outdoor relief. In most parishes no effectual means were taken to exact a full day's labour. There was little supervision; nor, indeed, was it always safe to supervise. In the parish of Rancliffe, where a man was appointed to look after the work of the outdoor paupers, he had to withdraw because they threatened to drown him. Often it was regarded by

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the paupers as a matter of course that they should not work as long or as hard as the other labourers. They had been known to appeal to the magistrates against a parish officer's attempt to put them on that footing. In some places it was the practice to limit—say to 2s. 6d.—the sum which could be earned in a week of parish employment. It was intended to give the outdoor paupers a motive for seeking a regular livelihood. But the result commonly was that they spent their long leisure in poaching, stealing, and otherwise misbehaving themselves, until they had earned so bad a character that nobody would employ them. In many places, however, the outdoor pauper was better paid than any other labourer. In the parish of Eastbourne, in Sussex, the private employer would give only 12s. for a week's hard work, whilst the parish would give 16s. for a week's nominal labour. Two families alone received £92 4s. out of the rates in one year; and the wives of independent labourers very naturally regretted that their husbands had not come upon the parish. Those who came upon the parish were spoiled. They contracted the habit of idleness, and all the other bad habits natural to men without knowledge or ambition who find that they are sure of a subsistence, however little they do to provide it.

The last of the systems of administering outdoor relief to the able-bodied was the labour-rate system. Whenever the ratepayers adopted this system, they agreed among themselves that each should employ a certain number of labourers settled in the parish—a number determined not by his real demand for labour, but by his rental, his contribution to the rates, the number of horses kept for tillage, or of acres cultivated by him, or some such other standard.* The agreement was usually enforced by means of an additional rate upon those who did not employ their full proportion.

Of the various plans adopted in different parishes for giving effect to the agreement, three claimed the special notice of the Commissioners. The first and commonest of these was

* Agreements of this nature were binding upon every ratepayer, if adopted by a three-fourths majority, and approved by a majority of the justices in petty sessions assembled.

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that each ratepayer should employ labourers in proportion to his assessment to the poor-rate. Under this plan either the farmers who, in proportion to their assessment, require more labour than do other employers, reaped an exclusive advantage from the common charity, or else the farmers who cultivated large farms, or farms especially arable, profited at the expense of those who held grass farms requiring comparatively little labour, or small farms for which the labour of the tenants and their families was almost sufficient. Thus in one Essex parish a tradesman upon examination complained that by this system his contribution to the relief of the poor was raised from 11s. 6d. to 18s. 6d. in the pound, whilst the neighbouring farmers profited by working out the labour-rate. Small farmers made similar complaints.

The second plan was that the occupiers of land should share among themselves the whole of the labour of the parish. This plan proved equally partial in its operation, although the tradespeople did not suffer. As the distribution of labour between occupiers was still determined by their assessment, which depended on the rent they paid, the occupiers of grass farms, paying less in wages and more in rent than did the occupiers of arable farms, contributed more than their fair proportion to the labour-rate. The small farmers suffered under the second as under the first plan.

The third, and fairest, plan was that the occupiers of land should be compelled to employ a fixed number of labourers, according to acreage or rental; and then, in common with the tradesmen and other ratepayers, to employ, according to their respective rental, a share of the surplus labourers. This plan the Commissioners found to prevail in only five parishes. Where the acreage afforded a standard, the grass farmer, as before, had his grievance; and if the standard was derived from the rental, the small farmer also had matter of complaint. Where the system was worked by men of unusual fairness and discretion, it was accepted without much murmuring. But it admitted of extreme injustice. One farmer hired a strong, healthy labourer at 10s. a week, and a few days later the over-

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seer sent him a little, infirm man instead. The tenants of large farms were commonly the strongest faction in the vestry, the body which had power to adopt the labour-rate in any form; and over and above their desire to shift every burthen on to the other ratepayers, they were quite willing to raise the poor-rate, since high rates commonly involved low rents. In one instance the farmers voted that they and their sons had performed the labour necessary to qualify them as agricultural labourers, and should count in discharge of the labour-rate. The consequence was that many strapping young fellows in the yeomanry who shot and hunted like gentlemen were accounted as paupers having allowances.

On the other hand, the labourers employed under the labour-rate appear to have been more industrious, peaceable, and happy than those employed directly by the parish. They were employed on useful work; they were better paid; and they were not collected in gangs, in which the bad usually corrupt the good. But this system, more completely than any other, destroyed the distinction between pauper and the independent poor. For under it relief partook of the nature of wages; and wages partook of the nature of relief. The labourer was employed not because he was a good workman, but because he was a parishioner. His wages were determined not by the value of his work, but by an order of the vestry. Once the labour-rate was introduced into a parish, the farmers no longer wanted so many regular labourers as before; and the labourers in excess were forced to seek poor-relief. When they had done this, their pride was broken; they formed associations with other paupers; and too often becoming altogether idle and vicious, permanently burthened the parish with a worthless population. We have seen that the labour-rate pressed most severely upon those poor but industrious ratepayers who maintained themselves upon the verge of independence.

Such, then, were in the year 1832 the chief modes of giving outdoor relief to the able-bodied. But no sketch of this subject would be complete without a mention of the bastardy law then in force, under which women having ille-

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gitimate children were certain of especially liberal relief. It was provided that if any single woman should declare herself pregnant, and charge any person with being the father, it should be lawful for a justice, on the application of the overseers, to issue a warrant for the apprehension of the person so charged and to commit him to gaol unless he should give security to indemnify the parish. The proceedings might be altogether *ex parte*. The magistrate had no power to examine into the merits of the case. Consequently women of bad character would father their bastards upon any person whom they thought proper.

The magistrate upon the appearance of the reputed father made an order that he and the mother should each pay to the parish a weekly sum for the child's maintenance. The sum charged on the woman was scarcely ever exacted, as she was supposed to earn it by nursing the child. The sum received from the man was paid over to the woman by the parish, and in almost every case the parish made good to her the man's default. The average weekly sum so received was about 2s. 6d. for each bastard—a sum larger than was allowed to a widow for her legitimate child. Thus one bastard fully covered its own expenses, and several allowed the mother a substantial profit. An unmarried girl, leaving the workhouse after her fourth confinement, said to the master, "Well, if I have the good luck to have another child, I shall draw a good sum from the parish; and with what I can earn myself shall be better off than any married woman in the parish." Nor was it long before this exemplary young person presented the parish with a fifth baby. Women with bastards, having an assured income, were preferred as wives by men of no particular delicacy. At worst they could force somebody to marry them, for fear of being treated as a father and forced to pay. Under these circumstances female unchastity became almost universal among the poor of certain districts. In a Cumberland parish the clergyman in one year baptized nine bastards to seven legitimate children. In some parishes nineteen out of twenty of the women who came to be married were far

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advanced in pregnancy. The bastardy laws were the reduction to absurdity of the principle of indiscriminate outdoor relief.

Compared with the outdoor relief given to the able-bodied, the outdoor relief given to the infirm was far more frugally administered. As the Commissioners observed, a prime source of mal-administration of the poor-law was the desire of the administrators to secure their private advantage. In the business of relieving the aged and the sick, there were few opportunities for jobbery. In the very parishes in which the public charity was most lavished upon men and women well able for work, there was an austere economy in the allowances made to the old and impotent.

The remarks in which the Commissioners sum up their investigation into the system of outdoor relief then prevalent are not less worthy of attention now than when they were written. "We have dwelt," they say, "at some length on outdoor relief, because it appears to be the relief which is now most extensively given, and because it appears to contain in itself the elements of an almost indefinite extension; of an extension, in short, which may ultimately absorb the whole fund out of which it arises. Among the elements of extension are the constantly diminishing reluctance to claim an apparent benefit, the receipt of which imposes no sacrifice, except a sensation of shame quickly obliterated by habit, even if not prevented by example; the difficulty, often amounting to impossibility on the part of those who administer and award relief, of ascertaining whether any and what necessity for it exists; and the existence in many cases of positive motives on their parts to grant it when unnecessary, or themselves to create the necessity." (*Report*, p. 28.)

The difficulty of ascertaining the necessity for relief is well illustrated by the evidence given by the assistant-overseer of the parish of St. George's, Southwark, one of those large and populous parishes in which it is most extreme.

"In such a parish as ours, where we administer relief to upwards of 2,000 outdoor poor, it is utterly impossible to prevent considerable fraud, whatever vigilance is exercised.

