

AN ESSAY

1326

HIS LIFE AND GENIUS,

BY

ARTHUR MURPHY, ESQ.

A NEW EDITION, IN FOURTEEN VOLUMES.

Vol. XII.

#### LONDON:

Printed for J. Johnson; J. Nichols and Son; R. Baldwin; F. and C. Rivington; Otridge and Son; W. J. and J. Richardson; R. Faulder and Son; G. Nicol and Son; T. Payne; G. Robinson; W. Lowndes; Wilkie and Robinson; Scatcherd and Letterman; Lane and Newman; J. Walker; Vernor, Hood, and Sharpe; R. Lea; J. Nunn; Lackington, Allen and Co.; Cuthell and Martin; Barker and Son; C. Law; E. Jeffery; Longman, Hurst, Rees, and Orme; Cadell and Davies; Black, Parry, and Co.; W. Miller; I. Booker; R. H. Evans; S. Bagster; J. Harding; J. Mawman; J. Asperne; P. and W. Wynne; and Joseph Harding.



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# THE LIFE

OF

MR. JONATHAN WILD
THE GREAT,



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# HISTORY OF THE LIFE

OF THE LATE

MR. JONATHAN WILD THE GREAT.

# BOOK I.

# CHAP. I.

Showing the wholesome uses drawn from recording the achievements of those wonderful productions of nature called Great Men.

As it is necessary that all great and surprising events, the designs of which are laid, conducted, and brought to perfection by the utmost force of human invention and art, should be produced by great and eminent men, so the lives of such may be justly and properly stiled the quintessence of history. In these, when delivered to us by sensible writers, we are not only most agreeably entertained, but most usefully instructed; for besides the attaining hence a consummate knowledge of human nature in general; of its secret springs, various windings, and perplexed mazes; we have

here before our eyes lively examples of whatever is amiable or detestable, worthy of admiration or abhorrence, and are consequently taught, in a manner infinitely more effectual than by precept, what we are eagerly to imitate or carefully to avoid.

But besides the two obvious advantages of surveying, as it were in a picture, the true beauty of virtue, and deformity of vice, we may moreover learn from Plutarch, Nepos, Suetonius, and other biographers, this useful lesson, not too hastily, nor in the gross, to bestow either our praise or censure; since we shall often find such a mixture of good and evil in the same character, that it may require a very accurate judgment in a very elaborate inquiry to determine on which side the balance turns: for though we sometimes meet with an Aristides or a Brutus, a Lysander or a Nero, yet far the greater number are of the mixt kind; neither totally good nor bad; their greatest virtues being obscured and allayed by their vices, and those again softened and coloured over by their virtues.

Of this kind was the illustrious person whose history we now undertake; to whom, though nature had given the greatest and most shining endowments, she had not given them absolutely pure and without allay. Though he had much of the admirable in his character, as much perhaps as is usually to be found in a hero, I will not yet venture to affirm that he was entirely free from all defects, or that the sharp eyes of censure could not spy out some little blemishes lurking amongst

his many great perfections.

We would not therefore be understood to affect giving the reader a perfect or consummate pattern of human excellence; but rather, by faithfully recording some little imperfections, which shadowed over the lustre of those great qualities which we shall here record, to teach the lesson we have above mentioned; to induce our reader with us to lament the frailty of human nature, and to convince him that no mortal, after a thorough scrutiny, can be a proper object of our adoration.

But before we enter on this great work, we must endeavour to remove some errors of opinion which mankind have, by the disingenuity of writers, contracted: for these, from their fear of contradicting the obsolete and absurd doctrines of a set of simple fellows, called, in derision, sages or philosophers, have endeavoured, as much as possible, to confound the ideas of greatness and goodness; whereas no two things can possibly be more distinct from each other: for G.eatness consists in bringing all manner of mischief on mankind, and Goodness in removing it from them. It seems therefore very unlikely that the same person should possess them both; and yet nothing is more usual with writers, who find many instances of greatness in their favourite hero, than to make him a compliment of goodness into the bargain; and this, without considering that by such means they destroy the great perfection called uniformity of character. In the histories of Alexander and Cæsar, we are frequently, and indeed impertinently, reminded of their benevolence and generosity, of their clemency and kindness. When the former had with fire and sword overrun a vast empire, had destroyed the lives of an immense number of innocent wretches, had scattered ruin and desolation like a whirlwind, we are told, as an example of his clemency, that he did not cut the throat of an old woman, and ravish her daughters, but was content with only undoing them. And when the mighty Cæsar, with wonderful greatness of mind, had destroyed the liberties of his country, and with all the means of fraud and force had placed himself at the head of his equals, had corrupted and enslaved the greatest people whom the sun ever saw; we are reminded, as an evidence of his generosity, of his largesses to his followers and tools, by whose means he had accomplished his purpose, and by whose assistance he was to establish it,

Now, who doth not see that such sneaking qualities as these are rather to be bewailed as imperfections, than admired as ornaments in these great men; rather obscuring their glory, and holding them back in their race to greatness, indeed unworthy the end for which they seem to have come into the world, viz. of perpetrating vast and mighty

mischief?

We hope our reader will have reason justly to acquit us of any such confounding ideas in the following pages; in which, as we are to record the actions of a great man, so we have no where mentioned any spark of goodness, which had discovered itself either faintly in him, or more glaringly in any other person, but as a meanness and imperfection, disqualifying them for undertakings which lead to honour and esteem among men.

As our hero had as little as perhaps is to be found of that meanness, indeed only enough to make him partaker of the imperfection of humanity, instead of the perfection of Diabolism, we have ventured to call him *The Great*; nor do we doubt but our reader, when he hath perused his story, will concur with us in allowing him that

title.

#### CHAP. II.

Giving an account of as many of our hero's ancestors as can be gathered out of the rubbish of antiquity, which hath been carefully sifted for that purpose.

It is the custom of all biographers, at their entrance into their work, to step a little backwards (as far, indeed, generally as they are able) and to trace up their hero, as the ancien's did the river Nile, till an incapacity of proceeding higher puts

an end to their search.

What first gave rise to this method, is somewhat difficult to determine. Sometimes I have thought that the hero's ancestors have been introduced as foils to himself. Again, I have imagined it might be to obviate a suspicion that such extraordinary personages were not produced in the ordinary course of nature, and may have proceeded from the author's fear, that if we were not told who their fathers were, they might be in danger, like prince Prettyman, of being supposed to have had none. Lastly, and perhaps more truly, I have conjectured, that the design of the biographer hath been no more than to shew his great learning and knowledge of antiquity. A design to which the world hath probably owed many notable discoveries, and indeed most of the labours of our antiquarians.

But whatever original this custom had, it is now too well established to be disputed. I shall there-

fore conform to it in the strictest manner.

Mr. Jonathan Wild, or Wyld, then (for he himself did not always agree in one method of

spelling his name), was descended from the great Wolfstan Wild, who came over with Hengist, and distinguished himself very eminently at that famous festival, where the Britons were so treacherously murdered by the Saxons; for when the word was given, i. e. Nemet eour Saxes, Take out your swords, this gentleman, being a little hard of hearing, mistook the sound for Nemet her Sacs, Take out their purses; instead therefore of applying to the throat, he immediately applied to the pocket of his guest, and contented himself with taking all that he had, without attempting his life.

The next ancestor of our hero, who was remarkably eminent, was Wild, surnamed Langfanger, or Longfinger. He flourished in the reign of Henry III, and was strictly attached to Hubert de Burgh, whose friendship he was recommended to by his great excellence in an art, of which Hubert was himself the inventor; he could, without the knowledge of the proprietor, with great ease and dexterity, draw forth a man's purse from any part of his garment where it was deposited, and hence he derived his surname. This gentleman was the first of his family who had the honour to suffer for the good of his country: on whom a wit of that time made the following epitaph:

O shame o' Justice, Wild is hang'd, For thatten he a pocket fang'd, While safe old Hubert, and his gang, Doth pocket o' the nation fang.

Langfanger left a son named Edward, whom he had carefully instructed in the art for which he himself was so famous. This Edward had a grandson, who served as a volunteer under the famous Sir John Falstaff, and by his gallant demeanour, so

recommended himself to his captain, that he would have certainly been promoted by him, had Harry the fifth kept his word with his old companion.

After the death of Edward, the family remained in some obscurity down to the reign of Charles the first, when James Wild distinguished himself on both sides the question in the civil wars, passing from one to t'other, as heaven seemed to declare itself in favour of either party. At the end of the war, James not being rewarded according to his merits, as is usually the case of such impartial persons, he associated himself with a brave man of those times, whose name was Hind, and declared open war with both parties. He was successful in several actions, and spoiled many of the enemy; till at length, being overpowered and taken, he was, contrary to the law of arms, put basely and cowardly to death, by a combination between twelve men of the enemy's party, who, after some consultation, unanimously agreed on the said murder.

This Edward took to wife Rebecca the daughter of the abovementioned John Hind, Esq. by whom he had issue John, Edward, Thomas, and Jonathan, and three daughters, namely Grace, Charity, and Honour. John followed the fortunes of his father, and suffering with him, left no issue. Edward was so remarkable for his compassionate temper, that he spent his life in soliciting the causes of the distressed captives in Newgate, and is reported to have held a strict friendship with an eminent divine, who solicited the spiritual causes of the said captives. He married Editha, daughter and coheiress of Geoffry Snap, Gent. who long enjoyed an office under the high sheriff of London and Middlesex, by which, with great reputation,

he acquired a handsome fortune: by her he had no issue. Thomas went very young abroad to one of our American colonies, and hath not been since heard of. As for the daughters, Grace was married to a merchant of Yorkshire, who dealt in horses. Charity took to husband an eminent gentleman, whose name I cannot learn; but who was famous for so friendly a disposition, that he was bail for above a hundred persons in one year, He had likewise a remarkable humour of walking in Westminster-hall with a straw in his shoe. Honour, the youngest, died unmarried. She lived many years in this town, was a great frequenter of plays and used to be remarkable for distributing oranges to all who would accept of them.

Jonathan married Elizabeth, daughter of Scragg Hollow, of Hockley in the Hole, Esq. and by her had Jonathan, who is the illustrious subject of these

memoirs.

# CHAP. III.

The birth, parentage, and education of Mr. Jonathan Wild the Great.

It is observable that nature seldom produces any one who is afterwards to act a notable part on the stage of life, but she gives some warning of her intention; and as the dramatic poet generally prepares the entry of every considerable character, with a solemn narrative, or at least a great flourish of drums and trumpets; so doth this our Alma Mater by some shrewd hints pre-admonish us of her intention, giving us warning as it were, and crying:

-- Venienti occurrite morbo.

Thus Astyages, who was the grandfather of Cyrus, dreamt that his daughter was brought to bed of a vine, whose branches overspread all Asia; and Hecuba, while big with Paris, dreamt that she was delivered of a firebrand that set all Troy in flames; so did the mother of our Great Man, while she was with child of him, dream that she was enjoyed in the night by the gods Mercury and Priapus. This dream puzzled all the learned astrologers of her time, seeming to imply in it a contradiction; Mercury being the god of ingenuity, and Priapus the terror of those who practised it. What made this dream the more wonderful, and perhaps the true cause of its being remembered, was a very extraordinary circumstance, sufficiently denoting something preternatural in it; for though she had never heard even the name of either of these gods, she repeated these very words in the morning, with only a small mistake of the quantity of the latter, which she chose to call Priapus instead of Priāpus; and her husband swore that though he might possibly have named Mercury to her (for he had heard of such an heathen god), he never in his life could have anywise put her in mind of that other deity, with whom he had no acquaintance.

Another remarkable incident was, that during her whole pregnancy she constantly longed for every thing she saw; nor could be satisfied with her wish unless she enjoyed it clandestinely; and as nature, by true and accurate observers, is remarked to give us no appetites without furnishing us with the means of gratifying them; so had she at this time a most marvellous glutinous quality attending her fingers, to which, as to birdlime, every thing closely adhered that she handled,

To omit other stories, some of which may be perhaps the growth of superstition, we proceed to the birth of our hero, who made his first appearance on this great theatre, the very day when the plague first broke out in 1665. Some say his mother was delivered of him in an house of an orbicular or round form in Covent-garden; but of this we are not certain. He was some years afterwards baptized by the famous Mr. Titus Oates.

Nothing very remarkable passed in his years of infancy, save, that as the letters Th are the most difficult of pronounciation, and the last which a child attains to the utterance of, so they were the first that came with any readiness from young master Wild. Nor must we omit the early indications which he gave of the sweetness of his temper; for though he was by no means to be terrified into compliance, yet might he by a sugarplumb be brought to your purpose: indeed, to say the truth, he was to be bribed to any thing, which made many say, he was certainly born to be a Great Man.

He was scarce settled at school before he gave marks of his lofty and aspiring temper; and was regarded by all his schoolfellows with that deference which men generally pay to those superior geniuses who will exact it of them. If an orchard was to be robbed, Wild was consulted, and though he was himself seldom concerned in the execution of the design, yet was he always concerter of it, and treasurer of the booty; some little part of which he would now and then, with wonderful generosity, bestow on those who took it. He was generally very secret on these occasions; but if any offered to plunder of his own head, without acquainting Master Wild, and making a deposite

of the booty, he was sure to have an information against him lodged with the schoolmaster, and to

be severely punished for his pains.

He discovered so little attention to school-learning, that his master, who was a very wise and worthy man, soon gave over all care and trouble on that account, and acquainting his parents that their son proceeded extremely well in his studies, he permitted his pupil to follow his own inclinations; perceiving they led him to nobler pursuits than the sciences; which are generally acknowledged to be a very unprofitable study, and indeed greatly to hinder the advancement of men in the world: but though Master Wild was not esteemed the readiest at making his exercise, he was universally allowed to be the most dexterous at stealing it of all his shoolfellows: being never detected in such furtive compositions, nor indeed in any other exercitations of his great talents, which all inclined the same way, but once, when he had laid violent hands on a book called Gradus ad Parnassum, i. e. A step towards Parnassus; on which account his master, who was a man of most wonderful wit and sagacity, is said to have told him, he wished it might not prove in the event Gradus ad Patibulum, i. c. A step towards the gallows.

But though he would not give himself the pains requisite to acquire a competent sufficiency in the learned languages, yet did he readily listen with attention to others, especially when they translated the classical authors to him; nor was he in the least backward, at all such times, to express his approbation. He was wonderfully pleased with that passage in the eleventh Iliad, where Achilles is said to have bound two sons of Priam upon a mountain, and afterwards to have released them for a sum of money. This was, he said, alone sufficient to

refute those who affected a contempt for the wisdom of the ancients, and an undeniable testimony of the great antiquity of Priggism.\* He was ravished with the account which Nestor gives in the same book, of the rich booty which he bore off (i. e. stole) from the Eleans. He was desirous of having this often repeated to him, and at the end of every repetition, he constantly fetched a deep sigh, and said, It was a glorious booty.

When the story of Cacus, was read to him out of the eighth Æneid, he generously pitied the unhappy fate of that great man, to whom he thought Hercules much too severe: one of his schoolfellows commending the dexterity of drawing the oxen backward by their tails into his den, he smiled, and with some disdain, said, He could have taught him

a better way.

He was a passionate admirer of heroes, particularly of Alexander the Great, between whom and the late king of Sweden, he would frequently draw parallels. He was much delighted with the accounts of the Czar's retreat from the latter, who carried off the inhabitants of great cities to people his own country. This he said, was not once thought of by Alexander; but added, perhaps he did not want them.

Happy had it been for him, if he had confined himself to this sphere; but his chief, if not only blemish was, that he would sometimes, from an humility in his nature too pernicious to true greatness, condescend to an intimacy with inferior things and persons. Thus the Spanish rogue was his favourite book, and the cheats of Scapin his favourite play.

The young gentleman being now at the age of

<sup>·</sup> This word, in the cant language, signifies thievery.

seventeen, his father, from a foolish prejudice to our universities, and out of a false, as well as excessive regard to his morals, brought his son to town, where he resided with him till he was of an age to travel. Whilst he was here, all imaginable care was taken of his instruction, his father endeavouring his utmost to inculcate principles of honour and gentility into his son.

#### CHAP. IV.

Mr. Wild's first entrance into the world. His acquaintance with Count La Ruse.

An accident happened soon after his arrival in town, which almost saved the father his whole labour on this head, and provided Master Wild a better tutor than any after-care or expence could have furnished him with. The old gentleman, it seems, was a FOLLOWER of the fortunes of Mr. Snap, son of Mr. Geoffry Snap, whom we have before mentioned to have enjoyed a reputable office under the sheriff of London and Middlesex, the daughter of which Geoffry had intermarried with the Wilds. Mr. Snap the younger, being thereto well warranted, had laid violent hands on, or, as the vulgar express it, arrested one count La Ruse, a man of considerable figure in those days, and had confined him to his own house, till he could find two seconds who would in a formal manner give their words that the Count should, at a certain day and place appointed, answer all that one Thomas Thimble a tailor had to say to him; which Thomas Thimble, it seems, alleged that the Count

had, according to the law of the realm, made over his body to him as a security for some suits of clothes to him delivered by the said Thomas Thimble. Now, as the Count, though perfectly a man of honour, could not immediately find these seconds, he was obliged for some time to reside at Mr. Snap's house: for it seems the law of the land is, that whoever owes another 10l. or indeed 21. may be, on the oath of that person, immediately taken up and carried away from his own house and family, and kept abroad till he is made to owe 501. whether he will or no; for which he is perhaps, afterwards obliged to lie in gaol; and all these without any trial had, or any other evidence of the debt than the abovesaid oath, which if untrue, as it often happens, you have no remedy against the perjurer; he was, forsooth, mistaken.

But though Mr. Snap would not (as perhaps by the nice rules of honour he was obliged) discharge the Count on his parole; yet did he not (as by the strict rules of law he was enabled) confine him to his chamber. The Count had his liberty of the whole house, and Mr. Snap using only the precaution of keeping his doors well lock d and barr'd, took his prisoner's word that he would not

go forth.

Mr. Snap had by his second lady two daughters, who were now in the bloom of their youth and beauty. These young ladies, like damsels in romance, compassionated the captive Count, and endeavoured by all means to make his confinement less irksome to him; which, though they were both very beautiful, they could not attain by any other way so effectually, as by engaging with him at cards, in which contentions, as will appear hereafter, the Count was greatly skilful.

As whisk and swabbers was the game then in the chief vogue, they were obliged to look for a fourth person, in order to make up their parties, Mr. Snap himself would sometimes relax his mind. from the violent fatigues of his employment, by these recreations; and sometimes a neighbouring young gentleman, or lady, came into their assistance: but the most frequent guest was young Master Wild, who had been educated from his infancy with the Miss Snaps, and was, by all the neighbours, allotted for the husband of Miss Tishy, or Lætitia, the younger of the two; for though, being his consin-german, she was perhaps, in the eye of a strict conscience, somewhat too nearly related to him; yet the old people on both sides, though sufficiently scrupulous in nice matters, agreed to overlook this objection.

Men of great genius as easily discover one another, as free-masons can. It was therefore no wonder that the Count soon conceived an inclination to an intimacy with our young hero, whose vast abilities could not be concealed from one of the Count's discernment: for though this latter was so expert at his cards, that he was proverbially said to play the whole game, he was no match for Master Wild, who, inexperienced as he was, notwithstanding all the art, the dexterity, and often the fortune of his adversary, never failed to send him away from the table with less in his pocket than he brought to it, for indeed Langtanger himself could not have extracted a purse with more ingenuity than our young hero.

His hands made frequent visits to the Count's pocket, before the latter had entertained any suspicion of him, imputing the several losses he sustained, rather to the innocent and sprightly frolic of Miss Doshy, or Theodosia, with which,

as she indulged him with little innocent freedoms about her person in return, he thought himself obliged to be contented; but one night, when Wild imagined the Count asleep, he made so unguarded an attack upon him, that the other caught him in the fact: however, he did not think proper to acquaint him with the discovery he had made; but, preventing him from any booty at that time, he only took care for the future to button his pockets, and to pack the cards

with double industry.

So far was this detection from causing any quarrel between these two Prigs \*, that in reality it recommended them to each other: for a wise man, that is to say a rogue, considers a trick in life, as a gamester doth a trick at play. It sets him on his guard; but he admires the dexterity of him who plays it. These therefore, and many other such instances of ingenuity, operated so violently on the Count, that, notwithstanding the disparity which age, title, and above all dress, had set between them, he resolved to enter into an acquaintance with Wild. This soon produced a perfect intimacy, and that a friendship, which had a longer duration than is common to that passion between persons who only propose to themselves the common advantages of eating, drinking, whoring, or borrowing money; which ends if they soon fail, so doth the friendship founded upon them. Mutual interest, the greatest of all purposes, was the cement of this alliance, which nothing of consequence, but superior interest, was capable of dissolving.

<sup>\*</sup> Thieves.

# CHAP. V.

A dialogue between young Master Wild and Count La Ruse, which, having extended to the rejoinder, had a very quiet, easy, and natural conclusion.

ONE evening after the Miss Snaps were retired to rest, the Count thus addressed himself to young Wild: "You cannot, I apprehend, Mr. Wild, be " such a stranger to your own great capacity, as tobe " surprised when I tell you I have often viewed, " with a mixture of astonishment and concern, " your shining qualities confined to a sphere where "they can never reach the eyes of those who " would introduce them properly into the world, " and raise you to an eminence, where you may " blaze out to the admiration of all men. I assure " you I am pleased with my captivity, when I re-" flect I am likely to owe it to an acquaintance, " and I hope friendship, with the greatest genius " of my age; and, what is still more, when I in-" dulge my vanity with a prospect of drawing " from obscurity (pardon the expression) such ta-"lents as were, I believe, never before like to "have been buried in it: for I make no question, "but, at my discharge from confinement, which " will now soon happen, I shall be able to intro-"duce you into company, where you may reap " the advantage of your superior parts.

"I will bring you acquainted, Sir, with those, "who as they are capable of setting a true value on such qualifications, so they will have it both in their power and inclination to prefer you for them. Such an introduction is the only advan-

"tage you want, without which your merit might be your misfortune; for those abilities which

" would entitle you to honour and profit in a supe-

" rior station, may render you only obnoxious to

"danger and disgrace in a lower."

Mr. Wild answered: "Sir, I am not insensible " of my obligations to you, as well for the over-" value you have set on my small abilities, as for " the kindness you express in offering to introduce " me among my superiors. I must own, my father " bath often persuaded me to push myself into "the company of my betters; but, to say the "truth, I have an aukward pride in my nature, "which is better pleased with being at the head of "the lowest class, than at the bottom of the " highest. Permit me to say, though the idea may " be somewhat coarse, I had rather stand on the " summit of a dunghill, than at the bottom of a " hill in Paradise; I have always thought it signi-" fies little into what rank of life I am thrown, " provided I make a great figure therein; and " should be as well satisfied with exerting my ta-"lents well at the head of a small party or gang, " as in the command of a mighty army: for I am " far from agreeing with you, that great parts are often lost in a low situation; on the contrary, I "am convinced it is impossible they should be "lost. I have often persuaded myself that there " were not fewer than a thousand in Alexander's "troops capable of performing what Alexander " himself did.

"But because such spirits were not elected or destined to an imperial command, are we therefore to imagine they came off without a booty?

Or that they contented themselves with the share in common with their comrades? Surely, no.

In civil life, doubtless, the same genius, the

"same endowments have often composed the " statesman and the Prig: for so we call what the " vulgar name a Thief. The same parts, the same " actions often promote men to the head of supe-"rior societies, which raise them to the head of "lower; and where is the essential difference, if "the one ends on Tower-hill, or the other at Ty-"burn? Hath the block any preference to the " gallows, or the axe to the halter, but was given "them by the ill-guided judgment of men? You " will pardon me therefore, if I am not so hastily "inflamed with the common outside of things, " nor join the general opinion in preferring one " state to another. A guinea is as valuable in a " leathern as in an embroidered purse; and a cod's " head is a cod's head still, whether in a pewter or " a silver dish."

The Count replied as follows: "What you " have now said doth not lessen my idea of your "capacity; but confirms my opinion of the ill "effects of bad and low company. Can any "man doubt, whether it is better to be a great "statesman, or a common thief? I have often "heard that the devil used to say, where, or to "whom, I know not, that it was better to reign " in Hell, than to be a valet de chambre in Hea-"ven, and perhaps he was in the right; but sure "if he had had the choice of reigning in either, " he would have chosen better. The truth there-" fore is, that by low conversation we contract a " greater awe for high things than they deserve. "We decline great pursuits not from contempt, "but despair. The man who prefers the high road " to a more reputable way of making his fortune, "doth it because he imagines the one easier than "the other; but you yourself have asserted, and " with undoubted truth, that the same abilities " qualify you for undertaking, and the same means " will bring you to your end in both journies; as " in music, it is the same tune, whether you play "it in a higher or a lower key. To instance in " some particulars: Is it not the same qualifications "which enables this man to hire himself as a ser-" vant, and to get into the confidence and secrets " of his master, in order to rob him, and that to " undertake trusts of the highest nature with a " design to break and betray them? Is it less diffi-" cult by false tokens to deceive a shopkeeper into " the delivery of his goods, which you afterwards run " away with, than to impose upon him by outward " splendour, and the appearance of fortune, into a " credit by which you gain, and he loses twenty " times as much. Doth it not require more dex-" terity in the fingers to draw out a man's purse " from his pocket, or to take a lady's watch from "her side, without being perceived of any (an ex-" cellence in which, without flattery, I am persua-" ded you have no superior) than to cog a die, or " to shuffle a pack of cards? Is not as much art, " as many excellent qualities, required to make a " pimping porter at a common bawdy house, as " would enable a man to prostitute his own or his " friend's wife or child? Doth it not ask as good a " memory, as nimble an invention, as steady a " countenance, to forswear yourself in Westmin-" ster-hall, as would furnish out a complete fool of " state, or perhaps a statesman himself? It is " needless to particularize every instance; in all " we shall find, that there is a nearer connection " between high and low life than is generally ima-"gined, and that a highwayman is entitled to " more favour with the great than he usually " meets with. If therefore, as I think I have " proved, the same parts which qualify a man for

"eminence in a low sphere, qualify him likewise for " eminence in a higher, sure it can be no doubt in "which he would chuse to exert them. Ambition, " without which no one can be a great man, will "immediately instruct him, in your own phrase, to " prefer a hill in paradise to a dunghill; nay, even " fear, a passion the most repugnant to greatness, " will shew him how much more safely he may "indulge himself in the full and free exertion of " his mighty abilities in the higher, than in the " lower rank: Since experience teaches him, that "there is a crowd oftener in one year, at Tyburn, "that on Tower-hill in a century." Mr. Wild with much solemnity rejoined, "That the same " capacity which qualifies a Mill-ken\*, a Bridle-" cull +, or a Buttock and File +, to arrive at any " degree of eminence in his profession, would like-"wise raise a man in what the world esteem a " more honourable calling, I do not deny; nay, in " many of your instances it is evident, that more "ingenuity, more art is necessary to the lower, "than the higher proficients. If therefore you "had only contended, that every Prig might be a "statesman if he pleased, I had readily agreed to "it; but when you conclude, that it is his interest " to be so, that ambition would bid him take that " alternative, in a word, that a statesman is greater " or happier than a Prig, I must deny my assent. "But, in comparing these two together, we must " carefully avoid being misled by the vulgar erro-" neous estimation of things: for mankind err in " disquisitions of this nature, as physicians do, who, "in considering the operations of a disease, have " not a due regard to the age and complexion of the " patient. The same degree of heat, which is com-

<sup>\*</sup> A Housebreaker. † A Highwayman.

<sup>#</sup> A Shoplifter. Terms used in the Cant Dictionary.

" mon in this constitution, may be a fever in that; " in the same manner that which may be riches or " honour to me, may be poverty or disgrace to ano-"ther: for all these things are to be estimated by " relation to the person who possesses them. A " booty of 10l. looks as great in the eye of a Bri-" dle-cull, and gives as much real happiness to his " fancy, as that of as many thousands to the states-" man; and doth not the former lay out his acqui-" sitions in whores and fiddles, with much greater " joy and mirth, than the latter in palaces and pic-" tures? What are the flattery, the false compli-" ments of his gang, to the statesman, when he " himself must condemn his own blunders, and is obliged against his will to give fortune the whole "honour of his success? what is the pride, result-"ing from such sham applause, compared to the " secret satisfaction which a Prig enjoys in his " mind in reflecting on a well contrived and well " executed scheme? Perhaps indeed the greater " danger is on the Prig's side; but then you must " remember, that the greater honour is so too. "When I mention honour, I mean that which is " paid them by their gang,; for that weak part of "the world, which is vulgarly called THE WISE, " see both in a disadvantageous and disgraceful "light: And as the Prig enjoys (and merits too) " the greater degree of honour from his gang, so "doth he suffer the less disgrace from the world, "who think his misdeeds, as they call them, suffi-" ciently at last punished with a halter, which at "once puts an end to his pain and infamy; "whereas the other is not only hated in power, " but detested and contemned at the scaffold; and " future ages vent their malice on his fame, while " the other sleeps quiet and forgotten. Besides, let " us a little consider the secret quiet of their con-

" sciences; how easy is the reflection of having " taken a few shillings or pounds from a stranger, " without any breach of confidence, or perhaps " any great harm to the person who loses it, com-" pared to that of having betrayed a public trust, " and ruined the fortunes of thousands, perhaps of " a great nation? How much braver is an attack on the highway, than at the gaming-table; and "how much more innocent the character of a "b-dy-house than a c-t pimp?" He was eagerly proceeding, when, casting his eyes on the Count. he perceived him to be fast asleep: wherefore having first picked his pocket of three shillings, then gently jogged him in order to take his leave, and promised to return to him the next morning to breakfast, they separated: the Count retired to rest, and Master Wild to a night-cellar.

#### CHAP. VI.

Further conferences between the Count and Master Wild, with other matters of the great kind.

The Count missed his money the next morning, and very well knew who had it; but, as he knew likewise how fruitless would be any complaint, he chose to pass it by without mentioning it. Indeed it may appear strange to some readers, that these gentlemen, who knew each other to be thieves, should never once give the least hint of this knowledge in all their discourse together; but on the contrary, should have the words honesty, honour, and friendship, as often in their mouths as any other men. This I say, may appear strange to

some; but those who have lived long in cities; courts, gaols, or such places, will perhaps be able

to solve the seeming absurdity.

When our two friends met the next morning, the Count (who, though he did not agree with the whole of his friend's doctrine, was, however highly pleased with his argument), began to bewail the misfortune of his captivity, and the backwardness of friends to assist each other in their necessities; but what vexed him he said, most, was the cruelty of the fair; for he entrusted Wild with the secret of his having had an intrigue with Miss Theodosia, the elder of the Miss Snaps, ever since his confinement, though he could not prevail with her to set him at liberty. Wild answered, with a smile : "It was no wonder a woman should wish to con-" fine her lover where she might be sure of having " him entirely to herself; but added, he believed " he could tell him a method of certainly procuring "his escape." The Count eagerly besought him to acquaint him with it. Wild told him, bribery was the surest means, and advised him to apply to the maid. The Count thanked him, but returned, "That he had not a farthing left besides one gui-" nea, which he had then given her to change." To which Wild said, "He must make it up with " promises, which he supposed he was courtier " enough to know how to put off." The Count greatly applauded the advice, and said, he hoped he should be able in time to persuade him to condescend to be a great man, for which he was so perfectly well qualified.

This method being concluded on, the two friends sat down to cards, a circumstance which I should not have mentioned, but for the sake of observing the prodigious force of habit; for though the Count knew, if he won ever so much of Mr.

Wild, he should not receive a shilling, yet could he not refrain from packing the cards; nor could Wild keep his hands out of his friend's pockets, though he knew there was nothing in them.

When the maid came home, the Count began to put it to her; offered her all he bad, and promised mountains in futuro; but all in vain, the maid's honesty was impregnable. She said, "She would " not break her trust for the whole world; no not " if she could gain a hundred pound by it." Upon which Wild stepping up, and telling her: "She need not fear losing her place, for it would " never be found out; that they could throw a " pair of sheets into the street, by which it might "appear he got out at a window; that he himself "would swear he saw him descending; that the "money would be so much gains in her pocket; "that, besides his promises, which she might de-" pend on being performed, she would receive " from him twenty shillings and ninepence in " ready money (for she had only laid out three-"pence in plain Spanish), and lastly, that, besides "his honour, the Count should leave a pair of gold "buttons (which afterwards turned out to be "brass) of great value in her hands, as a further " pawn."

The maid still remained inflexible, till Wild offered to lend his friend a guinea more, and to deposit it immediately in her haeds. This reinforcement bore down the poor girl's resolution, and she faithfully promised to open the door to the Count

that evening.

Thus did our young hero not only lend his rhetorick, which few people care to do without a fee, but his money too, a sum which many a good man would have made fifty excuses before he would

have parted with, to his friend, and procured him

his liberty.

But it would be highly derogatory from the GREAT character of Wild, should the reader imagine he lent such a sum to a friend without the least view of serving himself. As, therefore, the reader may easily account for it in a manner more advantageous to our hero's reputation, by concluding that he had some interested view in the Count's enlargement, we hope he will judge with charity, especially as the sequel makes it not only reasonable, but necessary, to suppose he had some such view.

A long intimacy and friendship subsisted between the Count and Mr. Wild, who, being by the advice of the Count dressed in good clothes, was by him introduced into the best company. They constantly frequented the assemblies, auctions, gaming-tables, and playhouses; at which last they saw two acts every night, and then retired without paying, this being, it seems, an immemorial privilege which the beaus of the town prescribe for to themselves. This, however, did not suit Wild's temper, who called it a cheat, and objected against it, as requiring no dexterity but what every blockhead might put in execution. He said it was a custom very much savouring of the Sneaking budge,\* but neither so honourable nor so ingenious.

Wild now made a considerable figure, and passed for a gentleman of great fortune in the funds. Women of quality treated him with great familiarity, young ladies began to spread their charms for him, when an accident happened that put a stop to his continuance in a way of life too

insipid and inactive to afford employment for those great talents, which were designed to make a much more considerable figure in the world than attends the character of a beau or a pretty gentleman.

### CHAP. VII.

Master Wild sets out on his travels, and returns home again. A very short chapter, containing infinitely more time and less matter than any other in the whole story.

We are sorry we cannot indulge our reader's curiosity with a full and perfect account of this accident; but as there are such various accounts, one of which only can be true, and possibly, and indeed probably none; instead of following the general method of historians, who in such cases set down the various reports, and leave to your own conjecture which you will chuse, we shall pass them all over.

Certain it is, that whatever this accident was, it determined our hero's father to send his son immediately abroad, for seven years; and which may seem somewhat remarkable, to his majesty's plantations in America. That part of the world being, as he said, freer from vices than the courts and cities of Europe, and consequently less dangerous to corrupt a young man's morals, And as for the advantages, the old gentleman thought they were equal there with those attained in the politer climates; for travelling, he said, was travelling in one part of the world as well as another: It consisted in being such a time from home, and in traversing so many leagues; and appealed to experi-

ence, whether most of our travellers in France and Italy, did not prove at their return, that they might have been sent as profitably to Norway and Greenland?

According to these resolutions of his father, the young gentleman went aboard a ship, and with a great deal of good company, set out for the American hemisphere. The exact time of his stay is somewhat uncertain; most probably longer than was intended: But howsoever long his abode there was, it must be a blank in this history; as the whole story contains not one adventure worthy the reader's notice; being, indeed, a continued scene of whoring, drinking, and removing from one place to another.

To confess a truth, we are so ashamed of the shortness of this chapter, that we would have done a violence to our history, and have inserted an adventure or two of some other traveller: To which purpose we borrowed the journals of several young gentlemen who have lately made the tour of Europe; but to our great sorrow, could not extract a single incident strong enough to justify the theft to

our conscience.

When we consider the ridiculous figure this chapter must make, being the history of no less than eight years, our only comfort is, that the histories of some men's lives, and perhaps of some men who have made a noise in the world, are in reality as absolute blanks as the travels of our hero. As therefore, we shall make sufficient amends in the sequel for this inanity, we shall hasten on to matters of true importance, and immense greatness. At present we content ourselves with setting down our hero where we took him up, after acquainting our reader that he went abroad, staid seven years, and then came home again.

#### CHAP. VIII.

An adventure where Wild, in the division of the booty, exhibits an astonishing instance of GREATNESS.

The Count was one night very successful at the bazard-table, where Wild, who was just returned from his travels, was then present; as was likewise a young gentleman whose name was Bob Bagshot, an acquaintance of Mr. Wild's, and of whom he entertained a great opinion; taking therefore Mr. Bagshot aside, he advised him to provide himself (if he had them not about him) with a case of pistols, and to attack the Count, in his way home, promising to plant himself near with the same arms, as a Corps de Reserve, and to come up on occasion. This was accordingly executed, and the Count obliged to surrender to savage force what he had in so genteel and civil a manner taken at play.

And as it is a wise and philosophical observation, that one misfortune never comes alone, the Count had hardly passed the examination of Mr. Bagshot, when he fell into the hands of Mr. Snap, who, in company with Mr. Wild the elder, and one or two more gentlemen, being, it seems, thereto well warranted, laid hold of the unfortunate Count, and conveyed him back to the same house, from which, by the assistance of his good friend he had formerly escaped.

Mr. Wild and Mr. Bagshot went together to the tavern, where Mr. Bagshot (generously, as he thought) offered to share the booty, and having divided the money into two unequal heaps, and added a golden snuff-box to the lesser heap, he de-

sired Mr. Wild to take his choice.

Mr. Wild immediately conveyed the larger share of the ready into his pocket, according to an excellent maxim of his: "First secure what share "you can before you wrangle for the rest:" And then, turning to his companion, he asked with a stern countenance, whether he intended to keep all that sum to himself? Mr. Bagshot answered with some surprize, that he thought Mr. Wild had no reason to complain: for it was surely fair, at least on his part to content himself with an equal share of the booty, who had taken the whole. " I grant you took it," replied Wild, "but, pray, who pro-" posed or counselled the taking it? Can you say, "that you have done more than executed my "scheme? and might not I, if I had pleased, have "employed another, since you well know there " was not a gentleman in the room but would have " taken the money, if he had known how conve-" niently and safely to do it?" "That is very true " (returned Bagshot,) but did not I execute the " scheme, did not I run the whole risque? Should " not I have suffered the whole punishment if I " had been taken, and is not the labourer worthy " of his hire?" " Doubtless (says Jonathan,) he is " so, and your hire I shall not refuse you, which " is all that the labourer is entitled to, or ever en-" joys. I remember when I was at school to have " heard some verses, which for the excellence of " their doctrine made an impression on me, pur-" porting that the birds of the air, and the beasts " of the field, work not for themselves. It is true "the farmer allows fodder to his oxen, and pasture " to his sheep; but it is for his own service, not " theirs. In the same manner the ploughman, the " shepherd, the weaver, the builder, and the sol-"dier, work not for themselves but others; they " are contented with a poor pittance (the labourer's

" hire,) and permit us, the GREAT, to enjoy the " fruits of their labours. Aristotle, as my master " told us, hath plainly proved, in the first book of "his politics, that the low, mean, useful part of " mankind, are born slaves to the wills of their supe-"riors, and are indeed as much their property as " the cattle. It is well said of us, the higher order " of mortals, that we are born only to devour the " fruits of the earth; and it may be as well said " of the lower class, that they are born only to "produce them for us. Is not the battle gained "by the sweat and danger of the common soldier? " are not the honour and fruits of the victory the " general's who laid the scheme? Is not the house "built by the labour of the carpenter, and the "bricklayer? Is it not built for the profit only of " the architect, and for the use of the inhabitant, " who could not easily have placed one brick upon "another? Is not the cloth, or the silk, wrought " into its form, and variegated with all the beauty " of its colours, by those who are forced to con-" tent themselves with the coarsest and vilest part " of their work, while the profit and enjoyment of "their labours fall to the share of others? Cast " your eye abroad, and see who is it lives in the " most magnificent buildings, feasts his palate with " the most luxurious dainties, his eyes with the " most beautiful sculptures and delicate paintings, " and clothes himself in the finest and richest ap-" parel; and tell me, if all these do not fall to his "lot, who had not any the least share in producing " all these conveniencies, nor the least ability so " to do? Why then should the state of a Prig\* " differ from all others? Or why should you, who

" are the labourer only, the executor of my " scheme, expect a share in the profit? Be ad-" vised, therefore, deliver the whole booty to me, " and trust to my bounty for your reward." Mr. Bagshot was sometime silent, and looked like a man thunderstruck: But at last recovering himself from his surprize, he thus began; "If you think, Mr. "Wild, by the force of your arguments to get the " money out of my pocket, you are greatly mis-"taken. What is all this stuff to me? D-n " me, I am a man of honour, and though I can't " talk as well as you, by G-you shall not make " a fool of me; and if you take me for one, I " must tell you, you are a rascal." At which words, he laid his hand to his pistol. Wild perceiving the little success the great strength of his arguments had met with, and the hasty temper of his friend, gave over his design for the present, and told Bagshot, he was only in jest. But this coolness with which he treated the other's flame had rather the effect of oil than of water. Bagshot replied in a rage, "D-n me, I don't like such " jests; I see you are a pitiful rascal, and a scoun-" drel." Wild, with a philosophy worthy of great admiration, returned, " As for your abuse, I have " no regard to it; but to convince you I am not " afraid of you, let us lay the whole booty on " the table, and let the conqueror take it all." And having so said, he drew out his shining hanger, whose glittering so dazzled the eyes of Bagshot, that, in a tone entirely altered, he said, "No! " he was contented with what he had already; " that it was mighty ridiculous in them to quarrel " among themselves; that they had common enc-" mies enough abroad, against whom they should "unite their common force; that if he had mis" taken Wild, he was sorry for it; and as for a " jest, he could take a jest as well as another." Wild, who had a wonderful knack of discovering and applying to the passions of men, beginning now to have a little insight into his friend, and to conceive what arguments' would make the quickest impression on him, cried out in a loud voice, "That he had bullied him into drawing his hanger, "and since it was out, he would not put it up " without satisfaction: " What satisfaction would " you have?" (answered the other.) "Your "money or your blood," said Wild. "Why "lookye, Mr. Wild (said Bagshot,) if you want "to borrow a little of my part, since I know you "to be a man of honour, I don't care if I lend you: "-For though I am not afraid of any man living, "yet rather than break with a friend, and as it " may be necessary for your occasions."-Wild, who often declared that he looked upon borrowing to be as good a way of taking as any, and, as he called it, the genteelest kind of Sneaking-budge, putting up his hanger and shaking his friend by the hand, told him, he had hit the nail on the head: it was really his present necessity only that prevailed with him against his will; for that his honour was concerned to pay a considerable sum the next morning. Upon which, contenting himself with one half of Bagshot's share, so that he had three parts in four of the whole, he took leave of his companion, and retired to rest.

#### CHAP, IX.

Wild pays a visit to Miss Lætitia Snap. A description of that lovely young creature, and the successless issue of Mr. Wild's addresses.

THE next morning when our hero waked, he began to think of paying a visit to Miss Tishy Snap; a woman of great merit, and of as great generosity; yet Mr. Wild found a present was ever most welcome to her, as being a token of respect in her lover. He therefore went directly to a toyshop, and there purchased a genteel snuff-box, with which he waited upon his mistress: whom he found in the most beautiful undress. Her lovely hair hung wantonly over her forehead, being neither white with, nor yet free from powder; a neat double clout which seemed to have been worn a few weeks only, was pinned under her chin; some remains of that art with which ladies improve nature, shone on her cheeks: her body was loosely attired, without stays or jumps; so that her breasts had uncontrolled liberty to display their beateous orbs, which they did as low as her girdle; a thin covering of a rumpled muslin handkerchief almost hid them from the eyes, save in a few parts, where a good-natured hole gave opportunity to the naked breast to appear. Her gown was a sattin of a whitish colour, with about a dozen little silver spots upon it, so artificially, interwoven at great distance, that they looked as if they had fallen there by chance. This flying open, discovered a fine yellow petticoat, beautifully edged round the bottom with a narrow piece of half gold lace, which was now almost become fringe: beneath

this appeared another petticoat stiffened with whalebone, vulgarly called a hoop, which hung six inches at least below the other; and under this again appeared an under-garment of that colour which Ovid intends when he says,

-Qui color albus erat nunc est contrarius alto.

She likewise displayed two pretty feet covered with silk, and adorned with lace; and tied, the right with a handsome piece of blue ribband; the left, as more unworthy, with a piece of yellow stuff. which seemed to have been a strip of her upperpetticoat. Such was the lovely creature whom Mr. Wild attended. She received him at first with some of that coldness which women of strict virtue by a commendable, though sometimes painful restraint, enjoin themselves to their lovers. The snuff-box being produced, was at first civilly, and indeed, gently refused; but on a second application accepted. The tea-table was soon called for, at which a discourse passed between these young lovers, which, could we set it down with any accuracy, would be very edifying as well as entertaining to our reader; let it suffice then that the wit, together with the beauty of this young creature, so inflamed the passion of Wild, which, though an honourable sort of passion, was at the same time so extremely violent, that it transported him to freedoms too offensive to the nice chastity of Lætitia, who was, to confess the truth, more indebted to her own strength for the preservation of her virtue, than to the awful respect or backwardness of her lover: he was indeed so very urgent in his addresses, that had he not with many oaths promised her marriage, we could scarce have been strictly justified in calling his passion honourable; but he

was so remarkably attached to decency, that he never offered any violence to a young lady without the most earnest promises of that kind, these being, he said, a ceremonial due to female modesty, which cost so little, and were so easily pronounced, that the omission could arise from nothing but the mere wontonness of brutality. The lovely Lætitia, either out of prudence, or perhaps religion, of which she was a liberal professor, was deaf to all his promises, and luckily invincible by his force; for though she had not yet learnt the art of well clenching her fist, nature had not however left her defenceless: for at the ends of her fingers she wore arms, which she used with such admirable dexterity, that the hot blood of Mr. Wild soon began to appear in several little spots on his face, and his full-blown cheeks to resemble that part which modesty forbids a boy to turn up any where but in a public school, after some pedagogue, strong of arm, hath exercised his talents thereon. now retreated from the conflict, and the victorious Lætitia, with becoming triumph, and noble spirit, cried out, "D-n your eyes, if this be your " way of shewing your love, I'll warrant I gives " you enough on't." She then proceeded to talk of her virtue, which Wild bid her carry to the devil with her; and thus our lovers parted.

# CHAP. X.

A discovery of some matters concerning the chaste Lætitia, which must wonderfully surprise, and perhaps affect our reader.

MR. Wild was no sooner departed, than the fair conqueress opening the door of a closet, called

forth a young gentleman, whom she had there enclosed at the approach of the other. The name of this gallant was Tom Smirk. He was clerk to an attorney, and was indeed the greatest beau, and the greatest favourite of the ladies, at the end of the town where he lived. As we take dress to be the characteristic or efficient quality of a beau, we shall, instead of giving any character of this young gentleman, content ourselves with describing his dress only to our readers. He wore, then, a pair of white stockings on his legs, and pumps on his feet: his buckles were a large piece of pinchbeck plate, which almost covered his whole foot. His breeches were of red plush, which hardly reached his knees; his waistcoat was a white dimity. richly embroidered with vellow silk, over which he wore a blue plush coat with metal buttons, a smart sleeve, and a cape reaching half way down his back. His wig was of a brown colour, covering almost half his pate, on which was hung, on one side, a little laced hat, but cocked with great smartness. Such was the accomplished Smirk, who, at his issuing forth from the closet, was received with open arms by the amiable Lætitia. She addressed him by the tender name of dear Tommy; and told him she had dismissed the odious creature whom her father intended for her husband, and had now nothing to interrupt her happiness with him.

Here, reader, thou must pardon us if we stop a while to lament the capriciousness of nature in ferming this charming part of the creation, designed to complete the happiness of man; with their soft innocence to allay his ferocity, with their sprightliness to soothe his cares, and with their constant friendship to relieve all the troubles and disappointments which can happen to him. Seeing then that these are the blessings chiefly sought

after, and generally found in every wife, how must we lament that disposition in these lovely creatures, which leads them to prefer in their favour those individuals of the other sex, who do not seem intended by nature as so great a masterpicce. For surely, however useful they may be in the creation, as we are taught that nothing, not even a louse, is made in vain; yet these beaus, even that most splendid and honoured part, which, in this our island, nature loves to distinguish in red, are not, as some think, the noblest work of the Creator. For my own part, let any man chuse to himself two beaus, let them be captains or colonels, as well dressed men as ever lived, I would venture to oppose a single Sir Isaac Newton, a Shakespeare, a Milton, or perhaps some few others, to both these beaus; nay, and I very much doubt, whether it had not been better for the world in general, that neither of these beaus had ever been born, than that it should have wanted the benefit arising to it from the labour of any one of those persons.

If this be true, how melancholy must be the consideration, that any single beau, especially if he have but half a yard of ribbon in his hat, shall weigh heavier, in the scale of female affection, than twenty Sir Isaac Newtons. How must our reader. who perhaps had wisely accounted for the resistance which the chaste Lætitia had made to the violent addresses of the ravished (or rather ravishing) Wild, from that lady's impregnable virtue, how must he blush, I say, to perceive her quit the strictness of her carriage, and abandon herself to those loose freedoms which she indulged to Smirk, But, alas! when we discover all, as to preserve the fidelity of our history we must, when we relate that every familiarity had past between them, and that the FAIR Lætitia (for we must, in

this single instance, imitate Virgil, when he drops the pius and the pater, and drop our favourite epithet of chaste), the fair Lætitia had, I say, made Smirk as happy as Wild desired to be, what must then be our reader's confusion? We will, therefore, draw a curtain over this scene, from that philogyny which is in us, and proceed to matters, which, instead of dishonouring the human species, will greatly raise and ennoble it.

### CHAP, XI.

Containing as notable instances of human greatness as are to be met with in ancient or modern history. Concluding with some wholesome hints to the gay part of mankind.

WILD no sooner parted from the chaste Lætitia, than recollecting that his friend the Count was returned to his lodgings in the same house, he resolved to visit him: for he was none of those halfbred fellows, who are ashamed to see their friends when they have plundered and betrayed them: from which base and pitiful temper, many monstrous cruelties have been transacted by men, who have sometimes carried their modesty so far as to the murder, or utter ruin of those against whom their consciences have suggested to them, that they have committed some small trespass, either by the debauching a friend's wife or daughter, belying or betraying the friend himself, or some other such trifling instance. In our hero there was nothing not truly great: he could, without the least abashment, drink a bottle with the man who knew he had the moment before picked his pocket; and, when he had stript him of every thing he had, never desired to do him any further mischief; for he carried good nature to that wonderful and uncommon height, that he never did a single injury to man or woman, by which he himself did not expect to reap some advantage. He would often indeed say, that by the contrary party men often made a bad bargain with the devil, and did his work for no-

thing.

Our hero found the captive Count, not basely lamenting his fate, nor abandoning himself to despair; but with due resignation, employing himself in preparing several packs of cards for future exploits. The Count, little suspecting that Wild had been the sole contriver of the misfortune which had befallen him, rose up, and eagerly embraced him; and Wild returned his embrace with equal They were no sooner seated than Wild took an occasion, from seeing the cards lying on the table, to inveigh against gaming, and, with an usual and highly commendable freedom, after first exaggerating the distrest circumstances in which the Count was then involved, imputed all his misfortunes to that cursed itch of play, which, he said, he concluded had brought his present confinement upon him, and must unavoidably end in his destruction. The other, with great alacrity, defended his favourite amusement (or rather employment), and having told his friend the great success he had after his unluckily quitting the room, acquainted him with the accident which followed, and which the reader, as well as Mr. Wild, hath had some intimation of before; adding, however, one circumstance not hitherto mentioned, viz. that he had defended his money with the utmost bravery, and had dangerously wounded at least two of the three men that had attacked him. This behaviour

Wild, who not only knew the extreme readiness with which the booty had been delivered, but also the constant frigidity of the Count's courage, highly applauded, and wished he had been present to assist him. The Count then proceeded to animadvert on the carelessness of the watch, and the scandal it was to the laws, that honest people could not walk the streets in safety; and, after expatiating some time on that subject, he asked Mr. Wild if he ever saw so prodigious a run of luck (for so he chose to call his winning, though he knew Wild was well acquainted with his having loaded dice in his pocket); the other answered, it was indeed prodigious, and almost sufficient to justify any person, who did not know him better, in suspecting his fair play. No man, I believe, dares call that in question, replied he. No surely, says Wild, you are well known to be a man of more honour: but pray, Sir, continued he, did the rascals rob you of all? Every shilling, cries the other, with an oath; they did not leave me a single stake.

While they were discoursing, Mr. Snap, with a gentleman who followed him, introduced Mr. Bagshot into the company. It seems Mr. Bagshot, immediately after his separation from Mr. Wild, returned to the gaming-table, where, having trusted to fortune that treasure which he had procured by his industry, the faithless goddess committed a breach of trust, and sent Mr. Bagshot away with as empty pockets as are to be found in any laced coat in the kingdom. Now as that gentleman was walking to a certain reputable house or shed in Covent-Garden market, he fortuned to meet with Mr. Snap, who had just returned from conveying the Count to his lodgings, and was then walking to and fro before the gaming-house door; for you are to know, my good reader, if you have never been

a man of wit and pleasure about town, that as the voracious pike lieth snug under some weed before the mouth of any of those little streams which discharge themselves into a large river, waiting for the small fry which issue thereout; so hourly before the door or mouth of these gaming-houses doth Mr. Snap, or some other gentleman of his occupation, attend the issuing forth of the small fry of young gentlemen, to whom they deliver little slips of parchment, containing invitations of the said gentlemen to their houses, together with one Mr. John Doe\*, a person whose company is in great request. Mr. Snap, among many others of these billets, happened to have one directed to Mr. Bagshot, being at the suit or solicitation of one Mrs. Anne Sample, Spinster, at whose house the said Bagshot had lodged several months, and whence he had inadvertently departed without taking a formal leave, on which account Mrs. Anne had taken this method of speaking with him.

Mr. Snap's house being now very full of good company, he was obliged to introduce Mr. Bagshot into the Count's apartment, it being, as he said, the only chamber he had to lock up in, Mr. Wild no sooner saw his friend than he ran eagerly to embrace him, and immediately presented him to the Count, who received him with great civility.

<sup>\*</sup> This is a fictitious name which is put into every writ; for what purpose the lawyers best know.

### CHAP. XII.

Further particulars relating to Miss Tishy, which perhaps may not greatly surprise after the former. The description of a very fine gentleman.

And a dialogue between Wild and the Count, in which public virtue is just hinted at, with, &c.

Mr. Snap had turned the key a very few minutes before a servant of the family called Mr. Bagshot out of the room, telling him, there was a person below who desired to speak with him; and this was no other than Miss Lætitia Snap, whose admirer Mr. Bagshot had long been, and in whose tender breast his passion had raised a more ardent flame than that which any of his rivals had been able to raise. Indeed she was so extremely foud of this youth, that she often confessed to her female confidents, if she could have ever listened to the thought of living with any one man, Mr. Bagshot was he .- Nor was she singular in this inclination, many other young ladies being her rivals in this lover, who had all the great and noble qualifications necessary to form a true gallant, and which nature is seldom so extremely bountiful as to indulge to any one person. We will endeavour, however, to describe them all with as much exactness as possible. He was then six feet high, had large calves, broad shoulders, a ruddy complexion, with brown curled hair, a modest assurance, and clean linen. He had indeed, it must be confessed, some small deficiencies to counterbalance these heroic qualities; for he was the silliest fellow in the world, could neither write nor read, nor had he a single grain or spark of honour, honesty, or goodnature, in his whole composition.

As soon as Mr. Bagshot had quitted the room, the Count taking Wild by the hand, told him he had something to communicate to him of very great importance: "I am very well convinced," said he "that Bagshot is the person who robbed me."-Wild started with great amazement at this discovery, and answered with a most serious countenance, "I advise you to take care how you cast " any such reflections on a man of Mr. Bagshot's " nice honour; for I am certain he will not bear "it." "D-n his honour," quoth the enraged Count, "nor can I bear being robbed; I will ap-" ply to a justice of peace." Wild replied with great indignation, "Since you dare entertain such a sus-" picion against my friend, I will henceforth dis-" claim all acquaintance with you. Mr. Bagshot " is a man of honour, and my friend, and conse-" quently it is impossible he should be guilty of a " bad action." He added much more to the same purpose, which had not the expected weight with the Count; for the latter seemed still certain as to the person, and resolute in applying for justice, which, he said, he thought he owed to the public, as well as to himself. Wild then changed his countenance into a kind of derision, and spoke as follows: "Suppose it should be possible that Mr. "Bagshot had, in a frolic (for I will call it no "other), taken this method of borrowing your " money, what will you get by prosecuting him? "Not your money again; for you hear he was " stript at the gaming table;" (of which Bagshot had, during their short confabulation, informed them) "you will get then an opportunity of being " still more out of pocket by the prosecution. Ano-" ther advantage you may promise yourself, is the " being blown up at every gaming-house in town, " for that I will assure you of; and then much " good may it do you, to sit down with the satis-" faction of having discharged what it seems you "owe the public. I am ashamed of my own dis-" cernment, when I mistook you for a great man. "Would it not be better for you to receive part " (perhaps all) of your money again by a wise "concealment; for however seedy \* Mr. Bagshot " may be now, if he hath really played this frolic "with you, you may believe he will play it with "others, and when he is in cash, you may depend "on a restoration; the law will be always in your " power, and that is the last remedy which a brave " or a wise man would resort to. Leave the affair "therefore to me; I will examine Bagshot, and if "I find he hath played you this trick, I will engage "my own honour, you shall in the end be no "loser." The Count answered: "if I was sure "to be no loset, Mr. Wild, I apprehend you have "a better opinion of my understanding than to "imagine I would prosecute a gentleman for the "sake of the public. These are foolish words of "course, which we learn a ridiculous habit of "speaking, and will often break from us without "any design or meaning. I assure you, all I de-"sire is a reimbursement, and if I can by your " means obtain that, the public may-" concluding with a phrase too coarse to be inserted in a history of this kind.