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One man to every twenty would be required to watch the paupers living out of the parish, and one man to watch every hundred living within the parish, which is an expense of inspection which could not be borne. Suppose you go to a man's house as a visitor; you ask where is Smith (the pauper)? You see his wife or children, who say they do not know where he is, but that they believe he is gone in search of work. How are you to tell in such a case whether he is at work or not? It could only be by following him in the morning; and you must do that every day, because he may be in work one day and not another. Suppose you have a shoemaker who demands relief of you, and you give it to him on his declaring that he is out of work. You visit his place, and find him in work; you say to him, as I have said to one of our own paupers, 'Why, Edwards, I thought you said you had no work?' and he will answer, 'Neither had I any; and I have only got a little job for the day.' He will also say, directly, 'I owe for my rent; I have not paid my chandler's shop score; I have been summoned, and I expect an execution out against me, and if you stop my relief, I must come home' (that is, he must go into the workhouse). The overseer is immediately frightened by this, and says, 'What a family that man has got! It will not do to stop his relief.' So that, unless you have a considerable number of men to watch every pauper every day, you are sure to be cheated."

Where fraud was so easy, it was natural that the number of the fraudulent should have gone on growing. The same witness deposed as follows:—

"Indeed the malady of pauperism has not only got among respectable mechanics, but we find even persons who may be considered of the middle classes, such as petty masters, small master bricklayers, and other such persons, who have never before been seen making application to parish officers, now applying. My opinion is that they apply in consequence of having witnessed the ease with which others who might have provided for themselves obtained relief. They naturally say, 'Why should we be content with half a loaf when we might have a whole one?'

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A few days ago a man applied for relief, stating that he was in great distress. On inquiry it was found that he held a situation as packer, and actually received wages of the amount of 20s. per week at the time he made the application, and had been in the receipt of them for some time previous. We found that one woman had received relief from us for two years, whilst she was receiving from the East India Company a pension of £70 per annum. In one instance we discovered that a man named James Peaton was receiving relief of six different parishes; he belonged to our parish, and he had picked out five other parishes, which gave relief on the five other days. He made it his entire business to live on parish pensions, and he received one week's pension every day.

"Since the inquiry has been made, I have stationed persons at well-known gin-shops to observe the number of paupers who came, and the money they spend; and from all their statements, I have drawn the conclusion that £30 out of every £100 of the money given as outdoor relief is spent in the gin-shops during the same day." (*Report*, pp. 28, 29.)

As it was well expressed by another parish officer, "It is the study of bad paupers to deceive you all they can, and as they study more their own cases than any inquirer can study each of the whole mass of different cases which he has to inquire into, they are sure to be successful in a great many instances. The only protection for the parish is to make the parish the hardest taskmaster and the worst paymaster that can be applied to." (*Report*, p. 30.)

It was customary, we have seen, to distinguish the deserving by a more liberal allowance. "It appears," say the Commissioners, "that such endeavours to constitute the distributors of relief into a tribunal for the reward of merit, out of the property of others, have not only failed in effecting the benevolent intentions of their promoters, but have become sources of fraud on the part of the distributors, and of discontent and violence on the part of the claimants." Thus, in the parish of St. Matthew, Bethnal Green, according to a witness of great experience:—

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"The system of expenditure was bad, in the favouritism exercised as to the parties to whom relief was given. Many of the landlords of the smaller tenements have always mustered their friends on the days of election, to get them appointed governors or guardians of the poor. When parties came to be relieved who were tenants of the governors who sat at the board, the governors have given testimony to their meritorious characters, and urged that they might have relief. I have been present when it has been proposed that 1s. 6d. should be given, when the landlord would say, 'Oh, he is a very good man; give him 3s.,' and the 3s. has been awarded. The working of this system would naturally be that, when one man's tenants were thus favoured, he would favour the tenants of the others in turn when they came to demand relief. Another consequence is, that the landlord or his collector, when they collect the rent, are well aware that the tenant has money which will pay it." (*Report*, p. 30.)

Even when an honest attempt was made to distinguish the worthy poor, it usually failed for want of proper means of information, and often aroused the indignation of those who were placed on a lower footing. Then, in order to appease the clamours of the discontented, the scale of relief would be raised all round. But as the relief became more and more profuse, the distress became deeper and more inveterate; the expectations of the sufferers grew more extravagant; and the disappointment of those expectations bred new disorders more formidable than the old.

"It appears from all our returns," say the Commissioners, "that in every district the discontentment of the labouring classes is proportioned to the money dispensed in poor-rates or in voluntary charities. The able-bodied unmarried labourers are discontented, from being put to a disadvantage as compared with the married. The paupers are discontented from their expectations being raised by the ordinary administration of the system beyond any means of satisfying them. 'They, as well as the independent labourers, to whom the term poor is equally applied, are instructed,' says Mr. Chadwick, 'that they have a right to a *reasonable*

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subsistence, or a *fair* subsistence, or an *adequate* subsistence. When I have asked of the rate distributors what *fair*, or *reasonable*, or *adequate* meant, I have in every instance been answered differently; some stating they thought it meant such as would give a good allowance of meat every day, which no poor man (meaning a pauper) should be without; although a large proportion of the ratepayers do go without it.' It is abundantly shown in the course of this inquiry that, where the terms used by the public authorities are vague, they are always filled up by the desires of the claimants, and the desires always wait on the imagination, which is the worst regulated and the most vivid in the most ignorant of the people. In Newbury and Reading, the money dispensed in poor-rates and charity is as great as could be desired by the warmest advocate, either of compulsory or of voluntary relief; and yet during the agricultural riots many of the inhabitants of both towns were under strong apprehensions of the rising of the very people amongst whom the poor-rates and charities are so profusely distributed. The violence of most of the mobs seems to have arisen from an idea that all their privations arose from the cupidity or fraud of those entrusted with the management of the fund provided for the poor. Those who work, though receiving good wages, being called 'poor' and classed with the really indigent, think themselves entitled to a share of the 'poor funds.' Whatever addition is made to allowances under these circumstances excites the expectation of still further allowances, increases the conception of the extent of the right, and ensures proportionate disappointment and hatred if that expectation is not satisfied. On the other hand, wherever the objects of expectation have been made definite, where wages upon the performance of work have been substituted for eleemosynary aid, and those wages have been allowed to remain matter of contract, employment has again produced content, and kindness become again a source of gratitude." (*Report*, p. 32.)

Such were the conclusions to which the Commissioners of 1832 were led by their examination of outdoor relief as then administered. Indoor relief at that time formed a far

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less important branch of public charity than it does now. The abuses in this department were as flagrant as in the other, but they were of a class less likely to be revived in our generation. Some workhouses were large, clean, airy, and plentifully supplied with necessaries; but in few or none was there any classification of the inmates, any regular discipline, any enforced industry. The indoor paupers were even more effectually corrupted than those without doors. "In by far the greater number of cases," say the Commissioners, "the workhouse is a large almshouse, in which the young are trained in idleness, ignorance, and vice; the able-bodied maintained in sluggish, sensual indolence; the aged and more respectable exposed to all the misery that is incident to dwelling in such a society, without government or classification; and the whole body of inmates subsisted on food far exceeding both in kind and in amount not merely the diet of the independent labourer, but that of the majority of persons who contribute to their support." (*Report*, p. 34.)

The cost of such a system of relieving the poor was not to be computed merely by the annual expenditure out of the rates, which at that time exceeded £7,000,000 a year. The sum at present so spent is greater, although the number of recipients is less and the management incomparably more economical and intelligent. But under the old system, a vast expense was incurred by the purchase of unprofitable labour which it enforced. Where the ratepayers were the immediate employers of workpeople, they often kept down the rates, either by employing more labourers than they actually wanted or by employing parishioners where better labourers might have been obtained. The progressive deterioration of labourers in the pauperised districts, and the increasing anxiety of the principal ratepayers as their burthen grew heavier to shift it either upon neighbouring parishes or upon their fellow-parishioners, tended to augment this indirect and unrecorded loss. A single large farmer, who upon 500 acres of land paid £250 per annum in poor-rates, constantly employed twenty or twenty-one labourers, although he had only work for sixteen, thus incurring a further charge, which he reckoned at £100 per annum. Another farmer

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who paid £100 a year in poor-rates, was compelled to employ fourteen men and six boys, although he required the labour of only ten men and three boys. Many more instances of the same kind came to the knowledge of the Commissioners. The labourers thus forced upon the farmer were usually idle, often quite unskilled, and not seldom scoundrels capable of any mischief. Such labourers would have been costly had their labour been given for nothing.