They were now informed that dinner was ready, and the company assembled below stairs, whither the reader may, if he please, attend these gentlemen.

There sat down at the table Mr. Snap, and the two Miss Snaps, his daughters, Mr. Wild the elder, Mr. Wild the younger, the Count, Mr. Bagshot, and a grave gentleman, who had formerly had the

honour of carrying arms in a regiment of foot, and who was now engaged in the office (perhaps a more profitable one) of assisting or following Mr. Snap in the execution of the laws of his country.

Nothing very remarkable passed at dinner.-The conversation (as is usual in polite company) rolled chiefly on what they were then eating, and what they had lately eaten. In this the military gentleman, who had served in Ireland, gave them a very particular account of a new manner of roasting potatoes, and others gave an account of other dishes. In short, an indifferent by-stander would have concluded from their discourse, that they had all come into this world for no other purpose than to fill their bellies; and indeed, if this was not the chief, it is probable it was the most innocent design nature had in their formation.

As soon as the dish was removed, and the ladies retired, the Count proposed a game at hazard, which was immediately assented to by the whole company, and the dice being immediately brought in, the Count took up the box, and demanded who would set him: to which no one made any answer, imagining perhaps the Count's pockets to be more empty than they were; for, in reality, that gentleman (notwithstanding what he had heartily swore to Mr. Wild) had, since his arrival at Mr. Snap's, conveyed a piece of plate to pawn, by which means he had furnished himself with ten guineas. The Count, therefore, perceiving this backwardness in his friends, and probably somewhat guessing at the cause of it, took the said guineas out of his pocket, and threw them on the table; when lo! (such is the force of example) all the rest began to produce their funds, and immediately, a considerable sum glittering in their eyes, the game began.

#### CHAP, XIII.

A chapter of which we are extremely vain: and which indeed we look on as our chef d'œuvre, containing a wonderful story concerning the devil, and as nice a scene of honour as ever happened.

My reader, I believe even if he be a gamester would not thank me for an exact relation of every man's success; let it suffice then that they played till the whole money vanished from the table.— Whether the devil himself carried it away, as some suspected, I will not determine; but very surprising it was, that every person protested he had lost, nor could any one guess who, unless the devil, had won

But though very probable it is, that this arch fiend had some share in the booty, it is likely he had not all; Mr. Bagshot being imagined to be a considerable winner, notwithstanding his assertions to the contrary; for he was seen by several to convey money often into his pocket; and what is still a little stronger presumption is, that the grave gentleman, whom we have mentioned to have served his country in two honourable capacities, not being willing to trust alone to the evidence of his eyes, had frequently dived into the said Bagshot's pocket, whence (as he tells us in the apology for his life, afterwards published \*), though he might extract

<sup>\*</sup> Not in a book by itself, in imitation of some other such persons, but in the ordinary's account, &c. where all the apologies for the lives of rogues and whores, which have been published within these twenty years, should have been inserted.

a few pieces, he was very sensible he had le.

many behind.

The gentleman had long indulged his curiosity in this way before Mr. Bagshot, in the heat of gaming, had perceived him: but as Bagshot was now leaving off play, he discovered this ingenious feat of dexterity; upon which, leaping up from his chair in violent passion, he cried out, "I "thought I had been among gentlemen, and men " of honour, but d-n me, I find we have a " pickpocket in company." The scandalous sound of this word extremely alarmed the whole board nor did they all shew less surprise than the Con-(whose not sitting of late is much lamented would express at hearing there was an Atheist it the room; but it more particularly affected the gentleman at whom it was levelled, though it was not addressed to him. He likewise started from his chair, and, with a fierce countenance an accent, said, "Do you mean me? D-n you " eves, you are a rascal and a scoundrel." Thos words would have been immediately succeeded by blows, had not the company interposed, and with strong arm withheld the two antagonists from each other. It was, however, a long time before they could be prevailed on to sit down; which being at last happily brought about, Mr. Wild the elder who was a well-disposed old man, advised them t shake hands and be friends; but the gentleman who had received the first affront, absolutely re fused it, and swore, He would have the villain' blood. Mr. Snap highly applauded the resolution and affirmed that the affront was by no means to be put up by any who bore the name of a gentle man, and that unless his friend resented it pro perly, he would never execute another warrant it his company; that he had always looked upo

im as a man of honour, and doubted not but he would prove himself so; and that if it was his own case, nothing should persuade him to put up such an affront without proper satisfaction. The Count likewise spoke on the same side, and the parties themselves muttered several short sentences, purporting their intentions. At last Mr. Wild, our hero, rising slowly from his seat, and having fixed the attention of all present, began as follows: "I "have heard with infinite pleasure every thing " which the two gentlemen who spoke last have said with relation to honour, nor can any man possibly entertain a higher and nobler sense of that word, nor a greater esteem of its inestimaof ble value, than myself. If we have no name to "express it by in our Cant Dictionary, it were "well to be wished we had. It is indeed the " essential quality of a gentleman, and which no man who ever was great in the field, or on the road (as others express it,) can possibly be with-"out. But alas! Gentlemen, what pity is it, "that a Word of such sovereign use and virtue "should have so uncertain and various an applica-'tion that scarce two people mean the same thing 'by it? Do not some by honour mean good-na-"ture and humanity, which weak minds call vir-" tues? How then! Must we deny it to the great, "the brave, the noble; to the sackers of towns, "the plunderers of provinces, and the conquerors " of kingdoms? Were not these men of honour? "and yet they scorn those pitiful qualities I have mentioned. Again, some few (of I am mis-'taken) include the idea of honesty in their ho-'nour. And shall we then say, that no man who 'withholds from another what law, or justice 'perhaps, calls his own, or who greatly and boldly deprives him of such property, is a man VOL. XII.

" of honour? Heaven forbid I should say so in "this, or, indeed, in any other good company. " Is honour truth? No, it is not in the lie's going " from us, but in its coming to us our honour is "injured. Doth it then consist in what the vul-" gar call cardinal virtues? It would be an affront " to your understandings to suppose it, since we " see every day so many men of honour without " any. In what then doth the word honour consist? "Why in itself alone. A man of honour is he "that is called a man of honour; and while he is " so called, he so remains, and no longer. Think " not any thing a man commits can forfeit his ho-" nour. Look abroad into the world, the PRIG " while he flourishes is a man of honour; when " in goal, at the bar or the tree, he is so no longer. "And why is this distinction? Not from his ac-"tions; for those are often as well known in his "flourishing estate, as they are afterwards: but " because men, I mean those of his own party, or " gang, call him a man of honour in the former, " and cease to call him so in the latter condition. " Let us see then; how hath Mr. Bagshot injured "the gentleman's honour? Why, he hath called "him a pickpocket; and that, probably, by a "severe construction, and a long round-about " way of reasoning, may seem a little to derogate "from his honour, if considered in a very nice " sense. Admitting it, therefore, for argument's " sake, to be some small imputation on his honour, felet Mr. Bagshot give him satisfaction; let him "doubly and triply repair this oblique injury by " directly asserting, that he believes he is a man of "honour." The gentleman answered, he was content to refer it to Mr. Wild, and whatever satisfaction he thought sufficient, he would accept. "Let him give me my money again first," said Bagshot, " and then I will call him a man of honour with all my heart." The gentleman then protested he had not any, which Snap seconded, declaring he had his eyes on him all the while; but Bagshot remained still unsatisfied, till Wild, rapping out a hearty oath, swore he had not taken a single farthing, adding, that whoever asserted the contrary gave him the lie, and he would resent it. And now, such was the ascendency of this Great Man, that Bagshot immediately acquiesced, and performed the ceremonies required: and thus, by the exquisite address of our hero, this quarrel, which had so fatal an aspect, and which, between two persons so extremely jealous of their honour, would most certainly have produced very dreadful consequences, was happily concluded.

Mr. Wild was indeed a little interested in this affair, as he himself had set the gentleman to work, and had received the greatest part of the booty: and as to Mr. Snap's deposition in his favour, it was the usual height to which the ardour of that worthy person's friendship too frequently hurried him. It was his constant maxim, That he was a pitiful fellow who would stick at a little Rapping \*

for his friend.

## CHAP. XIV.

In which the history of GREATNESS is continued.

MATTERS being thus reconciled, and the gaming over, from reasons before hinted, the company proceeded to drink about with the utmost cheeker

<sup>\*</sup> Rapping is a cant word for perjury.

fulness and friendship; drinking healths, shaking hands, and professing the most perfect affection for each other. All which were not in the least interrupted by some designs which they then agitated in their minds, and which they intended to execute as soon as the liquor had prevailed over some of their understandings. Bagshot and the gentleman intending to rob each other; Mr. Snap and Mr. Wild the elder, meditating what other creditors they could find out, to charge the gentleman then in custody with: the Count hoping to renew the play, and Wild our hero laying a design to put Bagshot out of the way, or, as the vulgar express it, to hang him with the first opportunity. But none of these great designs could at present be put in execution, for Mr. Snap being soon after summoned abroad on business of great moment, which required likewise the assistance of Mr. Wild the elder, and his other friend, and as he did not care to trust to the nimbleness of the Count's heels, of which he had already had some experience, he declared he must lock up for that evening. reader, if thou pleasest, as we are in no great haste, we will stop and make a simile. As when their lap is finished, the cautious huntsman to their kennel gathers the nimble-footed hounds; they with lank ears and tails slouch sullenly on, whilst he with his whippers-in follows close to their heels, regardless of their dogged humour, till having seen them safe within the door, he turns the key, and then retires to whatever business or pleasure calls him thence: so with lowring countenance, and reluctant steps, mounted the Count and Bagshot to their chamber, or rather kennel, whither they were attended by Snap, and those who followed him, and where Snap having seen them deposited, very contentedly locked the door, and

And now, reader, we will, in imitation of the truly laudable custom of the world, leave these our good friends to deliver themselves as they can, and pursue the thriving fortunes of Wild our hero, who with that great aversion to satisfaction and content, which is inseparably incident to great minds, began to enlarge his views with his prosperity: for this restless amiable disposition, this noble avidity which increases with feeding, is the first principal or constituent quality of these our Great Men; to whom, in their passage on to greatness, it happens as to a traveller over the Alps, or, if this be a too far-fetched simile, to one who travels westward over the hills near Bath, where the simile was indeed made. He sees not the end of his journey at once; but passing on from scheme to scheme, and from hill to hill, with noble constancy, resolving still to attain the summit on which he hath fixed his eye, however dirty the roads may be through which he struggles, he at length arrives at some vile inn, where he finds no kind of entertainment nor conveniency for repose. I fancy, reader, if thou hast ever travelled in these roads, one part of my simile is sufficiently apparent (and indeed, in all these illustrations, one side is generally much more apparent than the other), but, believe me, if the other doth not so evidently appear to thy satisfaction, it is from no other reason, than because thou art unacquainted with these Great Men, and hast not had sufficient instruction, leisure, or opportunity, to consider what happens to those who pursue what is generally understood by GREATNESS: for surely, if thou hadst animadverted not only on the many perils to which Great Men are daily liable while they are in their progress, but hadst discerned, as it were through a microscope (for it is invisible to the naked eye), that diminutive speck of happiness which they attain even in the consummation of their wishes, thou wouldst lament with me the unhappy fate of these Great Men, on whom nature hath set so superior a mark, that the rest of mankind are born for their use and emolument only, and be apt to cry out "It is pity that THOSE, " for whose pleasure and profit mankind are to " labour and sweat, to be backed and hewed, to " be pillaged, plundered, and every way destroyed, " should reap so LITTLE advantage from all the " miseries they occasion to others." For my part, I own myself of that humble kind of mortals, who consider themselves born for the behoof of some Great Man or other, and could I behold his happiness carved out of the labour and ruin of a thousand such reptiles as myself, I might with satisfaction exclaim, Sic, sic juvat: but when I behold one Great Man starving with hunger, and freezing with cold, in the midst of fifty thousand, who are suffering the same evils for his diversion; when I see another, whose own mind is a more abject slave to his own greatness, and is more tortured and racked by it than those of all his vassals; lastly, when I consider whole nations rooted out only to bring tears into the eyes of a Great Man, not indeed because he hath extirpated so many, but because he had no more nations to extirpate, then truly I am almost inclined to wish that nature had spared us this her MASTERPIECE, and that no GREAT MAN had ever been born into the world.

But to proceed with our history, which will, we hope, produce much better lessons, and more instructive than any we can preach: Wild was no sooner retired to a night-cellar, than he began to reflect on the sweets he had that day enjoyed from the labours of others, viz. First from Mr. Bagshot,

who had for his use robbed the Count; and, Secondly, from the gentleman, who for the same good purpose bad picked the pocket of Bagshot. He then proceeded to reason thus with himself: The art of policy is the art of multiplication; the " degrees of greatness being constituted by those "two little words More and Less. Mankind are " first properly to be considered under two grand "divisions, those that use their own hands, and " those who employ the hands of others. The " former are the base and rabble; the latter, the " genteel part of the creation. The mercantile " part of the world, therefore, wisely use the "term employing hands, and justly prefer each "other, as they employ more or fewer; for thus "one merchant says he is greater than another, "because he employs more hands. And now "indeed the merchant should seem to challenge " some character of greatness, did we not neces-" sarily come to a second division, viz. Of those " who employ hands for the use of the commu-" nity in which they live, and of those who em-" ploy hands merely for their own use, without "any regard to the benefit of society. Of the " former sort are the yeoman, the manufacturer, " the merchant, and perhaps the gentleman. The " first of these being to manure and cultivate his " native soil, and to employ hands to produce the " fruits of the earth. The second being to im-" prove them by employing hands likewise, and " to produce from them those useful commodities, "which serve as well for the conveniences as ne-" cessaries of life. The third is to employ hands " for the exportation of the redundance of our own "commodities, and to exchange them with the re-"dundances of foreign nations, that thus every soil " and every climate may enjoy the fruits of the whole

" earth. The gentleman is, by employing hands " likewise, to embellish his country with the im-" provement of arts and sciences, with the making " and executing good and wholesome laws for the " preservation of property, and the distribution of "justice, and in several other manners to be use-"ful to society. Now we come to the second " part of this division, viz. Of those who employ " hands for their own use only: and this is that " noble and great part, who are generally dis-"tinguished into Conquerors, absolute Princes, " Statesmen, and Prigs\*. Now all these differ " from each other in greatness only, they employ " more or fewer hands. And Alexander the "Great was only greater than a captain of one of " the Tartarian or Arabian hordes, as he was at "the head of a larger number. In what then is " a single Prig inferior to any other Great Man, "but because he employs his own hands only; " for he is not on that account to be levelled with "the base and vulgar, because he employs his "hands for his own use only. Now, suppose a " Prig had as many tools as any prime minister " ever had, would he not be as great as any prime " minister whatsoever? Undoubtedly he would. "What then have I to do in the pursuit of great-" ness, but to procure a gang, and to make the "use of this gang center in myself. This gang " shall rob for me only, receiving very moderate "rewards for their actions; out of this gang I " will prefer to my favour the boldest and most "iniquitous (as the vulgar express it); the rest I " will, from time to time, as I see occasion, trans-" port and hang at my pleasure; and thus (which "I take to be the highest excellence of a Prig)

<sup>\*</sup> Thieves.

"convert those laws which are made for the be-"nefit and protection of society, to my single use."

Having thus preconceived his scheme, he saw nothing wanting to put it in immediate execution, but that which is indeed the beginning as well as the end of all human devices: I mean mouev.-Of which commodity he was possessed of no more than sixty-five guineas, being all that remained from the double benefits he had made of Bagshot, and which did not seem sufficient to furnish his house, and every other convenience necessary for so grand an undertaking. He resolved therefore to go immediately to the gaming-house, which was then sitting, not so much with an intention of trusting to fortune, as to play the surer card of attacking the winner in his way home. On his arrival, however, he thought he might as well try his success at the dice, and reserve the other resource as his last expedient. He accordingly sat down to play; and, as fortune, no more than others of her sex, is observed to distribute her favours with strict regard to great mental endowments, so our hero lost every farthing in his pocket. This loss however he bore with great constancy of mind, and with as great composure of aspect. say truth, he considered the money as only lent for a short time, or rather indeed as deposited with a banker. He then resolved to have immediate recourse to his surer stratagem; and casting his eyes round the room, he soon perceived a gentleman sitting in a disconsolate posture, who seemed a proper instrument or tool for his purpose. In short (to be as concise as possible in these least shining parts of our history), Wild accosted this man, sounded him, found him fit to execute, proposed the matter, received a ready assent, and having fixed on the person who seemed that evening the greatest favourite of fortune, they posted themselves in the most proper place to surprise the enemy as he was retiring to his quarters, where he was soon attacked, subdued, and plundered; but indeed of no considerable booty; for it seems this gentleman played on a common stock, and had deposited his winnings at the scene of action; nor had he any more than two shillings in his pocket when he was attacked.

This was so cruel a disappointment to Wild, and so sensibly affects us, as no doubt it will the reader; that, as it must disqualify us both from proceeding any farther at present, we will now take a little breath; and therefore we shall here

close this book.

# HISTORY OF THE LIFE

OF THE LATE

# MR. JONATHAN WILD THE GREAT.

# BOOK II.

# CHAP. I.

Characters of silly people, with the proper uses for which such are designed.

One reason why we chose to end our first book, as we did, with the last chapter, was, that we are now obliged to produce two characters of a stamp entirely different from what we have hitherto dealt in. These persons are of that pitiful order of mortals, who are in contempt called Good-natured; being indeed sent into the world by nature with the same design with which men put little fish into a pike-pond, in order to be devoured by that voracious water-hero.

But to proceed with our history, Wild having shared the booty in much the same manner as before, i. e. taken three-fourths of it, amounting to

eighteen-pence, was now retiring to rest, in no very happy mood, when by accident he met with a young fellow who had formerly been his companion, and indeed intimate friend at school. hath been thought that friendship is usually nursed by similitude of manners; but the contrary had been the case between these lads: for whereas Wild was rapacious and intrepid, the other had always more regard for his skin than his money; Wild therefore had very generously compassionated this defect in his school-fellow, and had brought him off from many scrapes, into most of which he had first drawn him, by taking the fault and whipping to himself. He had always indeed been well paid on such occasions; but there are a sort of people, who, together with the best of the bargain, will be sure to have the obligation too on their side; so it had happened here: for this poor lad had considered himself in the highest degree obliged to Mr. Wild, and had contracted a very great esteem and friendship for him; the traces of which, an absence of many years had not in the least effaced in his mind. He no sooner knew Wild therefore, than he accosted him in the most friendly manner, and invited him home with him to breakfast (it being now near nine in the morning), which invitation our hero with no great difficulty consented to. This young man, who was about Wild's age, had some time before set up in the trade of a jeweller, in the materials or stock for which, he had laid out the greatest part of a little fortune, and had married a very agreeable woman for love, by whom he had two children. As our reader is to be more acquainted with this person, it may not be improper to open somewhat of his character, especially as it will serve as a kind of foil to the noble and great disposition of our hero, and as the one seems sent into this world as a proper object on which the talents of the other were to be displayed with a proper and just success.

Mr. Thomas Heartfree then (for that was his name) was of an honest and open disposition. He was of that sort of men, whom experience only. and not their own natures, must inform, that there are such things as deceit and hypocrisy in the world; and who, consequently, are not at five and twenty so difficult to be imposed upon as the oldest and most subtle. He was possessed of several great weaknesses of mind; being goodnatured, friendly, and generous to a great excess. He had indeed too little regard to common justice, for he had forgiven some debts to his acquaintauce, only because they could not pay him; and had entrusted a bankrupt on his setting up a second time, from having been convinced, that he had dealt in his bankruptey with a fair and honest heart, and that he had broke through misfortune only, and not from neglect or imposture. He was withal so silly a fellow, that he never took the least advantage of the ignorance of his customers, and contented himself with very moderate gains on his goods; which he was the bet er enabled to do, notwithstanding his generosity, because his life was extremely temperate, his expences being solely confined to the cheerful entertainment of his friends at home, and now and then a moderate glass of wine, in which he indulged himself in the company of his wife, who, with an agreeable person, was a mean-spirited, poor, domestie, low-bred animal, who confined herself mostly to the care of her family, placed her happiness in her husband and her children; followed no expensive fashions or diversions, and indeed rarely went abroad, unless to return the visits of a few plain neighbours, and twice a year afforded herself, in company with her husband, the diversion of a play, where she never sat in a higher place than the pit.

To this silly woman did this silly fellow introduce the GREAT WILD, informing her at the same time of their school-acquaintance, and the many obligations he had received from him. This simple woman no sooner heard her husband had been obliged to her guest, then her eyes sparkled on him with a benevolence, which is an emanation from the heart, and of which great and noble minds, whose hearts never swell but with an injury, can have no very adequate idea; it is therefore no wonder that our hero should misconstrue, as he did, the poor, innocent, and simple affection of Mrs. Heartfree towards her husband's friend, for that great and generous passion, which fires the eyes of a modern heroine, when the colonel is so kind as to indulge his city-creditor with partaking of his table to-day, and of his bed to-morrow. Wild therefore instantly returned the compliment, as he understood it, with his eyes, and presently after bestowed many encomiums on her beauty, with which perhaps she, who was a woman, though a good one, and misapprehended the design, was not displeased any more than the husband.

When breakfast was ended, and the wife retired to her household affairs, Wild, who had a quick discernment into the weaknesses of men, and who, besides the knowledge of his good (or foolish) disposition when a boy, had now discovered several sparks of goodness, friendship, and generosity in his friend, began to discourse over the accidents which had happened in their childhood, and took frequent occasions of reminding him of those fa-

vours which we have before mentioned his having conferred on him; he then proceeded to the most vehement professions of friendship, and to the most ardent expressions of joy in this renewal of their acquaintance. He at last told him with great seeming pleasure, that he believed he had an opportunity of serving him by the recommendation of a gentleman to his custom, who was then on the brink of marriage, and, if he be not already engaged, "I will," says he, "endeavour to pre"vail on him to furnish his lady with jewels at "your shop."

Heartfree was not backward in thanks to our hero, and, after many earnest solicitations to dinner, which were refused, they parted for the first

time.

But here, as it occurs to our memory, that our readers may be surprised (an accident which sometimes happens in histories of this kind) how Mr. Wild the elder, in his present capacity, should have been able to maintain his son at a reputable school, as this appears to have been, it may be necessary to inform him, that Mr. Wild himself was then a tradesman in good business; but, by misfortunes in the world, to wit, extravagance and gaming, he had reduced himself to that honourable occupation which we have formerly mentioned.

Having cleared up this doubt, we will now pursue our hero, who forthwith repaired to the Count, and having first settled preliminary articles concerning distributions, he acquainted him with the scheme which he had formed against Heartfree; and after consulting proper methods to put it in execution, they began to concert measures for the enlargement of the Count; on which the first, and indeed only point to be considered, was to

raise money, not to pay his debts, for that would have required an immense sum, and was contrary to his inclination or intention, but to procure him bail; for as to his escape, Mr. Snap had taken such precautions that it appeared absolutely impossible.

# CHAP. II.

Great examples of Greatness in Wild, shewn as well by his behaviour to Bagshot, as in a scheme laid, first, to impose on Heartfree by means of the Count, and then to cheat the Count of the booty.

WILD undertook, therefore, to extract some money from Bagshot, who, notwithstanding the depredations made on him, had carried off a pretty considerable booty from their engagement at dice the preceeding day. He found Mr. Bagshot in expectation of his bail, and, with a countenance full of concern, which he could at any time, with wonderful art, put on, told him, that all was discovered; that the Count knew him, and intended to prosecute him for the robbery, had not I exerted (said be) my utmost interest, and with great difficulty prevailed on him in case you refund the money-" Refund the money!" cry'd Bagshot, "that 'Lis in your power: for you know what an incon-" siderable part of it fell to my share." " How!" replied Wild, "is this your gratitude to me for " saving your life? For your own conscience must " convince you of your guilt, and with how much " certainty the gentleman can give evidence against "you." "Marry come up," quoth Bagshot, "I "believe my life alone will not be in danger. "know those who are as guilty as myself. Do "you tell me of conscience?"-" Yes, sirrah!" answered our hero, taking him by the collar, " and " since you dare threaten me I will shew you the "difference between committing a robbery, and "conniving at it, which is all I can charge myself "with. I own indeed I suspected when you "shewed me a sum of money, that you had not "come honestly by it." "How," says Bagshot, frightened out of one half of his wits, and amazed out of the other, "can you deny?"-"Yes, you "rascal," answered Wild, "I do deny every thing, "and do you find a witness to prove it; and to "shew you how little apprehensions I have of "your power to hurt me, I will have you appre-"hended this moment."-At which words he offered to break from him; but Bagshot laid hold of his skirts, and, with an altered tone and manner, begged him not to be so impatient. "Refund "then, sirrah," cries Wild, "and perhaps I may "take pity on you."-" What must I refund?" answered Bagshot. " Every farthing in your "pocket," replied Wild; "then I may have "some compassion on you, and not only save your "life, but, out of an excess of generosity, may "return you something." At which words Bagshot seeming to hesitate, Wild pretended to make to the door, and rapt out an oath of vengeance with so violent an emphasis, that his friend no longer presumed to balance, but suffered Wild to search his pockets, and draw forth all he found, to the amount of twenty-one guineas and a half, which last piece our generous hero returned him again; telling him, he might now sleep secure,

but advised him for the future never to threaten

Thus did our hero execute the greatest exploits with the utmost ease imaginable, by means of those transcendent qualities which nature had indulged him with, viz, a bold heart, a thundering

voice, and a steady countenance.

Wild now returned to the Count, and informed him that he had got ten guineas of Bagshot; for, with great and commendable prudence, he sunk the other eleven into his own pocket; and told him, with that money he would procure him bail, which he after prevailed on his father, and another gentleman of the same occupation, to become, for two guineas each; so that he made lawful prize of six more, making Bagshot debtor for the whole ten; for such were his great abilities, and so vast the compass of his understanding, that he never made any bargain without over-reaching (or, in the vulgar phrase, cheating) the person with whom he dealt.

The Count being, by these means, enlarged, the first thing they did, in order to procure credit from tradesmen, was the taking a handsome house ready furnished in one of the new streets; in which, as soon as the Count was settled, they proceeded to furnish him with servants and equipage, and all the insignia of a large estate proper to impose on poor Heartfree. These being all obtained, Wild made a second visit to his friend, and, with much joy in his countenance, acquainted him that he had succeeded in his endeavours, and that the gentleman had promised to deal with him for the jewels which he intended to present his bride, and which were designed to be very splendid and costly; he therefore appointed him to go to the Count the next morning, and carry with him a

set of the richest and most beautiful jewels he had, giving him at the same time some hints of the Count's ignorance of that commodity, and that he might extort what price of him he pleased; but Heartfree told him, not without some disdain, that he scorned to take any such advantage; and, after expressing much gratitude to his friend for his recommendation, he promised to carry the jewels at the hour, and to the place appointed.

I am sensible that the reader, if he hath but the least notion of Greatness, must have such a contempt for the extreme folly of this fellow, that he will be very little concerned at any misfortunes which may befal him in the sequel; for, to have no suspicion that an old school-fellow, with whom he had, in his tenderest years, contracted a friendship, and who, on the accidental renewing of their acquaintance, had professed the most passionate regard for him, should be very ready to impose on him; in short, to conceive that a friend should, of his own accord, without any view to his own interest, endeavour to do him a service; must argue such weakness of mind, such ignorance of the world, and such an artless, simple, undesigning heart, as must render the person possessed of it the lowest creature, and the properest object of contempt imaginable, in the eves of every man of understanding and discernment.

Wild remembered that his friend Heartfree's faults were rather in his heart than in his head; that though he was so mean a fellow, that he was never capable of laying a design to injure any human creature, yet was he by no means a fool, nor liable to any gross imposition, unless where his heart betrayed him. He therefore instructed the Count to take only one of his jewels at the first interview, and to reject the rest as not fine enough,

and order him to provide some richer. He said, this management would prevent Heartfree from expecting ready-money for the jewel he brought with him, which the Count, was presently to dispose of, and by means of that money, and his great abilities at cards, and dice, to get together as large a sum as possible, which he was to pay down to Heartfree, at the delivery of the set of jewels, who would be thus void of all manner of suspicion, and would not fail to give him credit for the residue.

By this contrivance it will appear in the sequel, that Wild did not only propose to make the imposition on Heartfree, who was (hitherto) void of all suspicion, more certain; but to rob the Count himself of this sum. This double method of cheating the very tools who are our instruments to cheat others, is the superlative degree of greatness, and is probably, as far as any spirit crusted over with clay can carry it, falling very little short of Diabolism itself.

This method was immediately put in execution, and the Count, the first day, took only a single brilliant, worth about three hundred pounds, and ordered a necklace, eatrings, and solitaire, of the value of three thousand more, to be prepared by that day sevennight.

This interval was employed by Wild in prosecuting his scheme of raising a gang, in which he met with such success, that within a few days he had levied several bold and resolute fellows, fit for any enterprize, how dangerous or great soever.

We have before remarked, that the truest mark of Greatness is insatiability. Wild had covenanted with the Count to receive three-fourths of the booty, and had, at the same time, covenanted with himself, to secure the other fourth part likewise, for which he had formed a very great and noble design; but he now saw with concern, that sum, which was to be received in hand by Heart-free, in danger of being absolutely lost. In order therefore to possess himself of that likewise, he contrived that the jewels should be brought in the afternoon, and that Heartfree should be detained before the Count could see him; so that the night should overtake him in his return, when two of his gang were ordered to attack and plunder him.

# CHAP. III.

Containing scenes of softness, love, and honour, all in the GREAT style.

THE Count had disposed of his jewel for its full value, and this he had, by dexterity, raised to a thousand pounds; this sum therefore he paid down to Heartfree, promising him the rest within a month. His house, his equipage, his appearance, but, above all, a certain plausibility in his voice and behaviour would have deceived any, but one whose great and wise heart had dictated to him something within, which would have secured him from any danger of imposition from without. Heartfree therefore did not in the least scruple giving him credit; but as he had in reality procured those jewels of another, his own little stock not being able to furnish any thing so valuable, he begged the Count would be so kind to give his note for the money, payable at the time he mentioned; which that gentleman did not in the least

scruple: so ne paid him the thousand pounds in specie, and gave his note for two thousand eight hundred pounds more to Heartfree, who burnt with gratitude to Wild, for the noble customer he had recommended to him.

As soon as Heartfree was departed, Wild, who waited in another room, came in, and received the casket from the Count; it having been agreed between them, that this should be deposited in his hands, as he was the original contriver of the scheme, and was to have the largest share. Wild having received the casket, offered to meet the Count late that evening to come to a division; but such was the latter's confidence in the honour of our hero, that, he said, if it was any inconvenience to him, the next morning would do altogether as This was more agreeable to Wild, and accordingly an appointment being made for that purpose, he set out in haste to pursue Heartfree to the place where the two gentlemen were ordered to meet and attack him.-Those gentlemen, with noble resolution, executed their purpose; they attacked and spoiled the enemy of the whole sum he had received from the Count.

As soon as the engagement was over, and Heartfree left sprawling on the ground, our hero, who wisely declined trusting the booty in his friend's hands, though he had good experience of their honour, made off after the conquerors: at length they being all at a place of safety, Wild, according to a previous agreement, received ninetenths of the booty; the subordinate heroes did indeed profess some little unwillingness (perhaps more than was strictly consistent with honour) to perform their contract; but Wild, partly by argument, but more by oaths and threatenings, prevailed with them to fulfil their promise,

Our hero having thus, with wonderful address, brought this great and glorious action to a happy conclusion, resolved to relax his mind after his fatigue, in the conversation of the fair. He therefore set forwards to his lovely Lætitia; but in his way, accidentally met with a young lady of his acquaintance, Miss Molly Straddle, who was taking the air in Bridges-street. Miss Molly seeing Mr. Wild, stopped him, and with a familiarity peculiar to a genteel town education, tapp'd or rather slapp'd him on the back, and asked him to treat her with a pint of wine, at a neighbouring tavern. The hero, though he loved the chaste Lætitia with excessive tenderness, was not of that low sniveling breed of mortals, who, as it is generally expressed, tie themselves to a woman's apron strings; in a word, who are tainted with that mean, base, low vice or virtue as it is called, of constancy; therefore he immediately consented and attended her to a tavern famous for excellent wine, known by the name of the Rummer and Horse-shoe, where they retired to a room by themselves. Wild was very vehement in his addresses, but to no purpose; the young lady declared she would grant no favour till he had made her a present; this was immediately complied with, and the lover made as happy as he could desire.

The immoderate fondness which Wild entertained for his dear Lætitia, would not suffer him to waste any considerable time with Miss Straddle. Notwithstanding, therefore, all the endearments and caresses of that young lady, he soon made an excuse to go down stairs, and thence immediately set forward to Lætitia, without taking any formal leave of Miss Straddle, or indeed of the drawer, with whom the lady was afterwards obliged to come to an account for the reckoning.

Mr. Wild, on his arrival at Mr. Snap's, found only Miss Doshy at home; that young lady being employed alone, in imitation of Penelope, with her thread or worsted; only with this difference, that whereas Penelope unravelled by night what she had knit or wove, or spun by-day, so what our young heroine unravelled by day, she knit again by night. In short; she was mending a pair of blue stockings with red clocks; a circumstance which, perhaps, we might have omitted, had it not served to shew that there are still some ladies of this age, who imitate the simplicity of the ancients.

Wild immediately asked for his beloved, and was informed, that she was not at home. He then enquired where she was to be found, and declared, he would not depart till he had seen her; nay, not till he had married her; for, indeed, his passion for her was truly honourable; in other words, he had so ungovernable a desire for her person, that he would go any length to satisfy it He then pulled out the casket, which he swore was full of the finest jewels, and that he would give them all to her with other promises; which so prevailed on Miss Doshy, who had not the common failure of sisters in envying, and often endeavouring to disappoint each other's happiness, that she desired Mr. Wild to sit down a few minutes, whilst she endeavoured to find her sister, and to bring her to The lover thanked her, and promised to stay till her return; and Miss Doshy, leaving Mr. Wild to his meditations, fastened him in the kitchen by barring the door (for most of the doors in this mansion were made to be bolted on the outside), and then slapping too the door of the house with great violence, without going out at it, she stole softly up stairs, where Miss Lætitia was

engaged in close conference with Mr. Bagshot. Miss Letty, being informed by her sister in a whisper of what Mr. Wild had said, and what he had produced, told Mr. Bagshot, that a young lady was below to visit her, whom she would dispatch with all imaginable haste, and return to him. She desired him therefore to stay with patience for her in the mean time, and that she would leave the door unlocked, though her papa would never forgive her if he should discover it. Bagshot promised on his honour, not to step without his chamber; and the two young ladies went softly down stairs : when pretending first to make their entry into the house, they repaired to the kitchen, where not even the presence of the chaste Lætitia could restore that harmony to the countenance of her lover, which Miss Theodosia had left him possessed of; for, during her absence, he had discovered the absence of a purse containing bank notes for 900l, which had been taken from Mr. Heartfree, and which, indeed, Miss Straddle had, in the warmth of his amorous caresses, unperceived drawn from him. However, as he had that perfect mastery of his temper, or rather of his muscles. which is as necessary to the forming a great character, as to the personating it on the stage, he soon conveyed a smile into his countenance, and concealing as well his misfortune as his chagrin at it, began to pay honourable addresses to Miss Letty.—This young lady, among many other good ingredients, had three very predominant passions; to wit, vanity, wantonness, and avarice. To satisfy the first of these, she employed Mr. Smirk and company; to the second, Mr. Bagshot and company; and our hero had the honour and happiness of solely engrossing the third. Now, these three sorts of lovers she had very different ways of enter-

taining. With the first, she was all gay and coquette; with the second, all fond and rampant; and with the last, all cold and reserved. therefore told Mr. Wild, with a most composed aspect, that she was glad he had repented of his manner of treating her at their last interview. where his behaviour was so monstrous, that she had resolved never to see him any more: that she was afraid her own sex would hardly pardon her the weakness she was guilty of in receding from that resolution, which she was persuaded she never should have brought herself to, had not her sister, who was there to confirm what she said (as she did with many oaths), betrayed her into his company, by pretending it was another person to visit her; but however, as he now thought proper to give her more convincing proofs of his affections (for he had now the casket in his hand), and since she perceived his designs were no longer against her virtue, but were such as a woman of honour might listen to, she must own-and then she feign'd an hesitation, when Theodosia began: "Nay, sister, I am resolved you shall counterfeit "no longer. I assure you, Mr. Wild, she hath "the most violent passion for you in the world; " and indeed, dear Tishy, if you offer to go back, " since I plainly see Mr. Wild's designs are ho-"nourable, I will betray all you have ever said."-"How, sister (answered Lætitia), I protest you " will drive me out of the room : I did not expect "this usage from you."-Wild then fell on his knees, and taking hold of her hand repeated a speech, which as the reader may easily suggest it to himself, I shall not here set down .- He then offered her the casket, but she gently rejected it; and on a second offer, with a modest countenance and voice, desired to know what it contained.

Wild then opened it, and took forth (with sorrow I write it, and with sorrow will it be read) one of those beautiful necklaces, with which, at the fair of Bartholomew, they deck the well-bewhitened neck of Thalestris queen of Amazons, Anna Bullen, queen Elizabeth, or some other high princess in Drollic story. It was indeed composed of that paste, which Derdæus Magnus, an ingenious toyman, doth at a very moderate price dispense of to the second-rate beaus of the metropolis. For to open a truth, which we ask our reader's pardon for having concealed from him so long, the sagacious Count, wisely fearing lest some accident might prevent Mr. Wild's return at the appointed time, had carefully conveyed the jewels which Mr. Heartfree had brought with him, into his own pocket; and in their stead had placed in the casket these artificial stones, which, though of equal value to a philosopher, and perhaps of a much greater to a true admirer of the compositions of art, had not however the same charms in the eyes of Miss Letty; who had indeed some knowledge of jewels: for Mr. Snap, with great reason, considering how valuable a part of a lady's education it would be to be well instructed in these things, in an age when young ladies learn little more than how to dress themselves, had in her youth placed Miss Letty as the handmaid (or housemaid as the vulgar call it) of an eminent pawnbroker. The lightning, therefore which should have flashed from the jewels, flashed from her eyes, and thunder immediately followed from her voice. She be-knaved, be-rascalled, be-rogued the unhappy hero, who stood silent, confounded with astonishment, but more with shame and indignation, at being thus out-witted and over-reached. At length, he recovered his spirits, and throwing down the casket in a rage, he snatched the key from the table; and without making any answer to the ladies, who both very plentifully opened upon him, and without taking any leave of them, he flew out at the door, and repaired with the utmost expedition to the Count's habitation.

# CHAP. IV.

In which Wild, after many fruitless endeavours to discover his friend, moralizes on his misfortune in a speech, which may be of use (if rightly understood) to some other considerable speechmakers.

Nor the highest-fed footman of the highest-bred woman of quality knocks with more impetuosity, than Wild did at the Count's door, which was immediately opened by a well-dressed liveryman, who answered that his master was not at home. Wild, not satisfied with this, searched the house, but to no purpose; he then ransacked all the gaming-houses in town, but found no Count: indeed, that gentleman had taken leave of his house the same instant Mr. Wild had turned his back, and, equipping himself with boots and a post-horse, without taking with him either servant, clothes, or any necessaries for the journey of a great man, made such mighty expedition that he was now upwards of twenty miles on his way to Dover.

Wild, finding his search ineffectual, resolved to give it over for that night; he then retired to his seat of contemplation, a night-cellar, where without a single farthing in his pocket, he called for a sneaker of punch, and placing himself on a

bench by himself, he softly vented the following

soliloquy:

"How vain is human GREATNESS! What avail " superior abilities, and a noble defiance of those " narrow rules and bounds which confine the vul-"gar; when our best concerted schemes are " liable to be defeated! How unhappy is the state " of PRIGGISM! How impossible for human pru-" dence to forsee and guard against every circum-" vention! It is even as a game of chess, where, "while the rook, or knight, or bishop, is busied " in forecasting some great enterprize, a worthless "pawn interposes, and disconcerts his scheme. "Better had it been for me to have observed the " simple laws of friendship and morality, than thus " to ruin my friend for the benefit of others. " might have commanded his purse to any degree " of moderation; I have now disabled him from "the power of serving me. Well! but that was " not my design. If I cannot arraign my own " conduct, why should I, like a woman or a child, "sit down and lament the disappointment of "chance? But can I acquit myself of all neglect? "Did I not misbehave in putting it into the power " of others to outwit me? But that is impossible "to be avoided. In this a Prig is more unhappy "than any other: a cautious man may, in a crowd, "preserve his own pockets by keeping his hands "in them; but while the Prig employs his hands "in another's pocket, how shall he be able to de-"fend his own! Indeed, in this light what can be "imagined more miserable than a Prig? How "dangerous are his acquisitions! how unsafe, how "unquiet his possessions! why then should any "man wish to be a Prig, or where is his great-"ness? I answer, in his mind: 'tis the inward "glory, the secret consciousness of doing great

" and wonderful actions, which can alone support " the truly GREAT MAN whether he be a CON-" QUEROR, a TYRANT, a STATESMAN, or a PRIG. "-These must bear him up against the private " curse and public imprecation, and while he is " hated and detested by all mankind, must make "him inwardly satisfied with himself. For what " but some such inward satisfaction as this could "inspire men possessed of power, of wealth, of " every human blessing, which pride, avarice, or "luxury could desire, to forsake their homes, " abandon ease and repose, and at the expence of " riches and pleasures, at the price of labour and " hardship, and at the bazard of all that fortune " hath liberally given them, could send them at "the head of a multitude of Prigs called an army, " to molest their neighbours: to introduce rape, "rapine, bloodshed, and every kind of misery " among their own species? What but some such " glorious appetite of mind could inflame princes, " endowed with the greatest honours, and enriched " with the most plentiful revenues, to desire mali-"ciously to rob those subjects of their liberties, " who are content to sweat for the luxury, and to " bow down their knees to the pride of those very " princes? What but this can inspire them to de-" stroy one half of their subjects, in order to re-"duce the rest to an absolute dependance on their own wills, and on those of their brutal succes-"sors? What other motive could seduce a sub-" ject, possessed of great property in his commu-" nity, to betray the interest of his fellow-subjects, " of his brethren, and his posterity, to the wanton "disposition of such princes? Lastly, what less " inducement could persuade the Prig to forsake "the methods of acquiring a safe, an honest, and " a plentiful livelihood, and, at the hazard of even "life itself, and what is mistakingly called dishonour, to break openly and bravely through the laws of his country, for uncertain, unsteady, and unsafe gain? Let me then hold myself contented with this reflection, that I have been wise, though unsuccessful, and am a GREAT, though

" an unhappy Man."

His soliliquy and his punch concluded together; for he had at every pause comforted himself with a sip. And now it came first into his head, that it would be more difficult to pay for it, than it was to swallow it, when, to his great pleasure, he beheld, at another corner of the room, one of the gentlemen whom he had employed in the attack on Heartfree, and who, he doubted not, would readily lend him a guinea or two; but he had the mortification, on applying to him, to hear that the gaming-table had stripped him of all the booty which his own generosity had left in his possession. He was therefore obliged to pursue his usual method on such occasions: so, cocking his hat fiercely, he marched out of the room without making any excuse, or any one daring to make the least demand.

## CHAP. V.

Containing many surprizing adventures, which our Hero, with GREAT GREATNESS, achieved.

WE will now leave our hero to take a short repose, and return to Mr. Snap's, where, at Wild's departure, the fair Theodosia had again betaken herself to her stocking, and Miss Letty had retired

up stairs to Mr. Bagshot; but that gentleman had broken his parole, and, having conveyed himself below stairs behind a door, he took the opportunity of Wild's sally to make his escape. We shall only observe, that Miss Letty's surprize was the greater, as she had, notwithstanding her promise to the contrary, taken the precaution to turn the key; but, in her hurry, she did it ineffectually .-How wretched must have been the situation of this young creature, who had not only lost a lover, on whom her tender heart perfectly doated, but was exposed to the rage of an injured father, tenderly jealous of his honour, which was deeply engaged to the sheriff of London and Middlesex for the safe custody of the said Bagshot, and for which two very good responsible friends had given not only their words but their bonds.

But let us remove our eyes from this melancholy object, and survey our hero, who, after a successless search for Miss Straddle, with wonderful greatness of mind, and steadiness of countenance. went early in the morning to visit his friend Heartfree, at a time when the common herd of friends would have forsaken and avoided him. He entered the room with a cheerful air, which he presently changed into surprize on seeing his friend in a nightgown, with his wounded head bound about with linen, and looking extremely pale from a great effusion of blood. When Wild was informed by Heartfree what had happened, he first expressed great sorrow, and afterwards suffered as violent agonies of rage against the robbers to burst from him. Heartfree, in compassion to the deep impressions his misfortunes seemed to make on his friend, endeavoured to lessen it as much as possible, at the same time exaggerating the obligation he owed to Wild, in which his wife likewise seconded him; and they breakfasted with more comfort than was reasonably to be expected after such an accident. Heartfree expressing great satisfaction that he had put the Count's note in another pocket-book, adding, that such a loss would have been fatal to him; "for to confess "the truth to you, my dear friend," said he, "I "have had some losses lately which have greatly "perplexed my affairs; and though I have many debts due to me from people of great fashion, "I assure you I know not where to be certain of getting a shilling." Wild greatly felicitated him on the lucky accident of preserving his note, and then proceeded with much acrimony, to inveigh against the barbarity of people of fashion, who

kept tradesmen out of their money.

While they amused themselves with discourses of this kind, Wild, meditating within himself whether he should borrow or steal from his friend, or indeed whether he could not effect both, the apprentice brought a bank-note of 500l, in to Heartfree, which, he said, a gentlewoman in the shop, who had been looking at some jewels, desired him to exchange.—Heartfree looking at the number, immediately recollected it to be one of those he had been robbed of. With this discovery he acquainted Wild, who, with the notable presence of mind, and unchanged complexion, so essential to a great character, advised him to proceed cautiously; and offered (as Mr. Heartfree himself was, he said, too much flustered to examine the woman with sufficient art) to take her into a room in his house alone. He would, he said, personate the master of the shop, would pretend to shew her some jewels, and would undertake to get sufficient information out of her to secure the rogues, and most probably, all their

booty. This proposal was readily and thankfully accepted by Heartfree. Wild went immediately up stairs into the room appointed, whither the apprentice, according to appointment, conducted

the lady.

The apprentice was ordered down stairs the moment the lady entered the room; and Wild, having shut the door, approached her with great ferocity in his looks, and began to expatiate on the complicated baseness of the crime she had been guilty of: but though he uttered many good lessons of morality, as we doubt whether from a particular reason they may work any very good effect on our reader, we shall omit his speech, and only mention his conclusion, which was by asking her, what mercy she could now expect from him? Miss Straddle, for that was the young lady, who had had a good education, and had been more than once present at the Old Bailey, very confidently denied the whole charge, and said, she had received the note from a friend. Wild then raising his voice, told her, she should be immediately committed, and she might depend on being convicted; "but," added he, changing his tone, " as I have a violent affection for thee, my " dear Straddle, if you will follow my advice, I pro-" mise you on my honour, to forgive you, nor " shall you be ever called in question on this ac-" count." "Why, what would you have me to "do, Mr. Wild?" replied the young lady, with a pleasanter aspect .- "You must know then," said Wild, "the money you picked out of my " pocket (nay, by G-d you did, and if you offer " to flinch, you shall be convicted of it) I won at " play of a fellow, who, it seems robbed my " friend of it; you must, therefore, give an in-" formation on oath against one Thomas Fierce,

" and say, that you received the note from him, "and leave the rest to me. I am certain, Molly, "you must be sensible of your obligations to me. "who return good for evil to you in this manner." The lady readily consented; and advanced to embrace Mr. Wild, who stepped a little back and eried, "Hold, Molly; There are two other notes " of 200l. each, to be accounted for, where are "they?" The lady protested with the most solemn asseverations that she knew no more; with which, when Wild was not satisfied, she cried, "I will stand search." "That you shall," answered Wild, "and stand strip too." He then proceeded to tumble and search her, but to no purpose, till at last she burst into tears, and declared she would tell the truth (as indeed she did); she then confessed that she had disposed of the one to Jack Swagger, a great favourite of the ladies, being an Irish gentleman, who had been bred clerk to an attorney, afterwards whipped out of a regiment of dragoons, and was then a Newgate solicitor, and a bawdy-house bully; and as for the other, she had laid it all out that very morning in brocaded silks, and Flanders lace. With this account Wild, who indeed knew it to be a very probable one, was forced to be contented; and now abandoning all further thoughts of what he saw was irretrievably lost, he gave the lady some further instructions, and then, desiring her to stay a few minutes behind him, he returned to his friend, and acquainted him that he had discovered the whole roguery that the woman had confessed from whom she had received the note, and promised to give an information before a justice of peace; adding, he was concerned he could not attend him thither, being obliged to go to the other end of the town to receive thirty

pounds, which he was to pay that evening. Heartfree said, that should not prevent him of his company, for he could easily lend him such a trifle. This was accordingly done and accepted, and Wild, Heartfree, and the lady went to the justice

together.

The warrant being granted, and the constable being acquainted by the lady, who received her information from Wild of Mr. Fierce's haunts, he was easily apprehended, and being confronted with Miss Straddle, who swore positively to him, though she had never seen him before; he was committed to Newgate, where he immediately conveyed an information to Wild of what had happened, and in the evening received a visit from him.

Wild affected great concern for his friend's misfortune, and as great surprize at the means by which it was brought about. However, he told Fierce that he must certainly be mistaken in that point, of his having had no acquaintance with Miss Straddle: but added, that he would find her out, and endeavour to take off her evidence; which, he observed, did not come home enough to endanger him; besides, he would secure him witnesses of an alibi, and five or six to his character; so that he need be under no apprehension, for his confinement till the sessions would be his only punishment.

Fierce, who was greatly comforted by these assurances of his friend, returned him many thanks, and both shaking each other very earnestly by the hand, with a very hearty embrace

they separated.

The hero considered with himself that the single evidence of Miss Straddle would not be sufficient to convict Fierce, whom he resolved to hang, as

he was the person who had principally refused to deliver him the stipulated share of the booty; he therefore went in quest of Mr. James Sly, the gentleman who had assisted in the exploit, and found, and acquainted him with the apprehending of Fierce. Wild then intimating his fear, lest Fierce should impeach Sly, advised him to be beforehand, to surrender himself to a justice of peace, and offer himself as an evidence. Sly approved Mr. Wild's opinion, went directly to a magistrate, and was by him committed to the Gate-house, with a promise of being admitted evidence against his companion.

Fierce was, in a few days, brought to his trial at the Old Bailey, where, to his great confusion, his old friend Sly appeared against him, as did Miss Straddle. His only hopes were now in the assistances which our hero had promised him. These unhappily failed him: so that the evidence being plain against him, and he making no defence, the jury convicted him, the court condemned

him, and Mr. Ketch executed him.

With such infinite address did this truly Great Man know to play with the passions of men, to set them at variance with each other, and to work his own purposes out of those jealousies and apprehensions, which he was wonderfully ready at creating by means of those great arts which the vulgar call treachery, dissembling, promising, lying, falsehood, &c. but which are by great men summed up in the collective name of policy, or politics, or rather pollitrics; an art of which, as it is the highest excellence of human nature, perhaps our great man was the most eminent master.

#### CHAP. VI.

# Of Hats.

WILD had now got together a very considerable gang, composed of undone gamesters, ruined, bailiffs, broken tradesmen, idle apprentices, attornies clerks, and loose and disorderly youth, who being born to no fortune, nor bred to any trade or profession, were willing to live luxuriously, without labour. As these persons wore different Principles, i. e. Hats, frequent dissentions grew among them. There were particularly two parties, viz. those who wore hats fiercely cocked, and those who preferred the Nab or trencher hat, with the brim flapping over their eyes. The former were called Cavaliers and Tory Rory Ranter Boys, &c. The latter went by the several names of Wags, Roundheads, Shakebags, Oldnolls, and several others. Between these, continual jars arose; insomuch that they grew in time to think there was something essential in their differences, and that their interests were incompatible with each other, whereas, in truth, the difference lay only in the fashion of their hats. Wild therefore, having assembled them all at an alehouse on the night after Fierce's execution, and perceiving evident marks of their misunderstanding, from their behaviour to each other, addressed them in the following gentle, but forcible manner.\*

<sup>\*</sup> There is something very mysterious in this speech, which probably that chapter written by Aristotle on this subject, which is mentioned by a French author, might have given some light into; but that is unhappily among the lost works

"tlemen, I am ashamed to see men embarked "in so great and glorious an undertaking, as that " of robbing the public, so foolishly and weakly "dissenting among themselves. Do you think "the first inventors of Hats, or at least of the dis-"tinctions between them, really conceived that "one form of Hats should inspire a man with " divinity, another with law, another with learning, " or another with bravery? No, they meant no " more by these outward signs, than to impose " on the vulgar, and instead of putting great men " to the trouble of acquiring or maintaining the "substance, to make it sufficient that they con-" descend to wear the type or shadow of it .- You "do wisely, therefore, when in a crowd, to amuse "the mob by quarrels on such accounts, that, "while they are listening to your jargon, you may " with the greater ease and safety, pick their

of that philosopher. It is remarkable, that Galerus, which is Latin for a Hat, signifies likewise a Dog-fish, as the Greek word Koren doth the skin of that animal; of which I suppose the hats or helmets of the ancients were composed, as ours at present are of the beaver or rabbit. Sophocles, in the latter end of his Ajax, alludes to a method of cheating in hats, and the scholiast on the place tells us of one Crephontes, who was a master of the art. It is observable likewise, that Achilles, in the first Iliad of Homer, tells Agamemnon, in anger, that he had dog's eyes. Now, as the eyes of a dog are handsomer than those of almost any other animal, this could be no term of reproach, He must therefore mean that he had a hat on, which, perhaps, from the creature it was made of, or from some other reason, might have been a mark of infamy. This superstitious opinion may account for that custom, which hath descended through all nations, of shewing respect by pulling off this covering; and that no man is esteemed fit to converse with his superiors with it on. I shall conclude this learned note with remarking, that the term Old Hat, is at present used by the vulgar in no very honorable sense.

" pockets: but surely to be in earnest, and pri-" vately to keep up such a ridiculous contention " among yourselves, must argue the highest folly "and absurdity. When you know you are all " Prigs, what difference can a broad or a narrow "brim create? Is a Prig less a Prig in one Hat "than in another? If the public should be weak " enough to interest themselves in your quarrels, " and to prefer one pack to the other, while both " are aiming at their purses; it is your business " to laugh at, not imitate their folly. What can " be more ridiculous than for gentlemen to quarrel " about Hats, when there is not one among you "whose Hat is worth a farthing. What is the " use of a Hat, farther than to keep the head " warm, or to hide a bald crown from the public? "It is the mark of a gentleman to move his Hat "on every occasion; and in courts and noble " assemblies, no man ever wears one. Let me " hear no more therefore of this childish disagree-"ment, but all toss up your Hats together with " one accord, and consider that Hat as the best, " which will contain the largest booty." He thus ended his speech, which was followed by a murmuring applause, and immediately all present tossed their Hats together as he had commanded them.

#### CHAP. VII.

Shewing the consequence which attended Heartfree's adventures with Wild; all natural, and common enough to little wretches who deal with Great Men; together with some precedents of letters, being the different methods of answering a Dun.

LET us now return to Heartfree, to whom the Count's note, which he had paid away, was returned, with an account that the drawer was not to be found, and that, on enquiring after him, they had heard be was run away, and consequently the money was now demanded of the indorser. The apprehension of such a loss would have affected any man of business, but much more one whose unavoidable ruin it must prove. He expressed so much concern and confusion on this occasion, that the proprietor of the note was frightened, and resolved to lose no time in securing what he could. So that, in the afternoon of the same day, Mr. Snap was commissioned to pay Heartfree a visit, which he did with his usual formality, and conveyed him to his own house.