It might have been supposed that these abuses would provoke a general indignation. But this was not the case. The labourer, the employer, and the owner of property, each imagined that he himself, at any rate, was a gainer by the abuses of the poor-law. The labourer felt that the poor-law, whilst it gave him low wages, gave him easy work. He needed not to look for work, to satisfy his employer, to bridle his temper, or to ask, as a favour, that relief which he could claim as a right. He had a slave's security for existence without a slave's liability to punishment. As a single man, indeed, he had barely wherewithal to maintain himself; but he had only to marry, and his income increased, and continued to increase with the birth of every child. As soon as he had more than three children, his parish pay was more than he could have earned in the open market. Nor was he in any way molested by the anxieties usually incidental to having a family. He was certain that if he deserted his children they would be well cared for by the parish: upon the maxim, often since repeated, that a "man's family are not to suffer because he has done wrong." As the children were not allowed to suffer for the father, neither was the husband allowed to suffer for the wife. Witness the following order, under the hands and seals of the magistrates for Hertfordshire :—

"And whereas it appears to us that the wife of the said Robert Reed is now confined in the House of Correction at Cambridge, and that he is put to considerable expense in providing a person to look after his said five children, we do therefore order the churchwardens and overseers of the poor of the said parish, or such of them to whom these

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presents shall come, to pay unto the said Robert Reed the sum of 11s. weekly, and every week, for and towards the support and maintenance of himself and family, for one month from the date hereof."

It is easy to understand the prejudice of the labourer in favour of such a system. It is less easy to understand a like prejudice on the part of his master. Yet the employer was often attached to a system which enabled him to dismiss and recall his men according to his daily or even hourly want of them, to reduce wages to the lowest level, and to throw upon others the payment of a portion, varying, but always considerable, even of those low wages. Employers told the Commissioners that they did not see the justice of forcing the farmer to pay to the unmarried wages equal to those of the married; that such a change must establish a rate of wages ruinous to the farmers, whilst exempting tithe-owners and others who employed little labour from a just and reasonable burthen. Besides they feared that if the rates were lowered the rents would be raised, since it was the custom of landowners in letting land to make allowance for high rates, but not for high wages.

The owners of real property, again, were not united against the abuses of the poor-law. Those who owned chiefly cottages were, we have seen, gainers by these abuses. The more considerable proprietors usually acquiesced in them. "To suppose that the poor are the proper managers of their own concerns; that a man's wages ought to depend on his services—not on his wants; that the earnings of an ordinary labourer are naturally equal to the support of an ordinary family; that the welfare of that family naturally depends on his conduct; that he is bound to exercise any sort of prudence or economy; that anything is to be hoped from voluntary charity—are views which many of those who have long resided in pauperised rural districts seem to reject as too absurd for formal refutation." (*Report*, p. 39.)

So unwise is it to imagine that if the Legislature once enter upon a course of unreflecting benevolence its mischiefs will be soon discerned, exclaimed against, and arrested. On

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the contrary, a vicious system of expending the public revenue is sure, in time, to gather many adherents far more zealous and determined than the opponents who may be arrayed against it. By the working of such a system many gain, and more imagine that they gain, definite advantages; whilst those who lose, although always more numerous, are habituated to the loss by its very continuance and generality. The interested discover and the careless accept arguments to show that every seeming abuse is a mysterious blessing; the dangers of reformation grow with every hour of delay; and timid statesmen pronounce that the very virulence of the disease makes a remedy impossible.

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III.—OPERATION OF THE LAW AS ADMINISTERED.

THE effects of the system of poor relief, described in the last chapter, may be considered under three heads, accordingly as it affected (1) Owners of property, (2) Employers of labour, and (3) Labourers.

1. It is obvious that the burthen of rates,* in the last resort, must come upon the landowner. It is equally obvious that, with such a method of administering poor relief as above described, the poor-rate tended to a constant and rapid increase. In the year 1817 a Committee of the House of Commons expressed the fear that the amount of the assessment for the relief of the poor would grow until it had absorbed all the profits of the land on which it was levied. In the year 1832 there were instances in which this apprehension had been fulfilled. One of the most remarkable was afforded by the parish of Cholesbury, in Bucks. This parish, in the year 1832, contained a population of about one hundred and thirty persons. The oldest parishioners living could remember a time when there was only one person who received relief. In the year 1803 the sum raised for the relief of the poor amounted only to £36 19s. But in the year 1816 it reached £99 4s.; in the year 1827, £180 16s.; and in the year 1832, £367. Three-fourths of the inhabitants were paupers. At this point the pressure became intolerable. The landlords gave up their rents, the tenants their farms, the clergyman his glebe

* The same observation applies to the local indebtedness now so rapidly increasing, and contains a strong argument for the direct rating and representation of owners.

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and tithes. As property had become worthless, no rate could be raised; the parish officers threw up their books, and the poor assembled before the parson's door, asking for food and advice. Partly by his charity and that of the neighbours, partly by rates in aid, imposed upon the adjoining parishes, they were supported for some time; but the parson could think of no effectual remedy except that of giving up to the able-bodied poor all the land in the parish, and calculated that even then they must be supported by charity for two years to come, whilst the aged and impotent would remain a lasting burthen on the community. Yet in this little nest of paupers there were two public-houses.

The instance of Cholesbury is particularly striking; but there were others only less remarkable. In the parish of Lenham, in Kent, a farm of 420 acres, tithe-free, well situated and fertile, was thrown up on account of the poor-rate, which had risen to £300 a year. In Cambridgeshire it had become almost impossible to find substantial men who would take farms, even at the lowest assignable rents, such as 5s. an acre. At Soham and at Great Shelford, in the same county, the general belief was that in twelve or fourteen years the whole value of the land would be absorbed by the poor-rate. In the parish of Hinkley, in Leicestershire, the poor-rate already exceeded £1 an acre. In Wigston Magna property had fallen in value one-half between 1820 and 1832, and could not be sold even at this reduction. The net rental of the parish did not exceed £4,000 a year, whilst the outlay upon the relief of the poor increased as much as £1,000 in one year. A little later on the value of property had vanished; and rates could be collected only by regular summons and judicial sales. In Sussex, the parish of Westfield was hardly better off. There the population had trebled in the first thirty years of the century; yet the annual value of real property had fallen from £3,390 in the April of 1815 to £1,960 in the November of 1829. As was quaintly deposed by a witness: "The eighteenpenny children will eat up this parish in ten years more, unless some relief be afforded us." Many other instances of the same kind were brought to the notice of the

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Commissioners. The process which ended so disastrously was ever becoming more rapid. The instant that the poor-rate on a given farm exceeded the amount which in the absence of rates would have been paid as rent, its cultivation necessarily brought not profit, but loss. As farm after farm was abandoned, more and more labourers came upon the parish, whilst the fund for their relief was diminished. So swift was the spread of mischief in its last stage that in the case of Cholesbury scarcely one year elapsed between the first abandonment of land and the abandonment of all except sixteen acres.

2. As regarded employers of labour, the effects of the old system of poor relief varied greatly in various cases. The town employer and the country employer were differently affected. The country employer was usually a farmer, and the farmer, who seemed to gain most, was, perhaps, the greatest loser by the substitution of relief for wages.

Although rents might be lower where rates were higher, yet this diminution of rent was only possible where profits had been much impaired. A sudden rise of rates in times of exceptional distress must have been felt by the occupier. But it was by destroying the manhood and uprightness of the peasantry that the substitution of relief for wages did most injury to the farmer.

The services of the labourer are by far the most important of all the instruments used in agriculture. In the management of live and dead stock much must be left to his judgment. Only a portion of the results of his ordinary labour can be immediately valued so as to be paid by the piece. The whole farm is the farmer's workshop and storehouse; he is frequently obliged to leave it, and has no partner on whom to devolve its care during his absence, whilst its extent will not often allow him constantly to stand over all the labourers employed on it. His property is scattered over every part, almost without defence against theft or injury. If, therefore, his labourers want the intelligence and skill necessary to enable them to execute those details for which no general and unvarying rules can be laid

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down; if they have not the diligence necessary to keep them steadily at work when their master's eye is off; if they have not sufficient honesty to resist the temptation to plunder when the act is easy and the detection difficult, it follows that neither the farmer's command of capital, nor his skill, nor his industry, nor his economy, can save him from loss, perhaps from ruin.

Now, it is obvious that the tendency of the allowance system was to impair all the good qualities of the labourer. What motive to make himself useful could act upon the man who was to receive 10s. every Saturday, not because that was the price of his labour, but because his family consisted of five persons; who knew that his income would be increased by nothing but by an increase of his family, and diminished by nothing but a diminution of his family? that it has no reference to his skill, his honesty, or his diligence? Abundant evidence showed that the results of the allowance system were such as might have been expected, and that the labourers, altogether degenerate from what they had been, became not merely idle, ignorant, and dishonest, but positively hostile to the farmers. In many parishes they preferred to come on the rates, and as the dull season approached, would dispose of any little property, such as a cow or a pig, in order to qualify themselves for parish pay. Sometimes they made up their allowances, if insufficient, by robbing and stealing.