Mrs. Heartfree was no sooner informed of what had happened to her husband, than she raved like one distracted; but after she had vented the first agonies of her passion in tears and lamentations, she applied herself to all possible means to procure her husband's liberty. She hastened to beg her neighbours to secure bail for him. But as the news had arrived at their houses before her, she found none of them at home, except an honest Quaker, whose servants durst not tell a lie. How-

ever, she succeeded no better with him, for unluckily he had made an affirmation the day before, that he would never be bail for any man. many fruitless efforts of this kind, she repaired to her husband to comfort him at least with her presence. She found him sealing the last of several letters, which he was dispatching to his friends and creditors. The moment he saw her, a sudden joy sparkled in his eyes, which, however, had a very short duration; for despair soon closed them again; nor could he help bursting into some passionate expressions of concern for her and his little family; which she, on her part, did her utmost to lessen, by endeavouring to mitigate the loss, and to raise in him hopes from the Count, who might, she said, be possibly only gone into the country. She comforted him likewise, with the expectation of favour from his acquaintance, especially from those whom he had in a particular manner obliged and served.' Lastly, she conjured him, by all the value and esteem he professed for her, not to endanger his health, on which alone depended her happiness, by too great an indulgence of grief; assuring him that no state of life could appear unhappy to her with him, unless his own sorrow or discontent made it so.

In this manner did this weak, poor-spirited woman attempt to relieve her husband's pains, which it would have rather become her to aggravate by not only painting out his misery in the liveliest colours imaginable, but by upbraiding him with that folly and confidence which had occasioned it, and by lamenting her own hard fate, in being obliged to share his sufferings.

Heartfree returned this goodness (as it is called) of his wife, with the warmest gratitude, and they passed an hour in a scene of tenderness, too low

and contemptible to be recounted to our great readers.—We shall therefore omit all such relations, as they tend only to make human nature low and ridiculous.

Those messengers who had obtained any answers to his letters now returned. We shall here copy a few of them, as they may serve for precedents to others who have an occasion, which happens commonly enough in genteel life, to answer the impertinence of a Dun.

#### LETTER I.

MR. HEARTFREE,

My Lord commands me to tell you, he is very much surprised at your assurance in asking for money, which you know hath been so little while due; however, as he intends to deal no longer at your shop, he hath ordered me to pay you as soon as I shall have cash in hand, which, considering, many disbursements for bills long due, &c. can't possibly promise any time, &c. at present. And am

Your humble servant, ROGER MORECRAFT.

#### LETTER II.

DEAR SIR,

The money, as you truly say, hath been three years due, but upon my soul I am at present incapable of paying a farthing; but as I doubt not, very shortly, not only to content that small bill,

but likewise to lay out very considerable further sums at your house, hope you will meet with no inconvenience by this short delay in, dear Sir,

Your most sincere humble Servant,

CHA. COURTLY.

# LETTER III.

MR. HEARTFREE,

I BEG you would not acquaint my husband of the trifling debt between us; for as I know you to be a very good-natured man, I will trust you with a secret; he gave me the money long since to discharge it, which I had the ill luck to lose at play. You may be assured I will satisfy you the first opportunity, and am, Sir,

Your very humble Servant,

CATH. RUBBERS.

Please to present my compliments to Mrs. Heart-free.

#### LETTER IV.

MR. THOMAS HEARTFREE, SIR,

Yours received; but as to sum mentioned therein, doth not suit at present

Your humble Servant,

PETER POUNCE.

# LETTER V.

SIR.

I am sincerely sorry it is not at present possible for me to comply with your request, especially after so many obligations received on my side, of which I shall always entertain the most grateful memory. I am very greatly concerned at your misfortunes, and would have waited upon you in person, but am not at present very well, and, besides, am obliged to go this evening to Vauxhall, I am, Sir,

Your most obliged humble Servant,

CHAS. EASY.

P. S. I hope good Mrs. Heartfree and the dear little ones are well.

There were more letters to much the same purpose; but we proposed giving our reader a taste only. Of all these, the last was infinitely the most grating to poor Heartfree, as it came from one to whom, when in distress, he had himself lent a considerable sum, and of whose present flourishing circumstances he was well assured.

# CHAP. VIII.

In which our hero carries GREATNESS to an immoderate height.

Let us remove, therefore, as fast as we can, this detestable picture of ingratitude, and present the

much more agreeable portrait of that assurance to which the French very properly annex the epithet of Good. Heartfree had scarce done reading his letters, when our hero appeared before his eyes; not with that aspect with which a pitiful parson meets his patron, after having opposed him at an election, or which a doctor wears, when sneaking away from a door where he is informed of his patient's death; not with that downcast countenance which betrays the man who, after a strong conflict between virtue and vice, bath surrendered his mind to the latter, and is discovered in his first treachery; but with that noble, bold, great confidence with which a prime minister assures his dependant, that the place he promised him was disposed of before. And such concern and uneasiness as he expresses in his looks on those occasions, did Wild testify on the first meeting of his friend. And as the said prime minister chides you for neglect of your interest, in not having asked in time, so did our hero attack Heartfree for his giving credit to the Count; and, without suffering him to make any answer, proceeded in a torrent of words to overwhelm him with abuse; which, however friendly its intention might be, was scarce to be outdone by an enemy. By these means Heartfree, who might perhaps otherwise have vented some little concern for that recommendation which Wild had given him to the Count, was totally prevented from any such endeayour; and, like an invading prince, when attacked in his own dominions, forced to recall his whole strength to defend himself at home. This indeed he did so well, by insisting on the figure and outward appearance of the Count and his equipage, that Wild at length grew a little more gentle, and with a sigh said, "I confess I have the least rea" son of all mankind to censure another for an "imprudence of this nature, as I am myself the " most easy to be imposed upon, and indeed have "been so by this Count, who, if he be insolvent, " hath cheated me of five hundred pounds. But, " for my own part," said he, "I will not yet "despair, nor would I have you. Many men "have found it convenient to retire, or abscond "for a while, and afterwards have paid their " debts, or at least handsomely compounded them. "This I am certain of, should a composition take " place, which is the worst I think that can be "apprehended, I shall be the only loser; for I "shall think myself obliged in honour to repair "your loss, even though you must confess it was " principally owing to your own folly. Z-ds! "had I imagined it necessary, I would have cau-" tioned you; but I thought the part of the town " where he lived sufficient caution not to trust " him. - And such a sum! - The devil must " have been in you certainly!"

This was a degree of impudence beyond poor Mrs. Heartfree's imagination. Though she had before vented the most violent execrations on Wild, she was now thoroughly satisfied of his innocence, and begged him not to insist any longer on what he perceived so deeply affected her husband. She said, trade could not be carried on without credit, and surely he was sufficiently justified in giving it to such a peron as the Count appeared to be. Besides, she said, reflections on what was past and irretrievable would be of little service; that their present business was to consider how to prevent the evil consequences which threatened, and first to endeavour to procure her husband his liberty. "Why doth he not procure "bail?" said Wild. "Alas! Sir," said she, "we have applied to many of our acquaintance in vain; we have met with excuses even where we could least expect them." "Not bail!" answered Wild, in a passion, "he shall have bail, if there is any in the world. It is now very late, but trust me to procure him bail to-morrow morning."

Mrs. Heartfree received these professions with tears, and told Wild he was a friend indeed. She then proposed to stay that evening with her husband; but he would not permit her, on account of his little family, whom he would not agree to trust to the care of servants in this time of confusion.

A hackney coach was then sent for, but without success; for these, like hackney friends, always offer themselves in the sunshine, but are never to be found when you want them. And as for a chair, Mr. Snap lived in a part of the town which chairmen very little frequent. This good woman was therefore obliged to walk home, whither the gallant Wild offered to attend her as a protector. This favour was thankfully accepted, and the husband and wife having taken a tender leave of each other, the former was locked in, and the latter locked out by the hands of Mr. Snap himself.

As this visit of Mr. Wild's to Heartfree may seem one of those passages in history, which writers, Draw-cansir-like, introduce only because they dare; indeed as it may seem somewhat contradictory to the greatness of our hero, and may tend to blemish his character with an imputation of that kind of friendship, which savours too much of weakness and imprudence; it may be necessary to account for this visit, especially to our more sagacious readers, whose satisfaction we shall always consult in the most especial manner. They

are to know then, that at the first interview with Mrs. Heartfree, Mr. Wild had conceived that passion, or affection, or friendship, or desire for that handsome creature, which the gentlemen of this our age agree to call Love; and which is indeed no other than that kind of affection which, after the exercise of the dominical day is over, a lusty divine is apt to conceive for the well-drest surloin or handsome buttock, which the well edified squire, in gratitude sets before him, and which, so violent is his love, he devours in imagination the moment he sees it. Not less ardent was the hungry passion of our hero, who from the moment he had cast his eyes on that charming dish, had cast about in his mind by what method he might come at it. This, as he perceived, might most easily be effected after the ruin of Heartfree, which, for other considerations he had intended. So he postponed all endeavours for this purpose, till he had first effected what, by order of time, was regularly to precede this latter design; with such regularity did this our hero conduct all his schemes, and so truly superior was he to all the efforts of passion, which so often disconcert and disappoint the noblest views of others.

# CHAP, IX.

More Greatness in Wild. A low scene between Mrs. Heartfree and her children, and a scheme of our hero worthy the highest admiration, and even astonishment.

When first Wild conducted his flame (or rather his dish, to continue our metaphor) from the pro-

prietor, he had projected a design of conveying her to one of those eating-houses in Covent-Garden, where female flesh is deliciously drest, and served up to the greedy appetites of young gentlemen; but fearing lest she should not come readily enough into his wishes, and that, by too eager and hasty a pursuit, he should frustrate his future expectations, and luckily at the same time a noble hint suggesting itself to him, by which he might almost inevitably secure his pleasure, together with his profit, he contented himself with waiting on Mrs. Heartfree home, and, after many protestations of friendship and service to her husband, took his leave and promised to visit her early in the morning, and to con-

duct her back to Mr. Snap's.

Wild now retired to a night-cellar, where he found several of his acquaintance, with whom he spent the remaining part of the night in revelling; nor did the least compassion for Heartfree's misfortunes disturb the pleasure of his cups. So truly great was his soul, that it was absolutely composed, save that an apprehension of Miss Tishy's making some discovery (as she was then in no good temper towards him), a little ruffled and disquieted the perfect serenity he would otherwise have enjoyed. As he had, therefore, no opportunity of seeing her that evening, he wrote her a letter full of ten thousand protestations of honourable love, and (which he more depended on) containing as many promises, in order to bring the young lady into good humour, without acquainting her in the least with his suspicion, or giving her any caution; for it was his constant maxim, never to put it into any one's head to do you a mischief, by acquainting him that it is in his power.

We must now return to Mrs. Heartfree, who past a sleepless night in as great agonies and horror

for the absence of her husband, as a fine well-bred woman would feel at the return of her's from a long voyage or journey. In the morning the children being brought to her, the eldest asked, where dear Papa was? At which the could not refrain from bursting into tears. The child perceiving it, said, Don't cry, Mama; I am sure Papa would not stay abroad if he could help it. At these words she caught the child in her arms, and throwing herself into the chair, in an agony of passion, cried out, No, my child; nor shall all the malice of hell keep us long asunder.

These are circumstances which we should not, for the amusement of six or seven readers only, have inserted, had they not served to shew, that there are weaknesses in vulgar life, to which great minds are so entirely strangers, that they have not even an idea of them; and secondly, by exposing the folly of this low creature, to set off and elevate that greatness, of which we endeavour to draw a

true portrait in this history.

Wild entering the room found the mother with one child in her arms, and the other at her knee. After paying her his compliments, he desired her to dismiss the children and servant, for that he had something of the greatest moment to impart to her.

She immediately complied with his request, and, the door being shut, asked him with great eagerness if he had succeeded in his intentions of procuring the bail. He answered, he had not endeavoured at it yet; for a scheme had entered into his head, by which she might certainly preserve her husband, herself, and her family. In order to which he advised her instantly to remove with the most valuable jewels she had to Holland, before any statute of bankruptcy issued to prevent her; that he would himself attend her thither, and place her in safety,

and then return to deliver her husband, who would be thus easily able to satisfy his creditors. He added, that he was that instant come from Snap's, where he had communicated the scheme to Heartfree, who had greatly approved of it, and desired her to put it in execution without delay, conclud-

ing that a moment was not to be lost.

The mention of her husband's approbation left no doubt in this poor woman's breast; she only desired a moment's time to pay him a visit, in order to take her leave. But Wild peremptorily refused; he said by every moment's delay she risqued the ruin of her family; that she would be absent only a few days from him, for that the moment he had lodged her safe in Holland, he would return, procure her husband his liberty, and bring him to her. "I have been the unfortunate, the innocent cause " of all my dear Tom's calamity, Madam," said he; " and I will perish with him, or see him out of it." Mrs. Heartfree overflowed with acknowledgments of his goodness; but still begged for the shortest interview with her husband. Wild declared, that a minute's delay might be fatal; and added, though with the voice of sorrow rather than of anger, that if she had not resolution enough to execute the commands he brought her from her husband, his ruin would lie at her door; and, for his own part, he must give up any farther meddling in his affairs.

She then proposed to take her children with her; but Wild would not permit it, saying, they would only retard their flight, and that it would be properer for her husband to bring them. He at length absolutely prevailed on this poor woman, who immediately packed up the most valuable effects she could find, and, after taking a tender leave of her infants, earnestly recommended them to the care of a very faithful servant. Then they called a hackney.

coach, which conveyed them to an inn, where they were furnished with a chariot and six, in which

they set forward for Harwich.

Wild rode with an exulting heart; secure, as he now thought himself, of the possession of that lovely woman, together with a rich cargo. In short, he enjoyed in his mind all the happiness which unbridled lust and rapacious avarice could promise him. As to the poor creature, who was to satisfy these passions, her whole soul was employed in reflecting on the condition of her husband and children. A single word scarce escaped her lips, though many a tear gushed from her brilliant eyes, which, if I may use a coarse exppression, served only as delicious sauce to heighten the appetite of Wild.

#### CHAP. X.

Sea-adventures very new and surprising.

When they arrived at Harwich, they found a vessel, which had put in there, just ready to depart for Rotterdam. So they went immediately on board, and sailed with a fair wind; but they had hardly proceeded out of sight of land, when a sudden and violent storm arose, and drove them to the South-West; insomuch that the captain apprehended it impossible to avoid the Goodwin Sands, and he and all his crew gave themselves for lost. Mrs. Heartfree, who had no other apprehensions from death, but those of leaving her dear husband and children, fell on her knees to beseech the Almighty's favour, when Wild, with a contempt of

danger truly great, took a resolution as worthy to be admired perhaps as any recorded of the bravest hero, ancient or modern; a resolution, which plainly proved him to have these two qualifications so necessary to a hero to be superior to all the energies of fear or pity. He saw the tyrant death ready to rescue from him his intended prey, which he had yet devoured only in imagination. He therefore swore he would prevent him, and immediately attacked the poor wretch, who was in the utmost agonies of despair, first with solicitation, and afterwards with force.

Mrs. Heartfree, the moment she understood his meaning, which, in her present temper of mind, and in the opinion she held of him, she did not immediately, rejected him with all the repulses which indignation and horror could animate; but when he attempted violence, she filled the cabin with her shrieks, which were so vehement, that they reached the ears of the captain, the storm at this time luckily. This man, who was a brute, rather from his education, and the element he inhabited, than from nature, ran hastily down to her assistance, and finding her struggling on the ground with our hero, he presently rescued her from her intended ravisher; who was soon obliged to quit the woman, in order to engage with her lusty champion, who spared neither pains nor blows in the assistance of his fair passenger.

When the short battle was over, in which our hero, had he not been overpowered with numbers, who came down on their captain's side, would have been victorious; the captain rapped out a hearty oath, and asked Wild, If he had no more christianity in him than to ravish a woman in a storm? To which the other greatly and sullenly answered:

"It was very well; but d——n him it he had not

"satisfaction the moment they came on shore." The captain with great scorn replied, Kiss——&c. then forcing Wild out of the cabin, he, at Mrs. Heartfree's request, locked her into it, and re-

turned to the care of his ship.

The storm was now entirely ceased, and nothing remained but the usual ruffling of the sea after it, when one of the sailors spied a sail at a distance, which the captain wisely apprehended might be a privateer (for we were then engaged in a war with France), and immediately ordered all the sail possible to be crowded: but this caution was in vain; for the little wind which then blew, was directly adverse; so that the ship bore down upon them, and soon appeared to be what the captain had feared, a French privateer. He was in no condition of resistance, and immediately struck on her firing the first gun. The captain of the Frenchman, with several of his hands, came on board the English vessel; which they rifled of every thing valuable, and, amongst the rest, of poor Mrs. Heartfree's whole cargo; and then taking the crew, together with the two passengers, a-board his own ship, he determined, as the other would be only a burthen to him, to sink her, she being very old and leaky, and not worth going back with to Dunkirk. He preserved, therefore, nothing but the boat, as his own was none of the best, and then pouring a broadside into her, he sent her to the bottom.

The French captain, who was a very young fellow, and a man of gallantry, was presently enamoured to no small degree with his beautiful captive; and imagining Wild from some words he dropt, to be her husband, notwithstanding the ill affection towards him which appeared in her looks, he asked her, If she understood French? She answered in the affirmative, for indeed she did personer.

fectly well. He then asked her how long she and that gentleman (pointing to Wild) had been married? She answered with a deep sigh, and many tears, that she was married indeed, but not to that villain. who was the sole cause of all her misfortunes. That appellation raised a curiosity in the captain. and he importuned her in so pressing, but gentle a manner, to acquaint him with the injuries she complained of, that she was at last prevailed on to recount to him the whole history of her afflictions. This so moved the captain, who had too little notions of greatness, and so incensed him against our hero, that he resolved to punish him; and, without regard to the laws of war, he immediately ordered out his shattered boat, and, making Wild a present of half-a-dozen biscuits to prolong his misery, he put him therein, and then, committing him to the mercy of the sea, proceeded on his cruize.

# CHAP. XI.

The great and wonderful behaviour of our hero in the boat.

It is probable, that a desire of ingratiating himself with his charming captive, or rather conqueror, had no little share in promoting this extraordinary act of illegal justice; for the Frenchman had conceived the same sort of passion, or hunger, which Wild himself had felt, and was almost as much resolved, by some means or other, to satisfy it. We will leave him, however at present, in the pursuit of his wishes, and attend our hero in his boat; since it is in circumstances of distress that true

greatness appears most wonderful. For that a prince in the midst of his courtiers, all ready to compliment him with his favorite character, or title, and indeed with every thing else; or that a conqueror at the head of an hundred thousand men, all prepared to execute his will, how ambitious, wanton, or cruel soever, should, in the giddiness of their pride, elevate themselves many degrees above those their tools, seems not difficult to be imagined, or indeed accounted for. But that a man in chains, in prison, nay, in the vilest dungeon, should, with persevering pride and obstinate dignity, discover that vast superiority in his own nature over the rest of mankind, who to a vulgar eye seem much happier than himself; nay, that he should discover heaven and providence (whose peculiar care, it seems, he is) at that very time at work for him; this is among the arcana of greatness, to be perfectly understood only by an adept in that science.

What could be imagined more miserable than the situation of our hero at this season, floating in a little boat on the open seas, without oar, without sail, and at the mercy of the first wave to overwhelm him? nay this was indeed the fair side of his fortune, as it was a much more eligible fate than that alternative, which threatened him with almost unavoidable certainty, viz. starving with hunger, the sure consequence of a continuance of the calm.

Our hero, finding himself in this condition, began to ejaculate a round of blasphemies, which the reader, without being over-pious, might be offended at seeing repeated. He then accused the whole female sex, and the passion of love (as he called it), particularly that which he bore to Mrs. Heartfree, as the unhappy occasion of his present

sufferings, At length, finding himself descending too much into the language of meanness and complaint, he stopped short, and soon after broke forth as follows: "D-n it, a man can die but once, " what signifies it! Every man must die, and "when it is over, it is over. I never was afraid " of any thing yet, nor I won't begin now; no, "d-n me, won't I. What signifies fear? I " shall die whether I am afraid or no: Who's " afraid then, d-n me?" At which words he looked extremely fierce, but recollecting that no one was present to see him, he relaxed a little the terror of his countenance, and pausing a while, repeated the word, d-n! "Suppose I should "be d-ned at last," cries he, "when I never "thought a syllable of the matter! I have often " laughed and made a jest about it, and yet it may " be so, for any thing which I know to the contrary. " If there should be another world it will go hard with me, that is certain. I shall never escape " for what I have done to Heartfree. The devil The devil! " must have me for that undoubtedly. "Pshaw! I am not such a fool to be frighten'd at "him neither. No, no; when a man's dead, "there's an end of him. I wish I was certainly " satisfied of it though; for there are some men " of learning, as I have heard, of a different opi-" nion. It is but a bad chance, methinks, I stand. " If there be no other world, why I shall be in no worse condition than a block or a stone: But if " there should, \_\_\_ D \_\_\_ n me, I will think no "longer about it .- Let a pack of cowardly rascals " be afraid of death, I dare look him in the face. " But shall I stay and be starved !- No, I will eat up " the biscuits the French son of a whore bestowed "on me, and then leap into the sea for drink, " since the unconscionable dog hath not allowed "me a single dram." Having thus said, he proceeded immediately to put his purpose in execution, and as his resolution never failed him, he had no sooner dispatched the small quantity of provision, which his enemy had with no vast liberality presented him, than he cast himself headlong into the sea.

# CHAP, XII.

The strange and yet natural escape of our hero.

Our hero having with wonderful resolution thrown himself into the sea, as we mentioned at the end of the last chapter, was miraculously within two minutes after replaced in his boat; and this without the assistance of a dolphin or seahorse, or any other fish or animal, who are always as ready at hand when a poet or historian pleases to call for them to carry a hero through the sea, as any chairman at a coffee-house door near St. James's, to convey a beau over a street, and preserve his white stockings. The truth is, we do not chuse to have any recourse to miracles, from the strict observance we pay to that rule of Horace,

Nec Deus intersit, nisi dignus vindice nodus.

The meaning of which is, Do not bring in a supernatural agent when you can do without him; and indeed, we are much deeper read in natural than supernatural causes. We will therefore endeavour to account for this extraordinary event from the former of these; and in doing this it will be necessary to disclose some profound secrets to our reader, extremely well worth his knowing, and which may serve him to account for many occur-

rences of the phænomenous kind which have for-

merly appeared in this our hemisphere.

Be it known then, that the great Alma Mater, Nature, is of all other females the most obstinate, and tenacious of her purpose. So true is that observation,

Naturam expellas furca licet, usque recurret.

Which I need not render in English, it being to be found in a book which most fine gentlemen are forced to read. Whatever nature, therefore, purposes to herself, she never suffers any reason, design, or accident, to frustrate. Now though it may seem to a shallow observer, that some persons were designed by nature for no use or purpose whatever; yet certain it is, that no man is born into the world without his particular allotment; viz, some to be kings, some statesmen, some ambassadors, some bishops, some generals, and so on. Of these there be two kinds; those to whom nature is so generous to give some endowment, qualifying them for the parts she intends them afterwards to act on this stage; and those whom she uses as instances of her unlimited power, and for whose preferment to such and such stations Solomon himself could have invented no other reason than that nature designed them so. These latter, some great philosophers have, to shew them to be the favourites of nature, distinguished by the honourable appellation of NATURALS. Indeed, the true reason of the general ignorance of mankind on this head seems to be this; That as nature chuses to execute these her purposes by certain second causes and as many of these second causes, seem so totally foreign to her design, the wit of man, which, like his eye, sees best directly forward, and very little and imperfectly what is

oblique, is not able to discern the end by the means. Thus, how a handsome wife or daughter should contribute to execute her original designation of a general; or how flattery, or half a dozen houses in a borough-town, should denote a judge, or a bishop, he is not capable of comprehending. And, indeed, we ourselves, wise as we are, are forced to reason ab effectu, and if we had been asked what nature had intended such men for, before she herself had by the event demonstrated her purpose, it is possible we might sometimes have been puzzled to declare; for it must be confessed, that at first sight, and to a mind uninspired, a man of vast natural capacity and much acquired knowledge may seem by nature designed for power and honour, rather than one remarkable only for the want of these, and indeed all other qualifications; whereas daily experience convinces us of the contrary, and drives us as it were into the opinion I have here disclosed.

Now, nature having originally intended our Great Man for that final exaltation, which, as it is the most proper and becoming end of all great men, it were heartily to be wished they might all arrive at; would by no means be diverted from her purpose. She therefore no sooner spied him in the water, than she softly whispered in his ear to attempt the recovery of his boat; which call he immediately obeyed, and being a good swimmer, and it being a perfect calm, with great facility

accomplished it.

Thus we think this passage in our history, at first so greatly surprising, is very naturally accounted for; and our relation rescued from the Prodigious, which, though it often occurs in biography, is not to be encouraged nor much commended on any occasion, unless when absolutely

necessary to prevent the history's being at an end, Secondly, we hope our hero is justified from that imputation of want of resolution, which must have been fatal to the greatness of his character.

#### CHAP, XIII.

The conclusion of the loat adventure, and the end of the second book.

Our hero passed the remainder of the evening, the night, and the next day, in a condition not much to be envied by any passion of the human mind, unless by ambition; which, provided it can only entertain itself with the most distant music of fame's trumpet, can disdain all the pleasures of the sensualist, and those more solemn, though quieter comforts, which a good conscience

suggests to a christian philosopher.

He spent his time in contemplation, that is to say, in blaspheming, cursing, and sometimes singing and whistling. At last, when cold and hunger had almost subdued his native fierceness, it being a good deal past midnight, and extremely dark, he thought he beheld a light at a distance, which the cloudiness of the sky prevented his mistaking for a star: This light, however, did not seem to approach him, at least it approached by such imperceptible degrees, that it gave him very little comfort, and at length totally for sook him. He then renewed his contemplation as before, in which he continued till the day began to break: when, to his inexpressible delight, he beheld a sail at a very little distance, and which luckily seemed

to be making towards him. He was likewise soon espied by those in the vessel, who wanted no signals to inform them of his distress, and as it was almost a calm, and their course lay within five hundred yards of him, they hoisted out their boat

and fetched him aboard.

The captain of this ship was a Frenchman; she was laden with deals from Norway, and had been extremely shattered in the late storm. This captain was of that kind of men, who are actuated by a general humanity, and whose compassion can be raised by the distress of a fellow-creature, though of a nation whose king had quarelled with a monarch of their own. He therefore commiserating the circumstances of Wild, who had dressed up a story proper to impose upon such a silly fellow, told him, that, as himself well knew, he must be a prisoner on his arrival in France, but that he would endeavour to procure his redemption; for which our hero greatly thanked him. But as they were making very slow sail, (for they had lost their main-mast in the storm), Wild saw a little vessel at a distance, they being within a few leagues of the English shore, which, on enquiry, he was informed was probably an English fishing boat. And it being then perfectly calm, he proposed, that if they would accomodate him with a pair of scullers, he could get within reach of the boat, at least near enough to make signals to her; and he preferred any risque to the certain fate of being a prisoner. As his courage was somewhat restored by the provisions (especially brandy) with which the Frenchman had supplied him, he was so earnest in his entreaties, that the captain, after many persuasions, at length complied; and he was furnished with scullers, and with some bread, pork, and a bottle of brandy. Then, taking leave

of his preservers, he again betook himself to his boat, and rowed so heartily, that he soon came within the sight of the fisherman, who immediately made towards him, and took him aboard.

No sooner was Wild got safe on board the fisherman, than he begged him to make the utmost speed into Deal; for that the vessel which was still in sight, was a distressed Frenchman, bound for Havre de Grace, and might easily be made a prize, if there was any ship ready to go in pursuit of her. So nobly and greatly did our hero neglect all obligations conferred on him by the enemies of his country, that he would have contributed all he could to the taking his benefactor, to whom he owed both his life and his liberty.

The fisherman took his advice, and soon arrived at Deal, where the reader will, I doubt not, be as much concerned as Wild was, that there was not a single ship prepared to go on the expedition.

Our hero now saw himself once more safe on Terra firma; but unluckily at some distance from that city were men of ingenuity can most easily supply their wants without the assistance of money, or rather can most easily procure money for the supply of their wants. However, as his talents were superior to every difficulty, he framed so dexterous an account of his being a merchant, having been taken and plundered by the enemy, and of his great effects in London, that he was not only heartily regaled by the fisherman at his house; but made so handsome a booty by way of borrowing, a method of taking which we have before mentioned to have his approbation, that he was enabled to provide himself with a place in the stage coach; which (as God permitted it to perform the journey) brought him, at the appointed time, to an inn in the metropolis.

And now, reader, as thou canst be in no suspense for the fate of our Great Man, since we have returned him safe to the principal scene of his glory, we will a little look back on the fortunes of Mr. Heartfree, whom we left in no very pleasant situation; but of this we shall treat in the next book.

# HISTORY OF THE LIFE

OF THE LATE

# MR. JONATHAN WILD THE GREAT.

# BOOK III.

# CHAP. I.

The low and pitiful tehaviour of Heartfree; and the foolish conduct of his apprentice.

His misfortunes did not entirely prevent Heart-free from closing his eyes. On the contrary, he slept several hours the first night of his confinement. However, he perhaps paid too severely dear both for his repose, and for a sweet dream which accompanied it, and represented his little family in one of those tender scenes, which had frequently passed in the days of his happiness and prosperity, when the provision they were making for the future fortunes of their children used to be one of the most agreeable topics of discourse, with which he and his wife entertained themselves. The pleasantness of this vision, therefore, served

only, on his awakening, to set forth his present misery with additional horror, and to heighten the dreadful ideas which now crowded on his mind.

He had spent a considerable time after his first rising from the bed on which he had, without undressing, thrown himself, and now began to wonder at Mrs. Heartfree's long absence; but as the mind is desirous (and perhaps wisely too) to comfort itself with drawing the most flattering conclusions from all events; so he hoped the longer her stay was, the more certain was his deliverance. At length his impatience prevailed, and he was just going to dispatch a messenger to his own house, when his apprentice came to pay him a visit, and, on his enquiry, informed him, that his wife had departed in company with Mr. Wild many hours before, and had carried all his most valuable effects with her; adding at the same time, that she had herself positively acquainted him she had her husband's express orders for so doing, and that she was gone to Holland.

It is the observation of many wise men, who have studied the anatomy of the human soul with more attention than our young physicians generally bestow on that of the body, that great and violent surprize hath a different effect from that which is wrought in a good housewife by perceiving any disorders in her kitchen; who, on such occasions, commonly spreads the disorder, not only over her whole family, but over the whole neighbourhood.-Now, these great calamities, especially when sudden, tend to stifle and deaden all the faculties, instead of rousing them; and accordingly Herodotus tells us a story of Crossus, king of Lydia, who, on beholding his servants and courtiers led captive, wept bitterly; but when he saw his wife and children in that condition, stood stupid and motionless; so stood poor Heartfree on this relation of his apprentice, nothing moving but his colour, which entirely forsook his countenance.

The apprentice, who had not in the least doubted the veracity of his mistress, perceiving the surprize which too visibly appeared in his master, became speechless likewise, and both remained silent some minutes, gazing with astonishment and horror at each other. At last Heartfree cry'd out in an agony: "My wife deserted me in my mis-" fortunes!"-" Heaven forbid, Sir," answered the other. "And what is become of my poor " children?" replied Heartfree. "They are at "home, Sir," said the apprentice. "Heaven be " praised! She hath forsaken them too," cries Heartfree: "Fetch them hither this instant. Go. " my dear Jack, bring hither my little all which " remains now: Fly, child, if thou dost not intend " likewise to forsake me in my afflictions," The youth answered, he would die sooner than entertain such a thought, and begging his master to be comforted, instantly obeyed his orders.

Heartfree, the moment the young man was departed, threw himself on his bed in an agony of despair; but, recollecting himself after he had vented the first sallies of his passion, he began to question the infidelity of his wife as a matter impossible. He ran over in his thoughts the uninterrupted tenderness which she had always shewn him, and, for a minute, blamed the rashness of his belief against her; till the many circumstances of her having left him so long, and neither writ nor sent to him since her departure with all his effects and with Wild, of whom he was not before without suspicion; and lastly and chiefly, her false pretence to his commands, entirely turned the scale, and convinced him of her disloyalty.

While he was in these agitations of mind, the good apprentice, who had used the utmost expedition, brought his children to him. He embraced them with the most passionate fondness, and imprinted numberless kisses on their little lips. The little girl flew to him with almost as much eagerness as he himself expressed at her sight, and cried out, "O papa, why did you not come home " to poor mama all this while; I thought you " would not have left your little Nancy so long." After which he asked her for her mother, and was told she had kissed them both in the morning, and cried very much for his absence. All which brought a flood of tears into the eyes of this weak, silly man, who had not greatness sufficient to conquer these low efforts of tenderness and humanity.

He then proceeded to enquire of the maid servant, who acquainted him, that she knew no more than that her mistress had taken leave of her children in the morning with many tears and kisses, and had recommended them in the most earnest manner to her care: she said, she had promised faithfully to take care of them, and would, while they were entrusted to her, fulfil her promise. For which profession Heartfree expressed much gratitude to her; and after indulging himself with some little fondesses, which we shall not relate, he delivered his children into the good

woman's hands, and dismissed her.

#### CHAP. II.

A soliloquy of Heartfree's, full of low and base ideas, without a syllable of GREATNESS.

Being now alone, he sat some short time silent, and then burst forth into the following soliloguy:

"What shall I do? Shall I abandon myself to a " dispirited despair, or fly in the face of the Al-" mighty? Surely both are unworthy of a wise " man; for what can be more vain than weakly to " lament my fortune, if irretrievable, or, if hope " remains, to offend that Being, who can most "strongly support it: But are my passions then " voluntary? Am I so absolutely their master, that "I can resolve with myself, so far only will I " grieve? Certainly no. Reason, however we " flatter ourselves, hath not such despotic empire " in our minds, that it can, with imperial voice, " hush all our sorrow in a moment. Where then " is its use? For either it is an empty sound, and " we are deceived in thinking we have reason, or "it is given us to some end, and hath a part as-" signed it by the all-wise Creator .- Why, what " can its office be, other than justly to weigh the " worth of all things, and to direct us to that per-" fection of human wisdom, which proportions " our esteem of every object by its real merit, and " prevents us from over or under valuing whatever " we hope for, we enjoy, or we lose. It doth not " foolishy say to us, Be not glad or Be not sorry, " which would be as vain and idle, as to bid the " purling river cease to run, or the raging wind to " blow. It prevents us only from exulting, like " children, when we receive a toy, or from lament"ing when we are deprived of it. Suppose then I "have lost the enjoyments of this world, and my "expectation of future pleasure and profit is for "ever disappointed; what relief can my reason " afford? What, unless it can shew me I had fixed " my affections on a toy; that what I desired was " not, by a wise man, eagerly to be affected, nor "its loss violently deplored; for there are toys " adapted to all ages, from the rattle to the throne; " and perhaps the value of all is equal to their se-" veral possessors; for if the rattle pleases the ear " of the infant, what can the flattery of sycophants " give more to the prince. The latter is as far from " examining into the reality and source of his plea-" sure, as the former; for if both did, they must " both equally despise it. And surely, if we con-" sider them seriously, and compare them together, "we shall be forced to conclude all those pomps " and pleasures, of which men are so fond, and "which, through so much danger and difficulty, "with such violence and villiany they pursue, to "be as worthless trifles as any exposed to sale in a " toy-shop-I have often noted my little girl view-"ing, with eager eyes, a jointed baby; I have " marked the pains and solicitations she hath used, " till I have been prevailed on to indulge her with "it.—At her first obtaining it, what joy hath "sparkled in her countenance! with what rap-" tures hath she taken possession; but how little " satisfaction hath she found in it! What pains to " work out her amusement from it! Its dress must "be varied; the tinsel ornaments which first "caught her eyes, produce no longer pleasure; " she endeavours to make it stand and walk in "vain, and is constrained herself to supply it with " conversation. In a day's time it is thrown by and " neglected, and some less costly toy preferred to

How like the situation of this child is that of " every man! What difficulties in the pursuit of "his desires! What inanity in the possession of " most, and satiety in those which seem more real " and substantial! The delights of most men are " as childish and as superficial as that of my little "girl; a feather or a fiddle are their pursuits and " their pleasures through life, even to their ripest " years, if such men may be said to attain any " ripeness at all. But let us survey those whose "understandings are of a more elevated and re-" fined temper: How empty do they soon find the " world of enjoyments worth their desire or at-" taining! How soon do they retreat to solitude " and contemplation, to gardening and planting, " and such rural amusements, where their trees " and they enjoy the air and the sun in common, " and both vegetate with very little difference be-"tween them. But suppose (which neither truth " nor wisdom will allow) we could admit some-" thing more valuable and substantial in these bless-"ings, would not the uncertainty of their posses-" sion be alone sufficient to lower their price? " How mean a tenure is that at the will of fortune, " which chance, fraud, and rapine are every day " so likely to deprive us of, and often the more " likely by how much the greater worth our pos-" sessions are of! Is it not to place our affections " on a bubble in the water, or on a picture in the " clouds? What madman would build a fine house, " or frame a beautiful garden on land in which he " held so uncertain an interest? But again, was all "this less undeniable, did fortune, the lady of " our manor, lease to us for our lives; of how little " consideration must even this term appear? For " admitting that these pleasures were not liable to " be torn from us, how certainly must we be torn "from them! Perhaps to-morrow—nay, or even sooner: for as the excellent poet says,

"Where is to-morrow?——In the other world.

"To thousands this is true, and the reverse

" Is sure to none."

"But if I have no further hope in this world, can I " have none beyond it? Surely those laborious writ-" ers, who have taken such infinite pains to de-" stroy or weaken all the proofs of futurity, have " not so far succeeded as to exclude us from hope. "That active principle in man which with such " boldness pushes us on through every labour and " difficulty, to attain the most distant and most im-" probable event in this world, will not surely deny " us a little flattering prospect of those beautiful " mansions, which, if they could be thought chi-" merical, must be allowed the loveliest which can " entertain the eye of man; and to which the road, "if we understand it rightly, appears to have so " few thorns and briars in it, and to require so " little labour and fatigue from those who shall pass " through it, that its ways are truly said to be " ways of pleasantness, and all its paths to be those " of peace. If the proofs of christianity be as strong " as I imagine them, surely enough may be deduced " from that ground only, to comfort and support "the most miserable man in his afflictions. And " this I think my reason tells me, that if the pro-" fessors and propagators of infidelity are in the " right, the losses which death brings to the vir-" tuous are not worth their lamenting; but if these " are, as certainly they seem, in the wrong, the " blessings it procures them are not sufficiently to " be coveted and rejoiced at.

"On my own account then, I have no cause for sorrow, but on my children's!—Why, the same

"Being to whose goodness and power I entrust my " own happiness, is likewise as able and as willing " to procure theirs. Nor matters it what state of " life is allotted for them, whether it be their fate " to procure bread with their own labour, or to eat "it at the sweat of others. Perhaps, if we con-" sider the case with proper attention, or resolve it " with due sincerity; the former is much the " sweeter. The hind may be more happy than "the lord; for his desires are fewer, and those " such as are attended with more hope and less " fear. I will do my utmost to lay the foundations " of my children's happiness, I will carefully avoid " educating them in a station superior to their for-" tune, and for the event trust to that Being, in "whom whoever rightly confides, must be su-" perior to all worldly sorrows."

In this low manner, did this poor wretch proceed to argue, till he had worked himself up into an enthusiasm, which by degrees soon became invulnerable to every human attack; so that when Mr. Snap acquainted him with the return of the writ, and that he must carry him to Newgate, he received the message as Socrates did the news of the ship's arrival, and that he was to prepare for

death.

# CHAP. III.

Wherein our hero proceeds in the road to GREATNESS.

But we must not detain our reader too long with these low characters. He is doubtless as imparient as the audience at the theatre, till the principal

figure returns on the stage; we will therefore indulge his inclination, and pursue the actions of the Great Wild.

There happened to be in the stage-coach, in which Mr. Wild travelled from Dover, a certain young gentleman who had sold an estate in Kent, and was going to London to receive the money .-There was likewise a handsome young woman who had left her parents at Canterbury, and was proceeding to the same city, in order (as she informed her feilow travellers) to make her fortune. this girl the young spark was so much enamoured, that he publicly acquainted her with the purpose of his journey, and offered her a considerable sum in hand, and a settlement, if she would consent to return with him into the country, where she would be at a safe distance from her relations. she accepted this proposal or no, we are not able with any tolerable certainty to deliver: But Wild, the moment he heard of this money, began to cast about in his mind by what means he might become master of it. He entered into a long harangue about the methods of carrying money safely on the road, and said, "He had at that time two bank bills of a hundred pounds each sewed in his coat; which, added he, is so safe a way, that it is almost impossible I should be in any danger of being robbed by the most cunning highwayman.

The young gentleman, who was no descendant of Solomon, or, if he was, did not, any more than some other descendants of wise men, inherit the wisdom of his ancestor, greatly approved Wild's ingenuity, and thanking him for his information, declared he would follow his example when he returned into the country: By which means he proposed to save the premium commonly taken for the remittance. Wild had then no more to do but to

inform himself rightly of the time of the gentleman's journey, which he did with great certainty, before

they separated.

At his arrival in town, he fixed on two whom he regarded as the most resolute of his gang for this enterprize; and accordingly having summoned the principal, or most desperate, as he imagined him, of these two (for he never chose to communicate in the presence of more than one) he proposed to him the robbing and murdering this gentleman.

Mr. Marybone (for that was the gentleman's name to whom he applied) readily agreed to the robbery; but he hesitated at the murder. He said, as to robbery, he had, on much weighing and considering the matter, very well reconciled his conscience to it; for though that noble kind of robbery which was executed on the highway, was from the cowardice of mankind less frequent; yet the baser and meaner species, sometimes called Cheating, but more commonly known by the name of Robbery within the Law, was in a manner universal. He did not therefore pretend to the reputation of being so much honester than other people; but could by no means satisfy himself in the commission of murder, which was a sin of the most heinous nature, and so immediately prosecuted by God's judgment, that it never passed undiscovered or unpunished.

Wild, with the utmost disdain in his countenance, answered as follows: "Art thou he whom "I have selected out of my whole gang for this "glorious undertaking, and dost thou cant of God's "revenge against murder? You have, it seems, "reconciled your conscience (a pretty word) to "robbery from its being so common. Is it then the novelty of murder which deters you? Do you imagine that guns, and pistols, and swords, and

"knives, are the only intruments of death? Look "into the world, and see the numbers whom "broken fortunes and broken hearts bring un-" timely to the grave. To omit those glorious "heroes, who, to their immortal honour, have " massacred whole nations; what think you of " private persecution, treachery, and slander, by " which the very souls of men are in a manner torn " from their bodies? Is it not more generous, nay, " more good-natured, to send a man to his rest, than, " after having plundered him of all he hath, or from " malice or malevolence deprived him of his charac-"ter, to punish him with a languishing death, or "what is worse, a languisihing life? Murder, there-" fore is not so uncommon as you weakly conceive "it, though, as you said of robbery, that more noble "kind, which lies within the paw of the law, may "be so. But this is the most innocent in him who "doth it, and the most eligible to him who is to suffer "it. Believe me, lad, the tongue of a viper is less "hurtful than that of a slanderer, and the gilded "scales of a rattle-snake less dreadful than the purse "of the oppressor. Let me therefore hear no more " of your scruples; but consent to my proposal with-"out further hesitation, unless, like a woman, you " are afraid of blooding your cloaths, or, like a "fool, are terrified with the apprehensions of "being hanged in chains. Take my word for it, "you had better be an honest man than half a "rogue. Do not think of continuing in my gang "without abandoning yourself absolutely to my " pleasure; for no man shall ever receive a favour "at my hands, who sticks at any thing, or is "guided by any other law than that of my will."

Wild thus ended his speech, which had not the desired effect on Marybone: he agreed to the robbery, but would not undertake the murder, as

Wild (who feared that by Marybone's demanding to search the gentleman's coat he might hazard suspicion himself) insisted. Marybone was immediately entered by Wild in his black-book, and was presently after impeached and executed as a fellow on whom his leader could not place sufficient dependance; thus falling, as many rogues do, a sacrifice, not to his roguery, but to his conscience.

#### CHAP. IV.

In which a young hero, of wonderful good promise, makes his first appearance, with many other GREAT MATTERS.

Our hero next applied himself to another of his gang, who instantly received his orders, and instead of hesitating at a single murder, asked if he should blow out the brains of all the passengers, coachman and all. But Wild, whose moderation we have before noted, would not permit him; and therefore have given him an exact description of the devoted person, with his other necessary instructions, he dismissed him, with the strictest orders to avoid, if possible, doing hurt to any other person.

The name of this youth, who will hereafter make some figure in this history, being the Achates of our Æneas, or rather the Hæphestion of our Alexander, was Fireblood. He had every qualification to make a second-rate GREAT MAN; or in other words, he was completely equipped for the tool of a real or first-rate GREAT MAN. We shall

therefore (which is the properest way of dealing with this kind of GREATNESS) describe him negatively, and content ourselves with telling our reader what qualities he had not; in which number were humanity, modesty, and fear, not one grain of any of which was mingled in his whole composition.

We will now leave this youth, who was esteemed the most promising of the whole gang, and whom Wild often declared to be one of the prettiest lads he had ever seen, of which opinion, indeed, were most other people of his acquaintance, we will however leave him at his entrance on this enterprize, and keep our attention fixed on our hero, whom we shall observe taking large strides towards

the summit of human glory.

Wild, immediately at his return to town, went to pay a visit to Miss Lætitia Snap; for he had that weakness of suffering himself to be enslaved by women, so naturally incident to men of heroic disposition; to say the truth, it might more properly be called a slavery to his own appetite; for could he have satisfied that, he had not cared three farthings what had become of the little tyrant for whom he professed so violent a regard. Here he was informed, that Mr. Heartfree had been conveyed to Newgate the day before, the writ being then returnable. He was somewhat concerned at this news; not from any compassion for the misfortunes of Heartfree, whom he hated with such inveteracy, that one would have imagined he had suffered the same injuries from him which he had done towards him. His concern therefore had another motive; in fact, he was uneasy at the place of Mr. Heartfree's confinement, as it was to be the scene of his future glory, and where consequently he should be

frequently obliged to see a face which hatred, and not shame, made him detest the sight of.

To prevent this, therefore, several methods suggested themselves to him. At first, he thought of removing him out of the way by the ordinary method of murder, which he doubted not but Fireblood would be very ready to execute; for that youth had at their last interview sworn, D—n his eyes, he thought there was no better pastime than blowing a man's brains out. But besides the danger of this method, it did not look horrible nor barbarous enough for the last mischief which he should do to Heartfree. Considering therefore, a little farther with himself, he at length came to a resolution to hang him, if possible, the very next sessions.

Now, though the observation, How apt men are to hate those they injure, or how unforgiving they are of the injuries they do themselves, be common enough, yet I do not remember to have ever seen the reason of the strange phænomenon, as at first it appears. Know therefore, reader, that with much and severe scrutiny we have discovered this hatred to be founded on the passion of fear, and to arise from an apprehension that the person whom we have ourselves greatly injured, will use all possible endeavours to revenge and retaliate the injuries we have done him. An opinion so firmly established in bad and great minds (and those who confer injuries on others, have seldom very good, or mean one;) that no benevolence, nor even beneficence on the injured side, can eradicate it. On the contrary, they refer all these acts of kindness to imposture and design of lulling their suspicion, till an opportunity offers of striking a surer and severer blow; and thus, while the good man, who hath received it, hath truly forgotten the injury.

the evil mind which did it, hath it in lively and fresh remembrance.

As we scorn to keep any discoveries secret from our readers, whose instructions, as well as diversion, we have greatly considered in this history, we have here digressed somewhat to communicate the following short lesson to those who are simple, and well-inclined; Though as a christian thou art obliged, and we advise thee to forgive thy enemy; NEVER TRUST THE MAN WHO HATH REASON TO SUSPECT THAT YOU KNOW HE HATH INJURED TOU.

#### CHAP. V.

More and more GREATNESS, unparalleled in history or romance.

In order to accomplish this great and noble scheme, which the vast genius of Wild had contrived, the first necessary step was to regain the confidence of Heartfree. But however necessary this was, it seemed to be attended with such insurmountable difficulties, that even our hero for some time despaired of success. He was greatly superior to all mankind in the steadiness of his countenance, but this undertaking seemed to require more of that noble quality than had ever been the portion of a mortal. However at last he resolved to attempt it, and from his success, I think, we may fairly assert, that what was said by the Latin pôet of labour, that it conquers all things, is much more true when applied to impudence.

When he had formed his plan, he went to Newgate, and burst resolutely into the presence of Heartfree, whom he eagerly embraced and kissed; and then, first arraigning his own rashness, and afterwards lamenting his unfortunate want of success, he acquainted him with the particulars of what had happened; concealing only that single incident of his attack on the other's wife, and his motive to the undertaking, which, he assured Heartfree, was a desire to preserve his effects from

a statute of bankruptcy.

The frank openness of this declaration, with the composure of countenance with which it was delivered; his seeming only ruffled by the concern for his friend's misfortune; the probability of truth attending it, joined to the boldness and disinterested appearance of this visit, together with his many professions of immediate service, at a time when he could not have the least visible motive from self-love; and above all his offering him money, the last and surest token of friendship, rushed with such united force on the well-disposed heart, as it is vulgarly called, of this simple man, that they instantly staggered, and soon subverted all the determination he had before made in prejudice of Wild; who perceiving the balance to be turning in his favour, presently threw in a hundred imprecations on his own folly and ill-advised forwardness to serve his friend, which had thus unhappily produced his ruin; he added as many curses on the Count, whom he vowed to pursue with revenge all over Europe; lastly, he cast in some grains of comfort, assuring Heartfree that his wife was fallen into the gentlest hands, that she would be carried no farther than Dunkirk, whence she might very easily be redeemed.

Heartfree, to whom the lightest presumption of his wife's fidelity would have been more delicious than the absolute restoration of all his jewels, and who, indeed, had with the utmost difficulty been brought to entertain the slightest suspicion of her inconstancy, immediately abandoned all distrust of both her and his friend, whose sincerity (luckily for Wild's purpose) seemed to him to depend on the same evidence. He then embraced our hero, who had in his countenance all the symptoms of the deepest concern, and begged him to be comforted; saying, that the intentions, rather than the actions of men, conferred obligations; that as to the event of human affairs, it was governed either by chance or some superior agent; that friendship was concerned only in the direction of our designs; and suppose these failed of success, or produced an event never so contrary to their aim, the merit of a good intention was not in the least lessened, but was rather entitled to compas-

Heartfree however was soon curious enough to enquire how Wild had escaped the captivity which his wife then suffered. Here likewise he recounted the whole truth, omitting only the motive to the French captain's cruelty, for which he assigned a very different reason, namely, his attempt to secure Heartfree's jewels. Wild indeed always kept as much truth as was possible in every thing; and this he said was turning the cannon of the enemy upon themselves.

Wild having thus, with admirable and truly laudable conduct, achieved the first step, began to discourse on the badness of the world, and particularly to blame the severity of creditors, who seldom or never attended to any unfortunate circumstances, but without mercy inflicted confinement on the debtor, whose body the law, with very unjustifiable rigour, delivered into their power. He added, that for his part, he looked on

this restraint to be as heavy a punishment as any appointed by law for the greatest offenders. That the loss of liberty was, in his opinion, equal to, if not worse, than the loss of life; that he had always determined, if by any accident or misfortune he had been subjected to the former, he would run the greatest risk of the latter, to rescue himself from it; which, he said, if men did not want resolution, was always enough; for that it was ridiculous to conceive, that two or three men could confine two or three hundred, unless the prisoners were either fools or cowards, especially when they were neither chained nor fettered. He went on in this manner, till perceiving the utmost attention in Heartfree, he ventured to propose to him an endeavour to make his escape, which, he said, might easily be executed; that he would himself raise a party in the prison, and that, if a murder or two should happen in the attempt, he (Heartfree) might keep free from any share, either in the guilt or in the danger.

There is one misfortune which attends all great men and their schemes, viz. That in order to carry them into execution, they are obliged, in proposing their purpose to their tools, to discover themselves to be of that disposition, in which certain little writers have advised mankind to place no confidence; an advice which hath been sometimes taken. Indeed, many inconveniences arise to the said great men from these scribblers publishing without restraint their hints or alarms to society; and many great and glorious schemes have been thus frustrated; wherefore it were to be wished, that in all well-regulated governments, such liberties should be by some wholesome laws restrained; and all writers inhibited from venting any other instructions to the people than what should be

first approved and licensed by the said great men, or their proper instruments or tools; by which means nothing would ever be published but what made for the advancing their most noble pro-

Heartfree, whose suspicions were again raised by this advice, viewing Wild with inconceivable disdain, spoke as follows: "There is one thing, "the loss of which I should deplore infinitely "beyond that of liberty and of life also, I mean " that of a good conscience. A blessing which he " who possesses can never be thoroughly unhappy; " for the bitterest portion of life is by this so "sweetened, that it soon becomes palatable; "whereas without it, the most delicate enjoy-" ments quickly lose all their relish, and life "itself grows insipid, or rather nauseous to us. "Would you then lessen my misfortunes by rob-"bing me of what hath been my only comfort "under them, and on which I place my de-" pendance of being relieved from them? I have "read that Socrates refused to save his life by " breaking the laws of his country, and departing " from his prison, when it was open. Perhaps "my virtue would not go so far; but heaven " forbid liberty should have such charms, to tempt " me to the perpetration of so horrid a crime as " murder. As to the poor evasion of committing "it by other hands, it might be useful indeed to "those who seek only the escape from temporal "punishment; but can be of no service to excuse " me to that Being whom I chiefly fear offending; "nay, it would greatly aggravate my guilt by so "impudent an endeavour to impose upon him, "and by so wickedly involving others in my "crime. Give me therefore no more advice of "this kind; for this is my great comfort in all VOL. XII.

"my afflictions, that it is in the power of no enemy to rob me of my conscience, nor will I ever be so much my own enemy as to injure it."

Though our hero heard all this with proper contempt, he made no direct answer, but endeavoured to evade his proposal as much as possible, which he did with admirable dexterity: this method of getting tolerably well off, when you are repulsed in your attack on a man's conscience, may be stiled the art of retreating, in which the politician, as well as the general, hath sometimes a wonderful opportunity of displaying his great

abilities in his profession.

Wild having made this admirable retreat, and argued away all design of involving his friend in the guilt of murder, concluded however, that he thought him rather too scrupulous in not attempting his escape; and then promising to use all such means as the other would permit, in his service, took his leave for the present. Heartfree, having indulged himself an hour with his children, repaired to rest, which he enjoyed quiet and undisturbed; whilst Wild, disdaining repose, sat up all night, consulting how he might bring about the final destruction of his friend, without being beholden to any assistance from himself; which he now despaired of procuring. With the result of these consultations we shall acquaint our reader in good time; but at present we have matters of much more consequence to relate to him.

#### CHAP. VI.

The event of Fireblood's adventure; and a treaty of marriage, which might have teen concluded either at Smithfield or St. James's.

FIREBLOOD returned from his enterprize unsuccessful. The gentleman happened to go home another way than he had intended; so that the whole design miscarried. Fireblood had indeed robbed the coach, and had wantonly discharged a pistol into it, which slightly wounded one of the passengers in the arm. The booty he met with was not very considerable, though much greater than that with which he acquainted Wild; for, of eleven pounds in money, two silver watches, and a wedding-ring, he produced no more than two guineas and the ring, which he protested with numberless oaths was his whole booty. However, when an advertisement of the robbery was published, with a reward promised for the ring and the watches, Fireblood was obliged to confess the whole, and to acquaint our hero where he had pawned the watches; which Wild, taking the full value of them for his pains, restored to the right owner.

He did not fail catechising his young friend on this occasion. He said, he was sorry to see any of his gang guilty of a breach of honour; that without honour *Priggery* was at an end; that if a *Prig* had but honour, he would overlook every vice in the world. "But nevertheless," said he, "I will forgive you this time, as you are a hope- ful lad; and I hope never afterwards to find

" you delinquent in this great point."

Wild had now brought his gang to great regularity: he was obeyed and feared by them all. He had likewise established an office, where all men who were robbed, paying the value only (or a little more) of their goods, might have them again. This was of notable use to several persons who had lost pieces of plate they had received from their grandmothers; to others who had a particular value for certain rings, watches, heads of canes, snuff-boxes, &c. for which they would not have taken twenty times as much as they were worth, either because they had them a little while or a long time, or that somebody else had had them before, or from some other such excellent reason, which often stamps a greater value on a toy, than the great Bubble-boy himself would have the impudence to set upon it.

By these means, he seemed in so promising a way of procuring a fortune, and was regarded in so thriving a light by all the gentlemen of his acquaintance, as by the keeper and turnkeys of Newgate, by Mr. Snap, and others of his occupation, that Mr. Snap one day, taking Mr. Wild the elder aside, very seriously proposed what they had often lightly talked over, a strict union between their families, by marrying his daughter Tishy to our hero. This proposal was very readily accepted by the old gentleman, who promised to acquaint

his son with it.