The farmer, therefore, lost by a system which gave him bad labourers at low wages. But the last economic truth which most men perceive is that a necessary article, if bad, is dear at any price; if good, is always cheap enough. It was some time before the abuses of the poor-law destroyed in any particular district the virtues of the peasantry, and in the meantime wages fell, and of the wages a part was paid by others: the principal outgoing of the farm was reduced, and until the produce began to fall off at no further cost to the farmer than that of a heavier poor-rate. The tenant-at-will might lose by an increase of rent, but the leaseholder for a short term shared in the apparent gain; and we have seen that high rates often went with low rents.

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The injury inflicted by extravagance or jobbery upon the landowner was more obvious, because his land was a fixture, and might be rendered valueless by the growth of pauperism. Accordingly, we find that an owner was commonly a prime agent in the few instances of good administration under the old poor-law.

The effects of the abuse of poor relief upon employers in towns were somewhat different. Of these manufacturers are the most important; and most of these use machinery to an extent which confines the workman to a narrow routine of toil. Thus they depend somewhat less than does the farmer upon the intelligence, industry, and honesty of the individual workman. Yet in the long run the same effects which were so obvious on the farm must have shown themselves in the factory. The manufacturer must have lost by the degradation of his hands. It is said that the English workman is the best in the world, but we may be sure that he would not now be such had there been no reform of the poor-law. In seeming, however, the allowance system did more to lower the wages than to abate the efficiency of town labour, and such employers as lived in towns where the poor-law was properly administered were placed at a disadvantage, for having no supply of pauper workmen they were forced to pay much higher wages.

3. The effect of the system upon the labourers themselves remains to be considered. This was different, as respected, firstly, those not actually relieved; and, secondly, those actually relieved. The effect upon those not actually relieved is easy to imagine. In many places a larger income could be derived from the bounty of the parish than could be earned by unremitting industry. Even in those cases in which the relief given was equal or little inferior to the average rate of wages, it was better worth having, because the idle need less expensive food and clothing than do the industrious. But this was not all. If a labourer was led by honest pride to prefer independence, to make ends meet and even to save, it was almost impossible for him to get employment. The farmers said that they could not afford to employ those whom the law did not

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bind them to maintain. Thus one good workman was refused employment because he had a pension earned by military service, and another because he had received a legacy. Instances of hardship still more extraordinary were mentioned by Mr. Hickson, a manufacturer at Northampton and a landholder in Kent, who gave evidence before Mr. Chadwick :—

"The case of a man who has worked for me will show the effect of the parish system in preventing frugal habits. This is a hard-working, industrious man, named William Williams. He is married, and had saved some money, to the amount of about £70, and had two cows; he had also a sow and ten pigs. He had got a cottage well furnished; he was a member of a benefit club at Meopham, from which he received 8s. a week when he was ill. He was beginning to learn to read and write, and had sent his children to the Sunday School. He had a legacy of about £46, but he got his other money together by saving from his fair wages as a waggoner. Some circumstances occurred which obliged me to part with him. The consequence of this labouring man having been frugal and saved money, and got the cows, was that no one would employ him, although his superior character as a workman was well known in the parish. He told me at the time I was obliged to part with him, 'Whilst I have these things I shall get no work; I must part with them all; I must be reduced to a state of beggary before any one will employ me!' I was compelled to part with him at Michaelmas; he has not yet got work, and he has no chance of getting any until he has become a pauper; for until then the paupers will be preferred to him. He cannot get work in his own parish, and he will not be allowed to get any in other parishes. Another instance of the same kind occurred among my workmen. Thomas Hardy, the brother-in-law of the same man, was an excellent workman, discharged under similar circumstances; he has a very industrious wife. They have got two cows, a well-furnished cottage, and a pig and fowls. Now he cannot get work because he has property. The pauper will be preferred to him, and he can qualify himself for it only by

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becoming a pauper. If he attempts to get work elsewhere he is told that they do not want to fix him on the parish. Both these are fine young men, and as excellent labourers as I could wish to have. The latter labouring man mentioned another instance of a labouring man in another parish (Henstead) who had once had more property than he, but was obliged to consume it all, and is now working on the roads." (*Report*, p. 49.)

In parishes where a labour-rate prevailed there were instances of the parish officers declining to recognise in satisfaction of the labour-rate the employment of men who had never applied for relief. As the man of property or the man of spirit could not come on the parish, they could not expect to be employed in places where the men already on the parish were more than enough to do all the work required. Thus the best workman was visited with the penalty appropriate to the worst; industry, regularity, sobriety, and thrift were severely punishable; and a reckless, dissolute, swinish way of living was enforced upon the multitude by those who have the deepest stake in order and civilisation. Anything more stupid, more cruel, more mischievous than such a procedure can scarcely be conceived; yet this procedure had its origin in a thoughtless, slovenly benevolence. Such a benevolence in the Legislature will always be attended with the same consequences. Every scheme for charging the poor upon the rates in whole or in part ignores the fact that most ratepayers are poor. Such schemes really charge the thriftless upon the thrifty poor. Were model dwellings, for instance, provided at nominal rents for all the very poor who live in London, the increase of rates would force into squalor the poor who are next above them. Besides, the desire of accumulation is so evenly matched with the desire of enjoyment, that a legislation which exacts any large share of the fruits of economy effectually prevents all but the very rich from saving. Wherever taxation has become enormous, it has brought about a progressive decline of wealth, of civilisation, and of the human species itself.

In its immediate working the old poor-law stimulated

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by artificial means the natural growth of population. Under the scales system the labourer's income varied not according to his exertions, but according to the number of his family. The more he received from the parish, the less he would accept from his employer; so that the competition of men with families depressed wages to a rate insufficient for the support of single men. Thus in West Wycombe, Bucks, the parish paid in weekly wages to single men under twenty years of age, 3s.; to single men over that age, 4s.; to married men without children, 5s.; and so on, whilst the farmers paid at the same rate. In Northamptonshire the Commissioners were told:—

"As the farmers have under the scale system a direct inducement to employ married men rather than single, in many villages, particularly in the southern district, they will not employ the single men at all; in others they pay them a much lower rate of wages for the same work, in the hope of driving them to seek work out of the parish. Instead of this, they marry directly, knowing that if they cannot maintain themselves the parish must do it for them, and that the farmers will be more ready to give work to men likely to become burthensome than to those who are not. The usual remark they make is, 'Well, I'll go and get a wife, and then you must do something for me.'

"At Nuneaton the overseer mentioned a case which had occurred a few days before to himself, in an application made to him by a lad to procure him relief from the parish. His answer to him was, 'Go away and work, you foolish boy;' the boy's answer was, 'Ah, but, sir, I married yesterday, and I expect the parish to find me a place to live in.'"

Finally, consider the following law enacted by a vestry:—

"At a Vestry Meeting holden in the Parish Church of Edgefield, on Monday, 8th April, 1833:—

"Resolved—That the rate of wages for able-bodied men be reduced to 4s. per week; that 1s. per week be given to each wife, and 1s. for each child per week. If there are not any children, allow the wife 1s. 6d. per week.

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"Agreed for three months from this date, to commence Monday, 15th."

[*Here follow* 15 *signatures.*] (*Report*, pp. 50, 51.)

Thus, whilst the rate of wages generally was lowered, it was lowered most of all for men without families. The burthens entailed by the satisfaction of the strongest of human instincts afford the most powerful and general motive to economy. Where people are paid for complying with that instinct, how many will continue economical? Men are prone enough to multiply their kind without considering the question of subsistence; but the peculiar recklessness of the English labourer has no doubt been fostered by the vices of the poor-law.

Those who received relief under the system which we have described suffered even more than those who tried to keep themselves. Everywhere the recipients of outdoor relief were the poorest, idlest, dirtiest, and most intemperate of the population. The assistant-overseer of St. Sepulchre's, London, deposed as follows:—

"In the course of my visits to the residences of the labouring people, in our own and other parishes, I have seen the apartments of those who remained independent, though they had no apparent means of getting more than those who were receiving relief from the parish, or so much as outdoor paupers. The difference in their appearance is most striking. I now, almost immediately on the sight of a room, can tell whether it is the room of a pauper or of an independent labourer; I have frequently said to the wife of an independent labourer, 'I can see by the neatness and cleanness of your place that you receive no relief from any parish.' 'No,' they usually say, 'and I hope we never shall.' This is applicable not only to the paupers in the metropolis, but, it may be stated, from all I have seen elsewhere and heard, that it is equally applicable to other places. The quantity of relief given to the paupers makes no difference with them as to cleanliness or comfort; in many instances very much the contrary. More money only produces more drunkenness. We have had frequent instances of persons being deprived of parochial relief from

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misconduct or otherwise, or, as the officers call it, 'choked off the parish,' during twelve months or more, and at the end of that time we have found them in a better condition than when they were receiving weekly relief." (*Report*, p. 56.)

Another witness says :—

"In the year 1824 or 1825 there were two labourers who were reported to me as extremely industrious men, maintaining large families ; neither of them had ever applied for parish relief. I thought it advisable that they should receive some mark of public approbation, and we gave them £1 apiece from the parish. Very shortly they both became applicants for relief, and have continued so ever since."

Another witness adds :—

"I can decidedly state, as the result of my experience, that when once a family has received relief, it is to be expected that their descendants, for some generations, will receive it also.

"The change that is made in the character and habits of the poor by once receiving parochial relief is quite remarkable ; they are demoralised ever afterwards. I remember the case of a family named Wintle, consisting of a man, his wife, and five children. About two years ago the father, mother, and two children were very ill and reduced to great distress, being obliged to sell all their little furniture for their subsistence ; they were settled with us ; and as we heard of their extreme distress, I went to them to offer relief ; they, however, strenuously refused the aid. I reported this to the churchwarden, who determined to accompany me, and together we again pressed on the family the necessity of receiving relief ; but still they refused, and we could not prevail upon them to accept our offer. We felt so much interested in the case, however, that we sent them 4s. in a parcel with a letter, desiring them to apply for more if they continued ill ; this they did, and from that time to this (now more than two years) I do not believe that they have been for three weeks off our books, although there has been little or no ill-health in the family. Thus we effectually spoiled the habits acquired by their previous

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industry; and I have no hesitation in saying that in nine cases out of ten such is the constant effect of having once tasted of parish bounty. This applies as much to the young as to the middle-aged, and as much to the middle-aged as to the old. I state it confidently, as the result of my experience, that if once a young lad gets a pair of shoes given him by the parish, he never afterwards lays by sufficient to buy a pair; so if we give to the fathers or mothers of children clothing or other assistance, they invariably apply again and again." (*Report*, pp. 57, 58.)

The loss of an independent spirit is perhaps less deplorable than the dissolution of family ties. These were totally relaxed by the abuses of the poor-law. Its working in this direction deserves to be studied at the present time, when we read and hear so many proposals for transferring to the State all the duties of the parent.

"Pauperism," the Commissioners say, "seems to be an engine for the purpose of disconnecting each member of a family from all the others; of reducing all to the state of domesticated animals, fed, lodged, and provided for by the parish, without mutual dependence or mutual interest." And then they quote from Mr. Stuart's report the following passage:—

"The effect of allowance is to weaken, if not to destroy, all the ties of affection between parent and child. Whenever a lad comes to earn wages or to receive parish relief on his own account (and this, we must recollect, is at the age of fourteen), although he may continue to lodge with his parents, he does not throw his money into a common purse and board with them, but buys his own loaf and piece of bacon, which he devours alone. The most disgraceful quarrels arise from mutual accusations of theft; and, as the child knows that he has been nurtured at the expense of the parish, he has no filial attachment to his parents. The circumstances of the pauper stand in an inverted relation to those of every other rank in society. Instead of a family being a source of care, anxiety, and expense, for which he hopes to be rewarded by the filial return of assistance and support when they grow up, there is no period in his life in

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which he tastes less of solicitude, or in which he has the means of obtaining all the necessaries of life in greater abundance; but, as he is always sure of maintenance, it is in general the practice to enjoy life when he can, and no thought is taken for the morrow. Those parents who are thoroughly degraded and demoralised by the effects of allowance not only take no means to train up their children to habits of industry, but do their utmost to prevent their obtaining employment, lest it should come to the knowledge of the parish officers, and be laid hold of for the purpose of taking away the allowance." (*Report*, p. 59.)

Happily this state of things is no longer known among us. We must take care that it never shall prevail again.

Even such a denunciation as the above hardly prepares the reader for the following instance of inhumanity:—

"A widow with two children had been in the receipt of 3s. from the parish; she was enabled by this allowance and her own earnings to live very comfortably. She married a butcher; the allowance was continued; but the butcher and his bride came to the overseer and said, 'They were not going to keep those children for 3s. a week, and if a further allowance was not made they should turn them out of doors and throw them on the parish altogether.' The overseer resisted; the butcher appealed to the bench, who recommended him to make the best arrangement he could, as the parish was obliged to support the children."

After this we are not surprised to read that "those whose minds have been moulded by the operation of the poor-laws appear not to have the slightest scruple in asking to be paid for the performance of those domestic duties which the most brutal savages are in general willing to render gratuitously to their own kindred. 'Why should I tend my sick and aged parents when the parish is bound to do it? or, if I do perform the service, why should I excuse the parish, which is bound to pay for it?'"

"At Princes Risborough we turned over the minute book of the select vestry, and found the following entries:—

"'Samuel Simmons' wife applied to be allowed something for looking after her mother, who is confined to her

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bed; the mother now receives 3s. 6d. weekly.—To be allowed an additional 6d. for a few weeks.

"'David Walker's wife applied to be allowed something for looking after her father and mother (old Stevens and his wife), now ill, who receive 6s. weekly.—To be allowed 1s. weekly.

"'Mary Lacy applies for something for waiting on her mother, now ill.—Left to the governor.

"'Elizabeth Prime applies to have something allowed for her sister looking after her father, now ill.—Left to the governor.'"

The general influence of the old poor-law upon the welfare of the labourer was forcibly summed up by Mr. Cowell, one of the Assistant-Commissioners. His words deserve to be quoted:—

"At the time of my journey, the acquaintance I had with the practical operation of the poor-laws led me to suppose that the pressure of the sum annually raised upon the ratepayers and its progressive increase constituted the main inconvenience of the poor-law system. The experience of a very few weeks served to convince me that this evil, however great, sinks into insignificance when compared with the dreadful effects which the system produces on the morals and happiness of the lower orders. It is as difficult to convey to the mind of the reader a true and faithful impression of the intensity and malignancy of the evil in this point of view, as it is by any description, however vivid, to give an adequate idea of the horrors of a shipwreck or a pestilence. A person must converse with paupers, must enter workhouses, and examine the inmates, must attend at the parish pay-table before he can form a just conception of the moral debasement which is the offspring of the present system; he must hear the pauper threaten to abandon his wife and family unless more money is allowed him, threaten to abandon an aged bedridden mother, to turn her out of his house and lay her down at the overseer's door, unless he is paid for giving her shelter; he must hear parents threatening to follow the same course with regard to their sick children; he must see mothers coming

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to receive the reward of their daughters' ignominy, and witness women, in cottages, quietly pointing out, without even the question being asked, which are their children by their husband and which by other men previous to marriage; and, when he finds that he can scarcely step into a town or parish in any county without meeting with some instance or other of this character, he will no longer consider the pecuniary pressure on the ratepayer as the first in the class of evils which the poor-laws have entailed upon the community." (*Report*, p. 60.)

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IV.—CHARACTER OF PERSONS WHO DISTRIBUTED AND AWARDED RELIEF.

It may be asked in what degree the evils just recapitulated were attributable to defects in the machinery of the old poor-law. Such defects there certainly were, defects which aggravated the mischief necessarily arising out of a bad system. Historical accuracy requires that we should specify these defects. Their study is in itself instructive at the present time. A brief notice of the ancient organisation for administering relief will therefore be in place here.

For purposes of local administration the two principal areas were formerly the county and the parish. The justices of the peace presided over the county; the vestry over the parish. Vestries, again, were of three classes; the common vestry, an assembly of all the ratepayers in the parish; the select vestry, a body of representatives chosen by them; and the self-appointed vestry, a body which renewed itself from time to time by the method of co-optation. The members of the vestry were then, as they still are, unpaid. Unpaid also were most of the ministers of the vestry, the churchwardens and overseers, although, at the date of the Commission, more than three thousand parishes had taken advantage of a recent Act of Parliament, enabling them to appoint paid assistant-overseers.

In the relief of the poor as formerly administered, the overseers, the vestry, and the magistrates, all took shares almost equally important. The overseers may here be considered first. It was their duty to assess, collect, and distribute the fund destined for the relief of the poor. They had to decide, in the first instance, what amount of money

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was wanted, what persons were to pay it, and in what proportions each was to contribute; they were to enforce payment from those liable, and to dole it out to those whom they considered proper objects of relief. As they received no salary and had arduous duties to perform, they were not closely controlled by the vestries of their several parishes. But they belonged to the same class with the vestrymen, and were influenced by the same considerations. How did they discharge their very difficult function?