On the morrow on which this message was to be delivered, our hero, little dreaming of the happiness which, of its own accord, was advancing so near towards him, had called Fireblood to him; and, after informing that youth of the violence of his passion for the young lady, and assuring him what confidence he reposed in him and his honour, be dispatched him to Miss Tishy with the follow-

ing letter; which we here insert, not only as we take it to be extremely curious, but to be a much better pattern for that epistolary kind of writing, which is generally called Love-letters, than any to be found in the academy of compliments, and which we challenge all the beaus of our time to excel either in matter or spelling.

" Most deivine and adwhorable creeture,

"I DOUBT not but those IIs, briter than the son, " which have kindled such a flam in my hart, have "likewise the faculty of seeing it. It would be " the hiest preassumption to imagin you eggnorant " of my loav. No, Madam, I sollemly purtest, " that of all the butys in the unaversal glob, there " is none kapable of hateracting my IIs like you. " Corts and pallaces would be to me deserts with-"out your kumpany, and with it a wilderness " would have more charms than haven itself. For "I hop you will beleve me when I sware every " place in the univarse is a haven with you. I am "konvinced you must be sinsibel of my violent " passion for you, which, if I endevored to hid it, " would be as impossible as for you, or the son, to "hid your buty's. I asure you I have not slept a " wink since I had the happiness of seeing you last: "therefore hop you will, out of Kumpassion, let " me have the honour of seeing you this afternune; " for I am with the greatest adwhoration,

"Most deivine creeture
"Iour most passionate amirer,
"Adwhorer and slave,
"Jonathan Wyld,"

If the spelling of this letter be not so strictly orthographical, the reader will be pleased to remember, that such a defect might be worthy of censure in a low and scholastic character; but can be no blemish in that sublime greatness, of which we endeavour to raise a complete idea in this history. In which kind of composition, spelling, or indeed any kind of human literature, hath never been thought a necessary ingredient; for if these sort of great personages can but complot and contrive their noble schemes, and hack and hew mankind sufficiently, there will never be wanting fit and able persons who can spell, to record their praises. Again, if it should be observed that the style of this letter doth not exactly correspond with that of our hero's speeches, which we have here recorded. we answer, it is sufficient if in these the historian adheres faithfully to the matter, though he embellishes the diction with some flourishes of his own eloquence, without which the excellent speeches recorded in ancient historians (particularly in Sallust) would have scarce been found in their writings. Nay, even amongst the moderns, famous as they are for elocution, it may be doubted whether those inimitable harangues, published in the monthly Magazines, came literally from the mouths of the Hungos, &c. as they are there inserted, or whether we may not rather suppose some historian of great eloquence hath borrowed the matter only, and adorned it with those rhetorical flowers for which many of the said Hungos are not so extremely eminent.

#### CHAP. VII.

Matters preliminary to the marriage between Mr. Jonathan Wild and the chaste Lætitia.

But to proceed with our history; Fireblood, having received this letter, and promised on his honour, with many voluntary asseverations, to discharge his embassy faithfully, went to visit the fair Lætitia. The lady having opened the letter, and read it, put on an air of disdain, and told Mr. Fireblood she could not conceive what Mr. Wild meant by troubling her with his impertinence; she begged him to carry the letter back again, saying had she known from whom it came, she would have been d-d before she had opened it. "But with "you, young gentleman," says she, "I am not in "the least angry. I am rather sorry that so pretty " a young man should be employed in such an er-"rand." She accompanied these words with so tender an accent, and so wanton a leer, that Fireblood, who was no backward youth, began to take her by the hand, and proceeded so warmly, that to imitate his actions with the rapidity of our narration, he in a few minutes ravished this fair creature, or at least would have ravished her, if she had not, by a timely compliance, prevented him.

Fireblood, after he had ravished as much as he could, returned to Wild, and acquainted him, as far as any wise man would, with what had passed; concluding with many praises of the young lady's beauty, with whom, he said, if his honour would have permitted him, he should himself have fallen in love; but d—n him, if he would not sooner be torn in pieces by wild horses, than even think of injuring his friend. He asserted indeed, and swore

so heartily, that had not Wild been so thoroughly convinced of the impregnable chastity of the lady, he might have suspected his success: however, he was, by these means, entirely satisfied of his friend's

inclination towards his mistress.

Thus constituted were the love affairs of our hero, when his father brought him Mr. Snap's proposal. The reader must know very little of love, or indeed of any thing else, if he requires any information concerning the reception which this proposal met with. Not guilty never sounded sweeter in the ears of a prisoner at the bar, nor the sound of a reprieve to one at the gallows, than did every word of the old gentleman in the ears of hero. He gave his father full power to treat in his name,

and desired nothing more than expedition.

The old people now met, and Snap, who had information from his daughter of the violent passion of her lover, endeavoured to improve it to the best advantage, and would have not only declined giving her any fortune himself, but have attempted to cheat her of what she owed to the liberality of her relations, particularly of a pint silver caudle-cup, the gift of her grandmother. However, in this the young lady herself afterwards took care to prevent him. As to the old Mr. Wild, he did not sufficiently attend to all the designs of Snap, as his faculties were busily employed in designs of his own, to over-reach (or, as others express it, to cheat) the said Mr. Snap, by pretending to give his son a whole number for a chair, when in reality he was intitled to a third only.

While matters were thus settling between the old folks, the young lady agreed to admit Mr. Wild's visits; and by degrees, began to entertain him with all the shew of affection, which the great natural reserve of her temper,

and the greater artificial reserve of her education, would permit. At length, every thing being agreed between their parents, settlements made, and the lady's fortune (to wit, seventeen pounds and nine shillings in money and goods) paid down, the day for their nuptials was fixed, and they were

celebrated accordingly

Most private histories, as well as comedies, end at this period; the historian and the poet both concluding they have done enough for their hero when they dave married him; or intimating rather, that the rest of his life must be a dull calm of happiness, very delightful indeed to pass through, but somewhat insipid to relate; and matrimony in general must, I believe, without any dispute, be allowed to be this state of tranquil felicity, including so little variety, that, like Salisbury Plain, it affords only one prospect, a very pleasant one it must be confessed, but the same.

Now, there was all the probability imaginable, that this contract would have proved of such happy note, both from the great accomplishments of the young lady, who was thought to be possessed of every qualification necessary to make the marriage-state happy; and from the truly ardent passion of Mr. Wild; but whether it was that nature and fortune had great designs for him to execute, and would not suffer his vast abilities to be lost and sunk in the arms of a wife, or whether neither nature nor fortune had any hand in the matter, is a point I will not determine. Certain it is, that this match did not produce that screne state we have mentioned above; but resembled the most turbulent and ruffled, rather than the most calm sea.

I cannot here omit a conjecture, ingenious enough, of a friend of mine, who had a long in-

timacy in the Wild family. He hath often told me, he fancied one reason of the dissatisfactions which afterwards fell out between Wild and his lady, arose from the number of gallants, to whom she had before marriage granted favours; for, says he, and indeed very probable it is too, the lady might expect from her husband, what she had before received from several, and being angry not to find one man as good as ten, she had from that indignation, taken those steps which we cannot perfectly justify.

From this person I received the following dialogue, which he assured me, he had overheard and taken *verbatim*. It passed on the day fortnight

after they were married.

## CHAP. VIII.

A dialogue matrimonial, which passed between Jonathan Wild, Esquire, and Lætitia his wife, on the morning of the day fortnight on which his nuptials were celebrated; which concluded more amicably than those debates generally do.

#### JONATHAN.

My dear, I wish you would lie a little longer in bed this morning.

LÆTITIA. Indeed I cannot; I am engaged to

breakfast with Jack Strongbow.

JONATHAN. I don't know what Jack Strongbow doth so often at my house. I assure you I am uneasy at it; for though I have no suspicion of your virtue, yet it may injure your reputation in the opinion of my neighbours.

LETITIA. I don't trouble my head about my neighbours; and they shall no more tell me what company I am to keep, than my husband shall.

JONATHAN. A good wife would keep no com-

pany which made her husband uneasy.

LETITIA. You might have found one of those good wives, Sir, if you had pleased; I had no objection to it.

JONATHAN. I thought I had found one in you.

LETITIA. You did! I am very much obliged to you for thinking me so poor-spirited a creature; but I hope to convince you to the contrary. What, I suppose, you took me for a raw, senseless girl, who knew nothing what other married women do!

JONATHAN. No matter what I took you for: I

have taken you for better and worse.

LETITIA. And at your own desire too: for, I am sure, you never had mine. I should not have broken my heart if Mr. Wild had thought proper to bestow himself on any other more happy woman——Ha, ha.

JONATHAN. I hope, Madam, you don't imagine that was not in my power, or that I married you

out of any kind of necessity.

LETITIA. O no, Sir; I am convinced there are silly women enough. And far be it from me to accuse you of any necessity for a wife. I believe you could have been very well contented with the state of a batchelor; I have no reason to complain of your necessities: but that, you know, a woman cannot tell beforehand.

JONATHAN. I can't guess what you would insinuate; for I believe no woman had ever less reason to complain of her husband's want of fondness.

LATITIA. Then some, I am certain, have great reason to complain of the price they give for them.

-But I know better things. (These words were spoken with a very great air, and toss of the head.)

JONATHAN. Well, my sweeting, I will make it

impossible for you to wish me more fond .-

Lætitia. Pray Mr Wild, none of this nauscous behaviour, nor those odious words.—I wish you were fond!—I assure you—I don't know what you would pretend to insinuate of me.—I have no wishes which misbecome a virtuous woman—No, nor should not, if I had married for love.—And especially now when nobody, I am sure, can suspect me of any such thing.—

JONATHAN. If you did not marry for love, why

did you marry?

LETITIA. Because it was convenient, and my

parents forced me.

JONATHAN. I hope, Madam, at least, you will not tell me to my face, you have made your convenience of me.

LETITIA. I have made nothing of you; nor do I desire the honour of making any thing of you.

JONATHAN. Yes, you have made a husband of

me.

LETITIA. No, you made yourself so; for I repeat once more, It was not my desire, but your own.

JONATHAN. You should think yourself obliged

to me for that desire.

LETITIA. La, Sir! you was not so singular in it. I was not in despair.—I have had other offers, and better too.

JONATHAN. I wish you had accepted them with

all my heart.

LETITIA. I must tell you Mr. Wild; this is a very brutish manner of treating a woman, to whom you have such obligations; but I know how to des-

pise it, and to despise you too for shewing it me. Indeed I am well enough paid for the foolish preference I gave to you. I flattered myself that I should at least have been used with good manners. I thought I had married a gentleman; but I find you every way contemptible, and below my concern.

JONATHAN. D-n you, Madam, have not I more reason to complain, when you tell me you married

me for your convenience only?

LETITIA. Very fine, truly. Is it behaviour worthy a man to swear at a woman? yet why should I mention what comes from a wretch whom

I despise.

JONATHAN. Don't repeat that word so often. I despise you as heartily as you can me. And, to tell you a truth, I married you for my convenience likewise, to satisfy a passion which I have now satisfied, and you may be d—d for any thing I care.

LETITIA. The world shall know how barba-

rously I am treated by such a villain.

JONATHAN. I need take very little pains to acquaint the world what a b—ch you are, your actions will demonstrate it.

LETITIA. Monster! I would advise you not to depend too much on my sex, and provoke me too far; for I can do you a mischief, and will, if you

dare use me so, you villain!

JONATHAN. Begin whenever you please, Madam; but assure yourself, the moment you lay aside the woman, I will treat you as such no longer; and if the first blow is yours, I promise you the last shall be mine.

Lætitia. Use me as you will, but d—n me if ever you shall use me as a woman again; for may I be cursed, if ever I enter your bed more.

JONATHAN. May I be cursed if that abstinence be not the greatest obligation you can lay upon me; for, I assure you faithfully, your person was all I, had ever any regard for; and that I now loath and detest, as much as ever I liked it.

LETITIA. It is impossible for two people to agree better; for I always detested your person; and, as for any other regard, you must be convinced I never

could have any for you.

JONATHAN. Why, then, since we are come to a right understanding, as we are to live together, suppose we agree, instead of quarrelling and abusing, to be civil to each other.

LETITIA. With all my heart.

JONATHAN. Let us shake hands then, and henceforwards never live like man and wife; that is, never be loving, nor ever quarrel.

I.ETITIA. Agreed.—But pray, Mr. Wild, why B—ch? Why did you suffer such a word to

escape you?

JONATHAN. It is not worth your remembrance.
LETITIA. You agree I shall converse with whomsoever I please?

JONATHAN. Without controul. And I have the

same liberty?

LETITIA. When I interfere, may every curse

you can wish attend me.

JONATHAN. Let us now take a farewell kiss; and may I be hang'd if it is not sweetest you ever gave me.

LETITIA. But why B-ch?-Methinks I

should be glad to know why B-ch?

At which words he sprang from the bed, d—ing her temper heartily. She returned it again with equal abuse, which was continued on both sides while he was dressing. However, they agreed to

continue stedfast in this new resolution: and the joy arising on that occasion at length dismissed them pretty cheerfully from each other, though Lætitia could not help concluding with the words, Why B—ch?

## CHAP. IX.

Observations on the foregoing dialogue, together with a base design on our hero, which must be detested by every lover of GREATNESS.

THUS did this dialogue (which though we have termed it matrimonial, had indeed very little savour of the sweets of matrimony in it), produce at last a resolution more wise than strictly pious, and which, if they could have rigidly adhered to it, might have prevented some unpleasant moments, as well to our hero as to his serene consort; but their hatred was so very great and unaccountable, that they never could bear to see the least composure in one another's countenance, without attempting to ruffle it. This set them on so many contrivances to plague and vex one another, that as their proximity afforded them such frequent opportunities of executing their malicious purposes, they seldom passed one easy or quiet day together.

And this, reader, and no other, is the cause of those many inquietudes, which thou must have observed to disturb the repose of some married couples, who mistake implacable hatred for indifference; for why should Corvinus, who lives in a round of intrigue, and seldom doth, and never willingly would, dally with his wife, endea-

vour to prevent her from the satisfaction of an intrigue in her turn? Why doth Camilla refuse a more agreeable invitation abroad, only to expose her husband at his own table at home? In short, to mention no more instances, whence can all the quarrels, and jealousies, and jars, proceed, in people who have no love for each other, unless from that noble passion abovementioned, that desire, according to my lady Betty Modish, of curing

each other of a smile.

We thought proper to give our reader a short taste of the domestic state of our hero the rather to shew him that great men are subject to the same frailties and inconveniences in ordinary life, with little men, and that heroes are really of the same species with other human creatures, notwithstanding all the pains they themselves, or their flatterers, take to assert the contrary; and that they differ chiefly in the immensity of their greatness, or, as the vulgar erroneously call it, villainy. Now therefore, that we may not dwell too long on low scenes, in a history of this sublime kind, we shall return to actions of a higher note, and more suitable to our purpose.

When the boy Hymen had, with his lighted torch, driven the boy Cupid out of doors; that is to say, in common phrase, when the violence of Mr. Wild's passion (or rather appetite) for the chaste Lætitia began to abate, he returned to visit his friend Hearifree, who was now in the liberties of the Fleet, and had appeared to the commission of bankruptcy against him. Here he met with a more cold reception than he himself had apprehended. Heartfree had long entertained suspicions of Wild, but these suspicions had from time to time been confounded with circumstances, and principally smothered with that amazing confi-

dence, which was indeed the most striking virtue in our hero. Heartfree was unwilling to condemn his friend without certain evidence, and laid hold on every probable semblance to acquit him; but the proposal made at his last visit had so totally blackened his character in this poor man's opinion, that it entirely fixed the wavering seale, and he no longer doubted but that our hero was one of the greatest villains in the world.

Circumstances of great improbability often escape men who devour a story with greedy ears; the reader therefore cannot wonder that Heartfree, whose passions were so variously concerned, first for the fidelity, and secondly for the safety of his wife; and lastly, who was so distracted with doubt concerning the conduct of his friend, should at his first relation pass unobserved the incident of his being committed to the boat by the captain of the privateer, which he had at the time of his telling so lamely, accounted for; but now when Heartfree came to reflect on the whole, and with a high prepossession against Wild, the absurdity of this fact glared in his eyes, and struck him in the most sensible manner. At length a thought of great horror suggested itself to his imagination, and this was, whether the whole was not a fiction, and Wild, who was, as he had learned from his own mouth, equal to any undertaking how black soever, had not spirited away, robbed and murdered his wife.

Intolerable as this apprehension was, he not only turned it round and examined it carefully in his own mind, but acquainted young Friendly with it at their next interview. Friendly, who detested Wild (from that envy probably, with which these GREAT CHARACTERS naturally inspire low fellows) encouraged these suspicions so

much, that Heartfree resolved to attack our hero,

and carry him before a magistrate.

This resolution had been some time taken, and Friendly, with a warrant and a constable, had with the utmost diligence searched several days for our hero; but whether it was that in compliance with modern custom he had retired to spend the honey-moon with his bride, the only moon indeed in which it is fashionable or customary for the married parties to have any correspondence with each other; or perhaps his habitation might for particular reasons be usually kept a secret: Like those of some few great men, whom unfortunately the law hath left out of that reasonable as well as honourable provision, which it hath made for the security of the persons of other great men.

But Wild resolved to perform works of supererogation in the way of honour, and though no hero is obliged to answer the challenge of my lord chief justice, or indeed of any other magistrate; but may with unblemished reputation, slide away from it; yet such was the bravery, such the greatness, the magnanimity of Wild, that he appeared

in person to it.

Indeed envy may say one thing, which may lessen the glory of this action, namely, that the said Mr. Wild knew nothing of the said warrant or challenge; and as thou mayest be assured, reader, that the malicious fury will omit nothing which can anyways sully so great a character, so she hath endeavoured to account for this second visit of our hero to his friend Heartfree, from a very different motive than that of asserting his own innocence.

#### CHAP. X.

Mr. Wild with unprecedented generosity visits his friend Heartfree, and the ungrateful reception he met with.

In hath been said then, that Mr. Wild, not being able on the strictest examination to find in a certain spot of human nature called his own heart, the least grain of that pitiful low quality called honesty, and resolved, perhaps, a little too generally, that there was no such thing. He therefore imputed the resolution with which Mr. Heartfree had so positively refused to concern himself in murder, either to a fear of bloodying his hands, or the apprehension of a ghost, or lest he should make an additional example in that excellent book called, God's Revenge against Murder; and doubted not but he would (as least in his present necessity) agree without scruple to a simple robbery, especially where any considerable booty should be proposed, and the safety of the attack plausibly made appear; which if he could prevail on him to undertake, he would immediately afterwards get him impeached, convicted, and hanged. He no sooner therefore had discharged his duties Hymen, and heard that Heartfree had procured himself the liberties of the Fleet, than he resolved to visit him, and to propose a robbery with all the allurements of profit, ease, and safety.

This proposal was no sooner made, than it was answered by Heartfree in the following manner:

"I might have hoped the answer which I gave to your former advice would have prevented me from the danger of receiving a second affront of this kind. An affront I call it, and surely if it

" be so to call a man a villain, it can be no less to " shew him you suppose him one. Indeed it may "be wondered how any man can arrive at the " boldness. I may say impudence, of first making " such an overture to another; surely it is seldom "done, unless to those who have previously be-" traved some symptoms of their own baseness. If "I have therefore shewn you any such, these in-" sults are more pardonable; but I assure you, if " such appear, they discharge all their malignance " outwardly, and reflect not even a shadow within; " for to me baseness seems inconsistent with this " rule. OF DOING NO OTHER PERSON AN INJURY " FROM ANY MOTIVE OR ON ANY CONSIDERATION "WHATEVER. This Sir, is the rule by which I " am determined to walk, nor can that man justify "disbelieving me, who will not own, he walks " not by it himself. But whether it be allowed " to me or no, or whether I feel the good effects " of its being practised by others, I am resolved to " maintain it: For surely no man can reap a be-" nefit from my pursuing it equal to the comfort "I myself enjoy: For what a ravishing thought! " how replete with ectacy must the consideration " be, that Almighty Goodness is by its own nature " engaged to reward me! How indifferent must " such a persuasion make a man to all the occur-" rences of this life! What trifles must be repre-"sent to himself both the enjoyments and the " afflictions of this world; How easily must be " acquiesce under missing the former, and how " patiently will he submit to the latter, who is " convinced that his failing of a transitory imper-" fect reward here, is a most certain argument of " his obtaining one permanent and complete here-" after! Dost thou think then, thou little, paltry, " mean animal (with such language did he treat

"our truly Great Man), that I will forego such "comfortable expectations for any pitiful reward which thou canst suggest or promise to me; for that sordid lucre for which all pains and labour are undertaken by the industrious, and all barbarities and iniquities committed by the vile; for a worthless acquisition, which such as thou art can possess, can give, or can take away?" The former part of this speech occasioned much yawning in our hero, but the latter roused his anger; and he was collecting his rage to answer, when Friendly and the constable, who had been summoned by Heartfree, on Wild's first appearance, entered the room, and seized the Great Man just as his wrath was bursting from his lips.

The dialogue which now ensued, is not worth relating: Wild was soon acquainted with the reason of this rough treatment, and presently con-

veyed before a magistrate.

Notwithstanding the doubts raised by Mr. Wild's lawyer on his examination, he insisting that the proceeding was improper; for that a Writ de Homine replegiando should issue, and on the return of that a Capias in Withernam, the justice inclined to commitment, so that Wild was driven to other methods for his defence. He therefore acquainted the justice, that there was a young man likewise with him in the boat, and begged that he might be sent for, which request was accordingly granted, and the faithful Achates (Mr. Fireblood) was soon produced to bear testimony for his friend, which he did with so much becoming zeal, and went through his examination with such coherence (though he was forced to collect his evidence from the hints given him by Wild in the presence of the justice and the accusers), that as here was direct evidence against mere presumption, our hero was most honourably acquitted, and poor Heartfree was charged by the justice, the audience, and all others, who afterwards heard the story, with the blackest ingratitude, in attempting to take away the life of a man, to whom he had such eminent obligations.

Lest so vast an effort of friendship as this of Fireblood's should too violently surprise the reader in this degenerate age, it may be proper to inform him, that beside the ties of engagement in the same employ, another nearer and stronger alliance subsisted between our hero and this youth, which latter was just departed from the arms of the lovely Lætitia, when he received her husband's message; an instance which may also serve to justify those strict intercourses of love and acquaintance, which so commonly subsist in modern history between the husband and gallant, displaying the vast force of friendship, contracted by this more honourable than legal alliance, which is thought to be at present one of the strongest bonds of anity between great men, and the most reputable as well as easy way to their favour.

Four months had now passed since Heartfree's first confinement, and his affairs had begun to wear a more benign aspect; but they were a good deal injured by this attempt on Wild (so dangerous is any attack on a Great Man), several of his neighbours, and particularly one or two of his own trade, industriously endeavouring, from their bitter animosity against such kind of iniquity, to spread and exaggerate his ingratitude as much as possible; not in the least scrupling, in the violent ardour of their indignation, to add some small circumstances of their own knowledge of the many obligations conferred on Heartfree by Wild. To all these scandals he quietly submitted, com-

forting himself in the consciousness of his own innocence, and confiding in time, the sure friend of justice, to acquit him.

#### CHAP. XI.

A scheme so deeply laid, that it shames all the politics of this our age; with digression and subdigression.

WILD having now, to the hatred he bore Heartfree, on account of those injuries he had done him, an additional spur from this injury received (for so it appeared to him, who, no more than the most ignorant, considered how truly he deserved it), applied his utmost industry to accomplish the ruin of one whose very name sounded odious in his ears; when luckily a scheme arose in his imagination, which not only promised to effect it securely, but (which pleased him most) by means of the mischief he had already done him; and which would at once load him with the imputation of having committed what he himself had done to him, and would bring on him the severest punishment for a fact, of which he was not only innocent, but had already so greatly suffered by. And this was no other than to charge him with having conveyed away his wife, with his most valuable effects, in order to defraud his creditors.

He no sooner started this thought than he immediately resolved on putting it in execution. What remained to consider was only the *Quomodo*, and the person or tool to be employed; for the stage of the world differs from that in Drury-Lane principally in this; that whereas on the latter, the

hero, or chief figure, is almost continually before your eyes, whilst the under actors are not seen above once in an evening; now, on the former, the hero, or great man, is always behind the curtain, and seldom or never appears, or doth any thing in his own person. He doth indeed, in this Grand Drama, rather perform the part of the Prompter, and doth instruct the well-drest figures, who are strutting in public on the stage, what to say and do. To say the truth, a puppet-show will illustrate our meaning better, where it is the master of the show (the great man) who dances and moves every thing; whether it be the king of Muscovy, or whatever other potentate, alias puppet, which we behold on the stage; but he himself wisely keeps out of sight; for should he once appear, the whole motion would be at an end. Not that any one is ignorant of his being there, or supposes that the puppets are not mere sticks of wood, and he himself the sole mover; but as this (though every one knows it) doth not appear visibly, i. e. to their eyes, no one is ashamed of consenting to be imposed upon; of helping on the Drama, by calling the several sticks or puppets by the names which the master hath allotted to them, and by assigning to each the character which the great man is pleased they shall move in, or rather in which he himself is pleased to move them.

It would be to suppose thee, gentle reader, one of very little knowledge in this world, to imagine thou hast never seen some of these puppet-shows, which are so frequently acted on the great stage; but though thou shouldst have resided all thy days in those remote parts of this island, which great men seldom visit; yet, if thou hast any penetration, thou must have had some occasions

to admire both the solemnity of countenance in the actor, and the gravity in the spectator, while some of those farces are carried on, which are acted almost daily in every village in the kingdom. He must have a very despicable opinion of mankind indeed, who can conceive them to be imposed on as often as they appear to be so. The truth is, they are in the same situation with the readers of Romances; who, though they know the whole to be one entire fiction, nevertheless agree to be deceived; and as these find amusement, so do the others find ease and convenience in this concurrence. But this being a subdigression, I return to my digression.

A GREAT MAN ought to do his business by others; to employ hands, as we have before said, to his purposes, and keep himself as much behind the curtain as possible; and though it must be acknowledged that two very great men, whose names will be both recorded in history, did in these latter times come forth themselves on the stage; and did hack and hew, and lay each other most cruelly open to the diversion of the spectators; yet this must be mentioned rather as an example of avoidance, than imitation, and is to be ascribed to the number of those instances which serve to evince the truth of these maxims: Nemo mortalium omnitus horis sapit. Ira furor

brevis est, &c.

## CHAP, XII.

New instances of Friendly's folly, &c.

To return to my history, which, having rested itself a little, is now ready to proceed on its jour-

ney: Fireblood was the person chosen by Wild for this service. He had on a late occasion, experienced the talents of this youth for a good round perjury. He immediately, therefore, found him out, and proposed it to him: when receiving his instant assent, they consulted together, and soon framed an evidence, which, being communicated to one of the most bitter and severe creditors of Heartfree, by him laid before a magistrate, and attested by the oath of Fireblood, the justice granted his warrant: and Heartfree was accordingly apprehended and brought before him.

When the officers came for this poor wretch, they found him meanly diverting himself with his little children, the younger of whom sat on his knees, and the elder was playing at a little distance from him with Friendly. One of the officers, who was a very good sort of a man, but one very laudably severe in his office, after acquainting Heartfree with his errand, bad him come along and be d-d, and leave those little bastards, for so he said, he supposed they were, for a legacy to the parish. Heartfree was much surprised at hearing there was a warrant for felony against him; but he shewed less concern than Friendly did in his countenance. The elder daughter, when she saw the officer lay hold on her father, immediately quitted her play, and, running to him, and bursting into tears, cried out: "You shall not hurt poor Papa." One of the other ruffians offered to take the little one rudely from his knees; but Heartfree started up, and, catching the fellow by the collar, dashed his head so vio-Iently against the wall, that had he had any brains, he might possibly have lost them by the blow.

The officer, like most of those heroic spirits who insult men in adversity, had some prudence

mixt with his zeal for justice. Seeing, therefore, this rough treatment of his companion, he began to pursue more gentle methods, and very civilly desired Mr. Heartfree to go with him, seeing he was an officer, and obliged to execute his warrant; that he was sorry for his misfortune, and hoped he would be acquitted. The other answered, He should patiently submit to the laws of his country, and would attend him whither he was ordered to conduct him; then, taking leave of his children with a tender kiss, he recommended them to the care of Friendly; who promised to see them safe home, and then to attend him at the justice's, whose name and abode he had learnt of the constable.