The unpaid overseers were in the great majority of cases found wanting. They could properly discharge their trust only by spending much time and trouble and by incurring much unpopularity. They were usually men who had to work hard for a living, and could not afford that time and trouble. They lived among the paupers who often had the will and the opportunity to resent by outrage any thrift in the administration of relief. They had no salary or promotion to lose by misconduct, in fact they had much to gain by showing dishonest preference to the poor who were their customers or members of their sect. Abuses, no doubt, increased the burthen of the poor-rate to which the overseer contributed; but we have seen what strong inducements many ratepayers had to regard heavy rates as a blessing. At all events it was for the overseers' interest to pay a somewhat heavier rate rather than to spend their strength in the thankless task of sifting out the cases of real distress and then dealing effectively with these. They were required, it is true, to have their accounts audited by the vestry and allowed by the magistrates; but the accounts were seldom full or regular, the audit was almost always a form, and the magistrates allowed as of course the items passed by the vestry.

The overseers were elected for a year, and they often exercised their function for two or three months only. The office being so distasteful, it was a common custom to elect several overseers, who acted in succession within the year. Their work could not have been well done without long experience; without a readiness in applying sound principles and a personal acquaintance with the paupers entrusted to

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their care, which they could not possibly acquire in a year, still less in a shorter time. They were obliged to resign their office just as they had begun to know something about the right way to discharge it. Putting together all these circumstances, the temptations from within, the pressure from without, the want of time, the want of experience, and the strain of other avocations, we shall not be surprised to find that a really efficient overseer was very rare in the parishes examined by the Commission or by its officers. An assistant-overseer who received a salary and gave all his time and trouble to his official duty was much oftener efficient; in many cases he saved to the parish which employed him a sum far exceeding his remuneration.

The legal powers of a vestry in the administration of relief were, according to the Commissioners, subject to doubt and obscurity. To enter into a discussion of vexed points, arising upon a law which has passed away, would be tedious to the reader and foreign to the purpose of this tract. It is sufficient for our purpose to know that almost everywhere the practical influence of the vestry was very great; that it formed, in fact, the ruling authority of the parish, a sort of council of government, of which the overseers were members, voting among the others and submitting to be controlled by the majority. The vestries, in the opinion of the Commissioners, were generally bad; and, whilst the self-appointed vestry was the worst of all, the common was worse than the select vestry. The common vestry, as composed of ratepayers only, was in most cases closed against owners, who in England are seldom directly rated. As the abuses of the old-fashioned method of relieving the poor, were often seemingly lucrative to mere occupiers, it was seldom that bodies of occupiers showed any eagerness to amend these abuses.

The persons who attended at the vestries were often averse to any measures that would render the labourer independent of the parish, since the relief which kept him rooted to the spot insured to them plenty of labour when they had occasion for it. The parishes were then, as they still are, extremely unequal in size. In the small parishes

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the open vestry was exposed to intimidation by the paupers as well as to the sinister influence of individual members. In the large parishes it could seldom remain unanimous. "There are so many petty and conflicting interests to be accommodated," says one witness, "that these meetings are scenes of angry contention and violent debate, which end in nothing, and disgust the respectable portion of the inhabitants, who resign themselves to endure the evils which they cannot cure." (*Report, p.* 68.)

The select vestry, although elected by the very persons who would otherwise have met in open vestry, was, in the opinion of the Commissioners, more capable and less subject to turbulence and corruption. This superiority they ascribed principally to the lessening of magisterial interference, to the presence of the clergyman, and to the practice of keeping regular minutes of the proceedings. Yet the select vestry, in spite of its merits, was often abandoned after a short trial. Members grew remiss in their attendance, particularly in seasons of riot and outrage, when the paupers wreaked their vengeance upon those who had been frugal of the public money. In some parishes the very integrity of the select vestry raised up enemies. Under the influence of these and of other causes the number of select vestries fell from 2,868, in the year 1827, to 2,391 in the year 1832. Their virtues could not resist the overpowering poison of the unreformed poor-law.

It remains to consider the part taken by magistrates in the administration of the relief of the poor. Under the Act of the thirty-sixth year of George III., they had an almost unlimited discretion in ordering relief. This discretion they exercised very freely and with very bad effects. They were usually incapable of determining a suitable standard of income for the poor in general or of ascertaining the facts of each individual case. As to the former point, men of fortune are of all others the least fitted to ascertain how much use a poor man can extract from a shilling. To the question asked by the Commissioners of many gentlemen serving parochial offices in the metropolis—What can a family earn, and can they live on those earnings and lay

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by anything? one stated that in St. Anne's, Limehouse, a family might earn £100 a year, on which they could live, but could not save, whilst another stated that at Hammersmith a family might earn £49 8s., which would give them wholesome food and enable them to lay by something. As to the latter point, the ascertaining of the facts in each particular case, no magistrate who had to act for many parishes could possibly investigate a tenth of the cases which came before him. An appeal from the overseer to the magistrate was an appeal from a judge with imperfect knowledge to a judge with none. Having to decide at random, the magistrate, in his fear of acting cruelly, almost always decided in favour of the pauper and against the overseer. Often he did more, and in the presence of the pauper reprimanded the overseer with a roughness fatal alike to the zeal and to the authority of that officer. In general, it was found that the best and kindest men among the justices did most to pauperize the people.

Thus the overseers, the vestries, and the justices of the peace had all failed in performing the task imposed upon them by the poor-law. It was this collapse of the old system of administration which led to the substitution of large areas, of unions, for single parishes, and the establishment of a central board to watch and control the action of the new local authorities. The modern mechanism of local administration is, we know, defective in many ways, and especially as a means of political training for the people. One of the most important suggestions for its improvement is the proposal to revive the civil parish or township, and to entrust its affairs to a general assembly of all the ratepayers. That something might thus be effected for the better administration of local affairs and for the political training of the nation seems clear. But those who wish to revive a venerable institution are prone to exaggerate the good resulting therefrom. The Commissioners of 1832 found that the vestries, especially the common vestries, and the unpaid overseers were usually indolent and ignorant, and very often corrupt. The working of the parochial system was bad, although its principle was sound and

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liberal. In principle a government which enlists every citizen in public work is admirable. But it is not in every age or country that the bulk of the citizens will take time or pains with anything outside their private business. In any case it will be well not to begin by heaping duties upon our new parish assemblies. If they can do a little well, more may be delegated to them.

The criticism passed by the Commissioners upon the action of justices of the peace has less interest for us, because nobody proposes to enlarge, and many are desirous to curtail, the administrative powers of the magistracy. In general the justices had made a bad use of the powers entrusted to them by the statutes passed for the relief of the poor. But they had misused these powers in a somewhat unexpected way. They erred by taking in every dispute the part of the pauper against the overseer, by encouraging and enforcing a lavish, blind, and pernicious charity. Yet they were usually land-owners; and landowners beyond question lost more than any other men by a wasteful system of relieving the poor. We have seen that in many instances land was rendered almost worthless by the growth of the poor-rate. The justices of the peace in their foolish good-nature injured themselves and the public. So many persons at the present day seem to think that the possession of real property involves a peculiar hardness of heart, that this circumstance, simple enough in itself, may be not unworthy of notice.

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V.—RECOMMENDATIONS OF THE COMMISSIONERS.

THE Commissioners having detailed the mischiefs which they found in existence, proceeded to examine certain remedies which had been suggested. The first of these, and one strongly recommended by many competent persons, was that the relief of the poor should be made a national, instead of a parochial charge, and should be both provided and administered under the direction of the Government. A witness expressed himself thus respecting the parochial administration: "Ignorant or interested persons talk about the advantages of people applying their money and managing their own affairs, in opposition to any plan of central management; but however great the mismanagement of this or any other Government that I have ever heard of may be, there never was a tax so harshly and vexatiously levied, or so badly and corruptly expended, as the tax raised for the relief of the poor. It is the only one raised and appropriated immediately by the payers themselves, and it is in every respect the very worst." The Commissioners admitted that such a change would have had many advantages; that the absurdities of the old law of settlement would have been swept away, and a large immediate saving of the public wealth effected; and that no other equally comprehensive measure would have had so many or such ardent supporters. But they thought that the saving would be only temporary; that candidates for power would bid for popularity by promising to be good to the poor; and that it would be difficult to find any satisfactory way of raising the necessary funds.

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The second remedy suggested was the assisted emigration of superfluous labourers. This the Commissioners thought likely to be of use in many cases. They recommended that the vestry of each parish should be empowered to order the payment, out of the rates raised for the relief of the poor, of the expenses of the emigration of any persons having settlements within such parish who might be willing to emigrate; provided that the expense of each emigration be raised and paid within a period to be mentioned in the Act. They did not, however, lay much stress upon emigration as a cure for pauperism. They thought that under a reformed administration of the poor-law there would be such an improvement in the industry of the labourer, and such an increase in the fund available for his support, that the paupers would be very generally absorbed into the mass of independent wage-earners. This expectation was largely fulfilled. England then contained barely half its present population; and had yet before it a long career of expanding industry. Thus the Commissioners had to deal with a state of affairs very different from ours, and might well think less of emigration than we should do now.

More interest attaches to a third proposal for the cure of rural pauperism by giving the labourers land to occupy. Even at that time many landowners had tried the experiment of allotting small pieces of land to labourers for cultivation in their spare time, and the parishes had statutory power to do likewise. The Commissioners examined many witnesses as to the success which had attended the system of allotments. The general results of the evidence they summed up as follows: 1. That the extent of land which a labourer can beneficially occupy is small, seldom exceeding, even when his family is large, half an acre. Were he to cultivate more, he could no longer rely upon his wages as his regular and main support. If he ceased to rely upon his wages; if he became a petty farmer, before he had accumulated a capital sufficient to meet not merely the current expenses, but also the casualties of that hazardous trade; if he had to encounter the accidents of the seasons, instead of feeling them at second-hand, after

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their force had been broken on the higher classes, his ultimate ruin, in their opinion, was almost certain. One of the Sub-Commissioners reported upon this subject as follows: "A few leases for lives are occasionally met with, chiefly in Montgomeryshire, which have been granted by the lords of the manors with from five to fifteen acres of land; not enough to make the tenants farmers, and too much to permit them to be labourers. On comparing the condition of these small freeholders with that of labourers who have only just sufficient land to occupy their leisure time, the result is greatly in favour of the latter. My own observation was confirmed by the testimony of others. Mr. Davies, the rector of Aberhavesp, stated that in his neighbourhood several persons had obtained leases for lives of a few acres of land which had been recently enclosed, and that the majority of them are now actually in a worse condition than paupers. They trust solely to the produce of the land, and if there is a bad season, or they are improvident, which is often the case, in the consumption of a short crop, they are reduced to a dreadful condition, as the possession of the land operates against their obtaining parochial relief.

"Where a labourer was possessed of a small portion of land, sufficient, and not more than sufficient, to occupy his leisure time and furnish his children with employment, I found a striking improvement in the general condition of the whole family. The children were early and practically taught the beneficial effects of industry, and the man appeared to be more contented with his lot, and had less inducement to keep loose company. From what I witnessed, therefore, I cannot too strongly recommend that every facility should be granted to encourage the occupation of land to this extent by the labouring classes. The measure was warmly advocated by all classes, and is universally popular." (*Report*, pp. 110, 111.)

2. That where the system of letting land to labourers has been introduced and carried on by individuals, it has generally been beneficial; and, on the other hand, that where it has been managed by parish officers it has seldom succeeded. This opinion of the Commissioners has some

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interest at the present day, when it is proposed to invest local bodies with the power of compulsory purchase, in order that they may provide allotments and pieces of pasture for the labourers. Such an enactment might quicken negligent or stupid landowners to do what is for their own interest as well as for the interest of the public, and to make proper provision for those who labour on their estates. Perhaps, however, its importance has been sometimes overrated. In the first place, such local bodies, for the most part composed of and elected by farmers, are not likely to incur any grave expense for this object at a time when agriculture is declining and taxation augmenting. Secondly, the local bodies, in providing allotments, will be under disadvantages more or less resembling those to which the Commissioners of 1832 ascribed their former failure. The applicant for relief, they said, had been trained to consider the distributors of relief as his enemies. He viewed even their gifts with suspicion and distrusted still more their attempts to bargain with him. He neither brought to any contract with them the cheerfulness, nor performed his part with the activity and perseverance necessary to the success of his undertaking, even if all that was to be done upon their part had been wisely and diligently executed. The overseers, anxious to escape with the least possible trouble from the thankless task forced upon them, seldom bestowed much care in choosing tenants, or in framing rules, or in enforcing their observance. In short, none of the conditions of success were present.

3. That the occupation of land by the labouring classes may be made, and, in fact, is made, beneficial to the lessor as well as to the occupier. This the Commissioners thought the most important result of their inquiries. The immediate advantages of allotments they considered to be so great as would justify at least temporary measures for providing them at the public expense. But they thought that since the practice of letting land to labourers was profitable, it might safely be trusted to spread without public interference. They declare that at the time of their Report it was rapidly extending.

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Another proposal noticed by the Commissioners was one for the general enforcement of a labour-rate and for the abolition of all other forms of relief. This also the Commissioners rejected for reasons suggested by their survey of the labour-rate system as they found it in operation in many parts of England. We have formerly seen the evils incident to that method of relieving distress and need not recapitulate them here.

The Commissioners, not thinking any of the above remedies adequate to the disease, next propounded their own recommendations which were embodied in the poor-law of 1834. All that is here necessary is to call attention to the fundamental principle embodied in these recommendations. It may be stated thus: that the situation of the person receiving relief should not on the whole be made really or apparently so eligible as the situation of the independent labourer of the lowest class. Upon this principle the Commissioners recommended that, except as to medical attendance, no relief whatever should be given to able-bodied persons or to their families except in well-regulated workhouses. They thought that relief could not be made unattractive so well in any other way as by giving it on condition of entering the workhouse. They did not mean that the board and lodging supplied in the workhouse should be kept below the standard for the poorest labourer out of doors. It is both certain and deplorable that many thousands of spirited men and women cannot provide for themselves by their industry so comfortable a dwelling or such wholesome and plentiful food as the chill bounty of the State supplies to those who have ceased to struggle for independence. But the sense of restraint, the uneasiness under a workhouse discipline, however reasonable or temperately enforced, the loss of the ordinary excitements and amusements, the feeling of impotence and humiliation will for most people counterbalance the insipid, dreary well-being of the workhouse. In this way the condition of those who live in a well-managed workhouse may be more repellent than the condition of the independent poor outside. This was

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what the Commissioners recommended and what has been in great part carried out, with the result of considerably reducing the number of paupers and raising the remuneration of labour.

But is the principle thus laid down by the Commissioners a sound one? It is repugnant to the principle of many of the schemes now proposed for the alleviation of distress. By adopting these schemes the State would guarantee to the poor, at a rate much below cost price, many of the chief necessaries of civilisation. It would give this guarantee without reserve; it would add no deterrent conditions, ask no questions, impose no tests; but give with a bounty more open and unsuspecting than that of the most munificent individual. The Commissioners of 1832 would have regarded this generosity as foolishness. They admitted that a civilised State should not allow its citizens to perish by famine and exposure. They recognised the danger to society arising from the extreme penury of the poorest class. They would have relieved this class, but in such a way as not to recruit it from classes a little more prosperous. They would have so tempered the public charity that the miserable would not refuse, and those who were not miserable would not accept it. The gentler offices of humanity they would have left to charitable men and women. Were they right in drawing this distinction? Is there an ineffaceable line separating the province of public from that of private charity?

Undoubtedly there is such a line. In the first place, whatever the State gives is accepted as of right. Nobody feels any gratitude for help given out of the public purse. Nobody thinks that he can ever get enough. Nobody has any shame in asking for more. Everything which is thus received is received without thanks; too often with anger and bitterness. Private charity, wisely dispensed, does not involve to at all the same extent these unpleasant consequences. A landowner may build cottages and let them to labourers at a rent which does not nearly repay the cost. But then a landowner exercises over his estate a sort of patriarchal authority; he provides lodging only for

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a certain number of persons, leaving the rest to go elsewhere; he makes a cheap cottage the reward of merit; he profits by the presence of the better sort of labourers and by the higher cultivation of his land; and whatever he does, he does as an act of benevolence. How widely he differs from a municipal body elected to do what he has done, without any discretion as to the manner or extent of doing it! A rich neighbour may well give a dinner now and then to a troop of poor school children. Such kindness is good in itself, and no sane person counts upon it as a source of income in the event of his marrying and having a family. But if a school board guarantee to every one of its scholars as much wholesome food as a boy or girl can eat, is it not certain to cancel the strongest motive to economy and to relax the bond between parent and child?

Again, those who dispense the bounty of the State are often careless, or careful chiefly to profit somewhat by their function. The parliamentary candidate who wants to secure his seat, the party leader who wishes to hold or recover office, the administrator whose importance grows with the growth of his disbursement, the journalist whose art it is to make the public weep golden tears; all these bear but a very small share of the cost, whilst they absorb almost all the profit and praise. Herein also the charity of the State differs from the charity of private persons. Private persons give of their own; and as they are at the pains and expense, so they have the reward of their own conscience and of the approval of others. State charity, as soon as it overpasses the narrowest bounds, cannot be kept within any bounds whatsoever. The recipients are numberless, shameless, and insatiable. The distributors are few, helpless, indifferent in most instances to everything but their own popularity. Discrimination becomes almost impossible; caution is at an end; frugality is denounced as hardness of heart; the expenses of the State and the appetites of the needy are multiplied a hundredfold; industry is burthened, diligence relaxed, accumulation discouraged; the sources of revenue are dried up, and public bankruptcy and national pauperism are the inevitable consequences.

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Wherever it has once been admitted that any large part of the community has a right to have their incomes supplemented out of the public purse all these plagues have followed. The two greatest republics of antiquity, the Republic of Athens and the Republic of Rome date their rapid decline from the establishment of unlimited outdoor relief. Nor is there anything mysterious in this if we will but consult our own nature. The natural man has no very high standard of civilisation, but he has a very high standard of indolence. Most men would be idle if they possibly could. Only a minority work from motives of conscience, or public spirit, or vanity, or restlessness. The rest work under the pressure of terrible unsatisfied instincts; and of these the two strongest are the instinct to maintain one's own life and the instinct to continue one's species. Now, one of these instincts is limited in its demands. A plain man needs only a certain daily ration of bread and meat. But the other instinct calls into being an unlimited number of competitors for this ration. Whatever the effect of idleness, luxury, or intellectual effort upon the more fortunate, or of hunger, disease, and intemperance upon the more miserable of our kind, it is certain that the normal man and woman sufficiently lodged, clothed, and fed, and not cruelly overworked, will, if they marry early, have a very large family. It is also certain that a vast number of men and women marry almost before they have attained physical maturity. Those who do not do so are usually restrained by the desire to maintain the standard of comfort and decency recognised by their class. Out of the conflict of these passions comes the energy which creates wealth faster than it is consumed. Suspend the conflict and you relax the energy; relax the energy and you plunge the whole community in suffering worse than even the poorest class now endures.

Misery springs from many sources; the deepest and most constant being the imperfection of those who are miserable. It is because of this moral and intellectual weakness in most of those who are objects of charity that charity so much needs to be guided by knowledge and controlled by

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judgment, if it is not to do more harm than good. The sphere of State charity is limited by the limits of official wisdom and integrity. The sphere of private charity is limited only by the limits of individual inquiry and supervision. The evidence amassed by the Commissioners of 1832 proves that relief out of the rates, if given elsewhere than in the workhouse, is almost always given blindly; that the instruments available to the State do not enable it to dispense charity wisely and honestly in any other way. Private charity, when properly organised, is far better able to give outdoor relief in cases where such relief ought to be given. Whilst inflexible general rules must control the distribution of State alms, private liberality can examine into the circumstances of each particular case, deal with it upon its merits, and establish a happy and an ennobling relation between him who gives and him who takes. Private charity, organised, reflective, energetic, has a boundless field, upon which the State, if it is wise, will not trespass. This noble charity demands from the rich not money only, but time; not time only, but labour. It is for them to remember that, if legally owners, they are morally trustees of the wealth which they enjoy. The old juridical definition of the right of property as a right to use and abuse is a sound description of a legal right which must be preserved in the interest of the public even when strained by the individual; but it will not avail to cover the misfeasance or nonfeasance of the rich man at the bar of public opinion, of conscience, or of God.

Nor in thus asserting the exclusive capacity of private benevolence to deal with certain forms of distress do we seek to cramp the action of the State. Over and above the mechanism of national defence and internal order there are many other appliances of civilised life which the State may well provide for its citizens. It may undertake such public works as it can execute better and more cheaply than any other agency. It may undertake the construction of roads and sewers, or the supply of gas and water. It may furnish the means of national culture; schools of every grade, elementary, intermediate, technical; libraries, museums, galleries

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of painting and sculpture, baths, parks, and gardens. In providing these the State does not so much satisfy the needs of animal nature as awaken the truly human instincts. By enlarging the conscious wants of men, it urges them to more strenuous exertion. Nay, the State may go further and employ its unequalled credit for the benefit of particular classes. It may build homes for the workmen in cities, or buy farms for the cultivators in the country upon such terms as will simply reimburse its outlay. All this it may wisely and fairly do. But it acts unwisely in attempting to satisfy on easy terms the gross animal wants of any class. It acts unfairly in charging the maintenance of any class upon the rest of the community. It acts cruelly when in the excess of pity it seeks not to soften merely, but totally to abrogate, the struggle for existence. That struggle has been ordained as a painful but necessary means of human improvement.

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FIFTH EDITION.

PRICE ONE SHILLING; OR IN CLOTH GILT, GILT EDGES, TWO SHILLINGS.

HISTORY OF THE FREE TRADE MOVEMENT IN ENGLAND.

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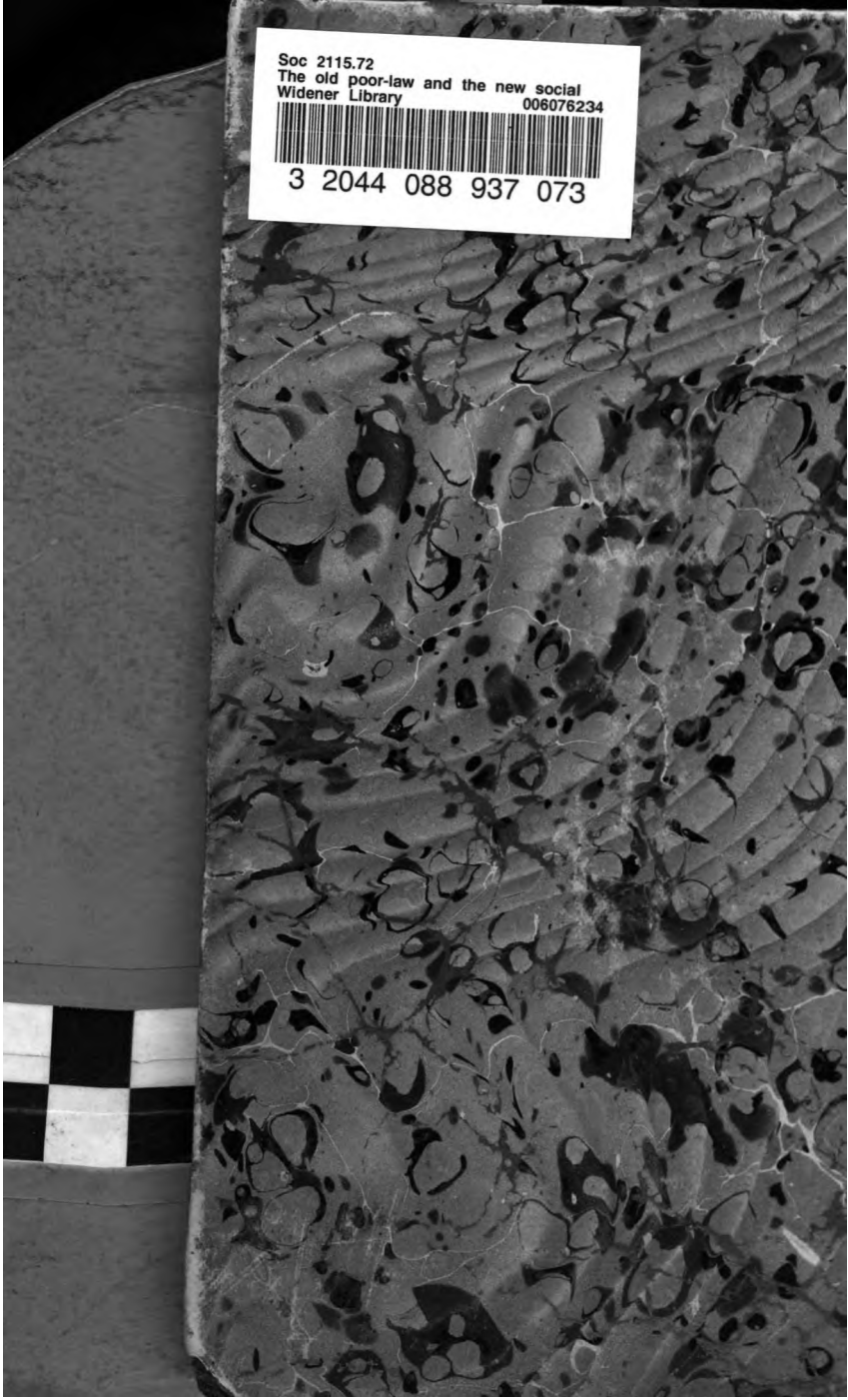
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