Friendly arrived at the magistrate's house just as that gentleman had signed the Mittimus against his friend; for the evidence of Fireblood was so clear and strong, and the justice was so incensed against Heartfree, and so convinced of his guilt, that he would hardly hear him speak in his own defence, which the reader perhaps, when he hears the evidence against him, will be less inclined to censure: For this witness deposed, "That he "had been, by Heartfree himself, employed to "carry the orders of embezzling to Wild, in "order to be delivered to his wife; that he had "been afterwards present with Wild and her at "the inn, when they took coach for Harwich, " where she shewed him the casket of jewels, and "desired him to tell her husband, that she had " fully executed his command; and this he swore " to have been done after Heartfree had notice of "the commission, and in order to bring it within

<sup>&</sup>quot;that time, Fireblood, as well as Wild, swore " that Mrs. Heartfree lay several days concealed at

When Friendly found the justice obdurate, and that all he could say had no effect, nor was it any way possible for Heartfree to escape being committed to Newgate, he resolved to accompany him thither: Where, when they arrived, the turnkey would have confined Heartfree (he having no money) amongst the common felons; but Friendly would not permit it, and advanced every shilling he had in his pocket, to procure a room in the Press-Yard for his friend, which indeed, through the humanity of the keeper, he did at a cheap rate.

They spent that day together, and, in the evening, the prisoner dismissed his friend, desiring him, after many thanks for his fidelity, to be comforted on his account. "I know not," says he, "how far the malice of my enemy may prevail; " but whatever my sufferings are, I am convinced "my innocence will somewhere be rewarded. "If, therefore, any fatal accident should happen " to me (for he who is in the hands of perjury, " may apprehend the worst), my dear Friendly, "be a father to my poor children;" at which words the tears gushed from his eyes. The other begged him not to admit any such apprehensions; for that he would employ his utmost diligence in his service, and doubted not but to subvert any villainous design laid for his destruction, and to make his innocence appear to the world as white as it was in his own opinion.

We cannot help mentioning a circumstance here, though we doubt it will appear very unnatural and incredible to our reader; which is, that, notwithstanding the former character and behaviour of Heartfree, this story of his embezzling was so far from surprizing his neighbours, that many of them declared they expected no better from him. Some were assured he couldpay forty shillings in the pound, if he would. Others had overheard hints formerly pass between him and Mrs. Heartfree, which had given them suspicions. And, what is most astonishing of all is, that many of those who had before censured him for an extravagant heedless fool, now no less confidently abused him for a cunning, tricking, avaricious knave.

## CHAP, XIII.

Something concerning Fireblood, which will surprize; and somewhat touching one of the Miss Snaps, which will greatly concern the reader.

However, notwithstanding all these censures abroad and in despight of all his misfortunes at home, Heartfree in Newgate enjoyed a quiet, undisturbed repose, while our hero, nobly disdaining rest, lay sleepless all night; partly from the apprehensions of Mrs. Heartfree's return before he had executed his scheme: and partly from a suspicion lest Fireblood should betray him; of whose infidelity he had, nevertheless no other cause to maintain any fear, but from his knowing him to be an accomplished rascal, as the vulgar term it, a complete GREAT MAN in our language. And indeed, to confess the truth, these doubts were not without some foundation; for the very same thought unluckily entered the head of that noble youth, who considered, whether he might not possibly sell himself for some advantage to the other side, as he had yet no promise from Wild; but this was, by the sagacity of the latter, prevented in the morning with a profusion of promises, which shewed him to be of the most generous temper in the world, with which Fireblood was extremely well satisfied; and made use of so many protestations of his faithfulness, that he convinced

Wild of the injustice of his suspicions.

At this time an accident happened, which, though it did not immediately affect our hero, we cannot avoid relating, as it occasioned great confusion in his family, as well as in the family of Snap. It is indeed a calamity highly to be lamented, when it stains untainted blood, and happens to an honourable house. An injury never to be repaired. A blot never to be wiped out. A sore never to be healed. To detain my reader no longer: Miss Theodosia Snap was now safely delivered of a male infant, the product of an amour which that beautiful (O that I could say, virtuous) creature had with the Count.

Mr. Wild and his lady were at breakfast, when Mr. Snap, with all the agonies of despair both in his voice and countenance, brought them this melancholy news. Our hero, who had (as we have said) wonderful good-nature when his greatness or interest was not concerned, instead of reviling his sister-in-law, asked with a smile: " Who was the father?" But the chaste Lætitia, we repeat the chaste, for well did she now deserve that epithet; received it in another manner. She fell into the utmost fury at the relation, reviled her sister in the bitterest terms, and vowed she would never see nor speak to her more. Then burst into tears, and lamented over her father, that such dishonour should ever happen to him and herself. At length she fell severely on her husband, for the light treatment which he gave this fatal accident. She told him, He was unworthy of the honour he enjoyed, of marrying into a chaste family. That she looked on it as an affront to her virtue. That if he had married one of the naughty hussies of the town, he could have behaved to her in no other manner. She concluded with desiring her father to make an example of the slut, and to turn her out of doors; for that she would not otherwise enter his house, being resolved never to set her foot within the same threshold with the trollop, whom she detested so much the more, because (which was perhaps true) she was her own sister.

So violent, and indeed so outrageous was this chaste lady's love of virtue, that she could not forgive a single slip (indeed the only one Theodosia had ever made) in her own sister, in a sister who loved her, and to whom she owed a thousand ob-

ligations.

Parhaps the severity of Mr. Snap, who greatly felt the injury done to the honour of his family, would have relented, had not the parish-officers been extremely pressing on this occasion, and for want of security, conveyed the unhappy young lady to a place, the name of which, for the honour of the Spaps, to whom our hero was so nearly allied, we bury in eternal oblivion; where she suffered so much correction for her crime, that the good-natured reader of the male kind may be inclined to compassionate her, at least to imagine she was sufficiently punished for a fault, which, with submission to the chaste Lætitia, and all other strictly virtuous ladies, it should be either less criminal in a woman to commit, or more so in a man to solicit her to it.

But to return to our hero, who was a living and strong instance, that human greatness and happiness are not always inseparable. He was under a continual alarm of frights, and fears, and jealousies.

He thought every man he beheld wore a knife for his throat, and a pair of scissars for his purse. As for his own gang particularly, he was thoroughly convinced there was not a single man amongst them, who would not, for the value of five shillings, bring him to the gallows. These apprehensions so constantly broke his rest, and kept him so assiduously on his guard, to frustrate and circumvent any designs which might be forming against him, that his condition, to any other than the glorious eye of ambition, might seem rather deplorable, than the object of envy or desire.

## CHAP. XIV.

In which our hero makes a speech well worthy to be celebrated; and the behaviour of one of the gang, perhaps more unnatural than any other part of this history.

There was in the gang a man named Blueskin; one of those merchants who trade in dead oxen, sheep, &c. in short, what the vulgar call a Butcher. This gentleman had two qualities of a great man, viz. undaunted courage, and an absolute contempt of those ridiculous distinctions of Meum and Tuum, which would cause endless disputes, did not the law happily decide them by converting both into Suum. The common form of exchanging property by trade seemed to him too tedious; he therefore resolved to quit the mercantile profession, and, falling acquainted with some of Mr. Wild's people, he provided himself with arms, and enlisted of the gang. In which he behaved for some time with

great decency and order, and submitted to accept such share of the booty with the rest, as our hero allotted him.

But this subserviency agreed ill with his temper; for we should have before remembered a third heroic quality, namely, ambition, which was no inconsiderable part of his composition. One day, therefore, having robbed a gentleman at Windsor of a gold watch; which, on its being advertised in the newspapers, with a considerable reward, was demanded of him by Wild, he peremptorily

refused to deliver it.

"How, Mr. Blueskin!" says Wild, "you will " not deliver the watch?" " No, Mr. Wild," answered he; "I have taken it, and will keep it; or, "if I dispose of it, I will dispose of it myself, and "keep the money for which I sell it," "Sure," replied Wild, " you have not the assurance to "pretend you have any property or right in this "watch!" "I am certain," returned Blueskin, "whether I have any right in it or no, you can "prove none." "I will undertake," cries the other, " to shew I have an absolute right to it, and "that by the laws of our gang, of which I am "providentially at the head." "I know not who " put you at the head of it," cries Blueskin; " but "those who did, certainly did it for their own "good, that you might conduct them the better " in their robberies, inform them of the richest "booties, prevent surprizes, pack juries, bribe "evidence, and so contribute to their benefit and " safety; and not to convert all their labour and "hazard to your own benefit and advantage." "You are greatly mistaken, Sir," answered Wild; "you are talking of a legal society, where the "chief magistrate is always chosen for the public "good, which, as we see in all the legal societies

" of the world, he constantly consults, daily con-" tributing, by his superior skill, to their pro-" sperity, and not sacrificing their good to his own "wealth, or pleasure, or humour: But in an ille-" legal society or gang, as this of ours, it is other-" wise; for who would be at the head of a gang, " unless for his own interest? And without a head, " you know you cannot subsist. Nothing but a " head, and obedience to that head, can preserve a " gang a moment from destruction. It is abso-" lutely better for you to content yourselves with a " moderate reward, and enjoy that in safety at the " disposal of your chief, than to engress the whole " with the hazard to which you will be liable " without his protection. And surely, there is " none in the whole gang, who has less reason to " complain than you; you have tasted of my fa-" vours; witness that piece of ribbon you wear in " your hat, with which I dubbed you captain .-"Therefore pray, captain, deliver the watch."-"D-n your cajoling," says Blueskin: "Do you "think I value myself on this bit of ribbon, which "I could have bought myself for sixpence, and "and have worn without your leave? Do you " imagine I think myself a captain because you whom I know not empowered to make one, call " me so? The name of captain is but a shadow: "The men and the salary are the substance: And "I am not to be bubbled with a shadow. "be called captain no longer, and he who flatters " me by that name, I shall think affronts me, and I " will knock him down, I assure you."-" Did " ever a man talk so unreasonably?" cries Wild. "Are you not respected as a captain by the whole "gang since my dubbing you so? But it is the " shadow only, it seems; and you will knock a man down for affronting you, who calls you

"captain! Might not a man as reasonably tell a " minister of state: Sir, you have given me the "shadow only. The ribbon or the bawble that " you gave me, implies that I have either signalized " myself, by some great action, for the benefit and " glory of my country; or at least that I am de-" scended from those who have done so. I know " myself to be a scoundrel, and so have been those " few ancestors I can remember, or have ever heard " of. Therefore I am resolved to knock the first " man down, who calls me, Sir, or Right Honour-" able. But all great and wise men think them-" selves sufficiently repaid by what procures them "honour and precedence in the gang, without en-" quiring into substance; nay, if a title, or a fea-"ther, be equal to this purpose, they are sub-"stance, and not mere shadows. But I have not " time to argue with you at present, so give me "the watch without any more deliberation." "I am no more a friend to deliberation than your-"self," answered Blueskin, "and so I tell you "once for all, by G-I never will give you the "watch, no, nor will I ever hereafter surrender " any part of my booty. I won it, and I will wear "it. Take your pistols yourself, and go out on "the highway, and don't lazily think to fatten "yourself with the dangers and pains of other, "people." At which words he departed in a fierce mood, and repaired to the tavern used by the gang, where he had appointed to meet some of his acquaintance, whom he informed of what had passed between him and Wild, and advised them all to follow his example; which they all readily agreed to, and Mr. Wild's D-tion was the universal toast; in drinking bumpers to which, they had finished a large bowl of punch, when a constable, with a numerous attendance, and Wild at their

head, entered the room, and seized on Blucskin, whom his companions, when they saw our hero, did not dare attempt to rescue. The watch was found upon him, which, together with Wild's information, was more than sufficient to commit him

to Newgate.

In the evening Wild and the rest of those who had been drinking with Blueskin, met at the tavern, where nothing was to be seen but the profoundest submission to their leader. They vilified and abused Blueskin as much as they had before abused our hero, and now repeated the same toast, only changing the name of Wild into that of Blueskin. All agreeing with Wild, that the watch found in his pocket, and which must be a fatal evidence against him, was a just judgment on his disobedience and revolt.

Thus did this Great Man, by a resolute and timely example (for he went directly to the justice when Blueskin left him), quell one of the most dangerous conspiracies which could possibly arise in a gang; and which, had it been permitted one day's growth, would inevitably have ended in his destruction; so much doth it behove all great men to be eternally on their guard, and expeditious in the execution of their purposes; while none but the weak and honest can indulge themselves in re-

missness or repose.

The Achates, Fireblood had been present at both these meetings; but though he had a little too hastily concurred in cursing his friend, and in vowing his perdition; yet now he saw all that scheme dissolved, he returned to his integrity; of which he gave an incontestible proof, by informing Wild of the measures which had been concerted against him. In which, he said, he had pretended to acquiesce, in order the better to betray them; but

this, as he afterwards confessed on his deathbed, at Tyburn, was only a copy of his countenance: For that he was, at that time, as sincere and hearty in his opposition to Wild, as any of his

companions.

Our hero received Fireblood's information with a very placid countenance. He said, As the gang had seen their errors, and repented, nothing was more noble than forgiveness. But though he was pleased modestly to ascribe this to his lenity, it really arose from much more noble and political principles. He considered that it would be dangerous to attempt the punishment of so many; besides, he flattered himself that fear would keep them in order; and indeed Fireblood had told him nothing more than he knew before, viz. that they were all complete Prigs, whom he was to govern by their fears, and in whom he was to place no more confidence than was necessary, and to watch them with the utmost caution and circumspection: for a rogue, he wisely said, like gunpowder, must be used with caution; since both are altogether as liable to blow up the party himself who uses them, as to execute his mischievous purpose against some other person or animal.

We will now repair to Newgate, it being the place where most of the great men of this history are hastening as fast as possible; and to confess the truth, it is a castle very far from being an improper, or misbecoming habitation for any great man whatever. And as this scene will continue during the residue of our history, we shall open it with a new book; and shall, therefore, take this oppor-

tunity of closing our third.

# HISTORY OF THE LIFE

OF THE LATE

## MR. JONATHAN WILD THE GREAT.

## BOOK IV.

#### CHAP. I.

A sentiment of the ordinary's, worthy to be written in letters of gold; a very extraordinary instance of folly in Friendly; and a dreadful accident which befel our hero.

Heartfree had not been long in Newgate before his frequent conversation with his children, and other instances of a good heart which betrayed themselves in his actions and conversation, created an opinion in all about him that he was one of the silliest fellows in the universe. The ordinary himself, a very sagacious as well as very worthy person, declared that he was a cursed rogue, but no conjurer.

What indeed might induce the former, i.e. the roguish part of this opinion in the ordinary, was a

wicked sentiment which Heartfree one day disclosed in conversation, and which we, who are truly orthodox, will not pretend to justify, That he believed a sincere Turk would be saved. To this the good man, with becoming zeal and indignation, answered, I know not what may become of a sincere Turk, but if this be your persuasion, I pronounce it impossible you should be saved. No, Sir, so far from a sincere Turk's being within the pale of salvation, neither will any sincere Presbyterian, Anabaptist, nor Quaker whatever, be saved.

But neither did the one or the other part of this character prevail on Friendly to abandon his old master. He spent his whole time with him, except only those hours when he was absent for his sake, in procuring evidence for him against his trial, which was now shortly to come on. Indeed this young man was the only comfort, besides a clear conscience, and the hopes beyond the grave, which this poor wretch had; for the sight of his children was like one of those alluring pleasures which men in some diseases indulge themselves often fatally in, which at once flatter and heighten their malady.

Friendly being one day present while Heartfree was, with tears in his eyes, embracing his eldest daughter, and lamenting the hard fate to which he feared he should be obliged to leave her, spoke to him thus: "I have long observed with admi"ration the magnanimity with which you go "through your own misfortunes, and the steady "countenance with which you look on death. I

<sup>&</sup>quot;have observed that all your agonies arise from the thoughts of parting with your children, and of leaving them in a distressed condition; now,

though I hope all your fears will prove ill-

" grounded, yet that I may relieve you as much " as possible from them, be assured, that as " nothing can give me more real misery, than to " observe so tender and loving a concern in a " master, to whose goodness I owe so many obli-" gations, and whom I so sincerely love, so no-"thing can afford me equal pleasure with my " contributing to lessen or to remove it. Be con-"vinced, therefore, if you can place any confi-"dence in my promise, that I will employ my "little fortune, which you know to be not en-" tirely inconsiderable, in the support of this your " little family. Should any misfortune, which I " pray heaven avert, happen to you before you " have better provided for these little ones, I will " be myself their father, nor shall either of them "ever know distress, if it be any way in my " power to prevent it. Your younger daughter I " will provide for, and as for my little prattler, " your elder, as I never yet thought of any woman " for a wife, I will receive her as such at your " hands; nor will I ever relinquish her for ano-"ther." Heartfree flew to his friend, and embraced him with raptures of acknowledgment. He vowed to him, that he had eased every anxious thought of his mind but one, and that he must carry with him out of the world. "O Friendly!" cried he, "it is my concern for that best of wo-" men, whom I hate myself for having ever cen-"sured in my opinion. O Friendly! thou didst "know her goodness; yet, sure, her perfect cha-"racter none but myself was ever acquainted "with. She had every perfection both of mind " and body, which heaven hath indulged to her "whole sex, and possessed all in a higher excel-"lence than nature ever indulged to another in " any single virtue. Can I bear the loss of such "a woman? Can I bear the apprehensions of "what mischiefs that villain may have done to "her, of which death is perhaps the lightest?" Friendly gently interrupted him as soon as he saw any opportunity, endeavouring to comfort him on this head likewise, by magnifying every circumstance which could possibly afford any hopes of his seeing her again.

By this kind of behaviour, in which the young man exemplified so uncommon an height of friendship, he had soon obtained in the castle the character of as odd and silly a fellow as his master. Indeed, they were both the by-word, laughing-

stock, and contempt of the whole place.

The sessions now came on at the Old Bailey. The grand jury at Hicks's-hall had found the bill of indictment against Heartfree, and on the second day of the session he was brought to his trial; where, notwithstanding the utmost efforts of Friendly, and the honest old female servant, the circumstances of the fact corroborating the evidence of Fireblood, as well as that of Wild, who counterfeited the most artful reluctance at appearing against his old friend Heartfree, the jury found the prisoner guilty.

Wild had now accomplished his scheme; for as to what remained, it was certainly unavoidable, seeing that Heartfree was entirely void of interest with the great, and was besides convicted on a statute, the infringers of which could hope no

pardon.

The catastrophe, to which our hero had reduced this wretch, was so wonderful an effort of Greatness, that it probably made fortune envious of her own darling; but whether it was from this envy, or only from that known inconstancy and weakness so often and judiciously remarked in that lady's temper, who frequently lifts men to the summit of human greatness, only

# ut lapsu graviore ruant;

certain it is, she now began to meditate mischief against Wild, who seems to have come to that period, at which all heroes have arrived, and which she was resolved they never should transcend. In short, there seems to be a certain measure of mischief and iniquity, which every great man is to fill up, and then fortune looks on him of no more use than a silk-worm, whose bottom is spun, and deseits him. Mr. Blueskin was convicted the same day of robbery, by our hero, an unkindness, which though he had drawn on himself, and necessitated him to, he took greatly amiss; as Wild therefore was standing near him, with that disregard and indifference which great men are too carelessly inclined to have for those whom they have ruined; Blueskin privily drawing a knife, thrust the same into the body of our hero with such violence, that all who saw it concluded he had done his business. And indeed, had not fortune, not so much out of love to our hero, as from a fixed resolution to accomplish a certain purpose, of which we have formerly given a hint, carefully placed his guts out of the way, he must have fallen a sacrifice to the wrath of his enemy, which. as he afterwards said, he did not deserve; for had he been contented to have robbed, and only submitted to give him the booty, he might have still continued safe and unimpeached in the gang; but so it was, that the knife missing those noble parts (the noblest of many) the guts, perforated only the hollow of his belly, and caused no other harm than an immoderate effusion of blood, of which, though it at present weakened him, he soon after recovered.

This accident, however, was in the end attended with worse consequences: for, as very few people (those greatest of all men, absolute princes excepted), attempt to cut the thread of human life, like the fatal sisters, merely out of wantonness and for their diversion, but rather by so doing, propose to themselves the acquisition of some future good, or the avenging some past evil; and as the former of these motives did not appear probable, it put inquisitive persons on examining into the latter. Now, as the vast schemes of Wild, when they were discovered, however great in their nature, seemed to some persons like the projects of most other such persons, rather to be calculated for the glory of the great man himself, than to redound to the general good of society; designs began to be laid by several of those who thought it principally their duty, to put a stop to the future progress of our hero; and a learned judge particularly, a great enemy to this kind of greatness, procured a clause in an act of parliament as a trap for Wild, which he soon after fell into. By this law it was made capital in a Prig to steal with the hands of other people. A law so plainly calculated for the destruction of all priggish greatness, that it was indeed impossible for our hero to avoid it.

## CHAP. II.

A short hint concerning popular ingratitude, Mr. Wild's arrival in the castle, with other occurrences, to be found in no other history.

Ir we had any leisure, we would here digress a little on that ingratitude, which so many writers have observed to spring up in the people in all free governments towards their great men; who, while they have been consulting the good of the public, by raising their own greatness, in which the whole body (as the kingdom of France thinks itself in the glory of their grand monarch) was so deeply concerned, have been sometimes sacrificed by those very people for whose glory the said great men were so industriously at work: and this from a foolish zeal for a certain ridiculous imaginary thing called Liberty, to which great men are observed to have a great animosity.

This law had been promulgated a very little time when Mr. Wild, having received from some dutiful members of the gang, a valuable piece of goods, did for a consideration somewhat short of its orignal price, reconvey it to the right owner; for which fact being ungratefully informed against by the said owner, he was surprised in his own house, and being overpowered by numbers, was hurried before a magistrate, and by him committed to that castle, which, suitable as it is to greatness, we do not chuse to name too often in our history, and where many great men, at this time, happened

to be assembled:

The governor, or, as the law more bonourably calls him, keeper of this castle, was Mr. Wild's old friend and acquaintance. This made the latter

greatly satisfied with the place of his confinement, as he promised himself not only a kind reception and handsome accommodation there, but even to obtain his liberty from him, if he thought it necessary to desire it: but, alas! he was deceived, his old friend knew him no longer, and refused to see him, and the lieutenant-governor insisted on as high garnish for fetters, and as exorbitant a price for lodging, as if he had had a fine gentleman in custody for murder, or any other genteel crime.

To confess a melancholy truth, it is a circumstance much to be lamented, that there is no absolute dependance on the friendship of great men. An observation which hath been frequently made by those who have lived in courts, or in Newgate, or in any other place set apart for the habitation of

such persons.

The second day of his confinement he was greatly surprised at receiving a visit from his wife; and much more so, when, instead of a countenance ready to insult him, the only motive to which he could ascribe her presence, he saw the tears trickling down her lovely cheeks. He embraced her with the utmost marks of affection, and declared he could hardly regret his confinement, since it had produced such an instance of the happiness he enjoyed in her, whose fidelity to, him on this occasion would, he believed, make him the envy of most husbands, even in Newgate. He then begged her to dry her eyes, and be comforted; for that matters might go better with him, than she expected. "No, no," says she, "I am " certain you will be found guilty Death. I knew "what it would always come to. I told you it "was impossible to carry on such a trade long; "but you would not be advised, and now you see sthe consequence, now you repent when it is too

"late. All the comfort I shall have when you " are nubbed\* is, that I gave you a good advice. "If you had always gone out by yourself, as I would have had you, you might have robbed on "to the end of the chapter; but you was wiser " than all the world, or rather lazier, and see what "your laziness is come to—to the cheat+, for "thither you will go now, that's infallible. And " a just judgment on you for following your head-" strong will; I am the only person to be pitied, " poor I, who shall be scandalized for your fault. "There goes she whose husband was hanged: " methinks I hear them crying so already." At which words she burst into tears. He could not then forbear chiding her for this unnecessary concern on his account, and begged her not to trouble him any more. She answered with some spirit: "On your account, and be d-d to you! No, if the old cull of a justice had not sent me " hither, I believe it would have been long enough " before I should have come hither to see after "you; d-n me, I am committed for the filing-" lay t, man, and we shall be both nutbed toge-"ther. 'Ifaith, my dear, it almost makes me " amends for being nubbed myself, to have the " pleasure of seeing thee nubbed too." " Indeed, "my dear," answered Wild, "it is what I have "long wished for thee; but I do not desire to "bear thee company, and I have still hopes to " have the pleasure of seeing you go without me; " at least I will have the pleasure to be rid of you "now." And so saying, he seized her by the waist, and with strong arm flung her out of the room; but not before she had with her nails left a

<sup>\*</sup> The cant word for hanging. 

† The gallows. 

† Picking pockets.

bloody memorial on his cheek: and thus this fond

couple parted.

Wild had scarce recovered himself from the uneasiness into which this unwelcome visit, proceeding from the disagreeable fondness of his wife, had thrown him, than the faithful Achates appeared. The presence of this youth was indeed a cordial to his spirits. He received him with open arms, and expressed the utmost satisfaction in the fidelity of his friendship, which so far exceeded the fashion of the times, and said many things, which we have forgot, on the occasion; but we remember they all tended to the praise of Fireblood; whose modesty, at length, put a stop to the torrent of compliments, by asserting he had done no more than his duty, and that he should have detested himself, could be have forsaken his friend in his adversity; and after many protestations, that he came the moment he heard of his misfortune, he asked him if he could be of any service. Wild answered, since he had so kindly proposed that question, he must say he should be obliged to him, if he could lend him a few guineas; for that he was very seedy. Fireblood replied, that he was greatly unhappy in not having it then in his power, adding many hearty oaths, that he had not a farthing of money in his pocket, which was, indeed, strictly true; for he had only a bank-note, which he had that evening purloined from a gentleman in the play-house passage. He then asked for his wife, to whom, to speak truly, the visit was intended, her confinement being the misfortune of which he had just ard; for, as for that of Mr. Wild himself, he

known it from the first minute, without ever ling to trouble him with his company. Being ed therefore of the visit which had lately happened, he reproved Wild for his cruel treatment of that good creature; then taking as sudden a leave as he civilly could of the gentleman, he hastened to comfort his lady, who received him with great kindness.

## CHAP. III.

Curious anecdotes relating to the history of Newgate.

THERE resided in the castle at the same time with Mr. Wild, one Roger Johnson, a very GREAT MAN, who had long been at the head of all the Prigs in Newgate, and had raised contributions on them. He examined into the nature of their defence, procured and instructed their evidence, and made himself, at least in their opinion, so necessary to them, that the whole fate of Newgate seemed entirely to depend upon him.

Wild had not been long in confinement before he began to oppose this man. He represented him to the *Prigs* as a fellow, who, under the plausible pretence of assisting their causes, was in reality undermining the Liberties of New-GATE. He at first threw out certain the hints and insinuations; but having by degrees formed party against Roger, he one day assembled the together, and spoke to them in the following fierd manner:

" Friends and fellow-citizens,

"The cause which I am to mention to this day, is of such mighty importance, when I consider my own small abilities, I "ble with an apprehension, lest your safety may "be rendered precarious by the weakness of him "who hath undertaken to represent to you your "danger. Gentlemen; the liberty of Newgate is "at stake: your privileges have been long under-"mined, and are now openly violated by one "man; by one who hath engrossed to himself "the whole conduct of your trials, under colour " of which, he exacts what contributions on you "he pleases: but are those sums appropriated to "the uses for which they are raised? Your fre-" quent convictions at the Old Bailey, those depre-"dations of justice, must too sensibly and sorely "demonstrate the contrary. What evidence doth " he ever produce for the prisoner, which the pri-" soner himself could not have provided, and often "better instructed? How many noble youths " have there been lost, when a single alibi would " have saved them! Should I be silent, nay, could " your own injuries want a tongue to remonstrate, "the very breath, which by his neglect hath been "stopped at the Cheat, would cry out loudly "against him. Nor is the exorbitancy of his "plunders visible only in the dreadful conse-" quences it hath produced to the Prigs, nor "glares it only in the miseries brought on them: "it blazes forth in the more desirable effects it " hath wrought for himself, in the rich perquisites "acquired by it: witness that silk night-gown, " that robe of shame, which, to his eternal disho-" nour, he publicly wears; that gown, which I " will not scruple to call the winding-sheet of the "liberties of Newgate. Is there a Prig who "hath the interest and honour of Newgate so ttle at heart, that he can refrain from blushing en he beholds that trophy, purchased with breath of so many Prigs! Nor is this all. "His waistcoat embroidered with silk, and his "velvet cap, bought with the same price, are en-" signs of the same disgrace. Some would think "the rags which covered his nakedness, when "first he was committed hither, well exchanged " for these gaudy trappings; but in my eye, no " exchange can be profitable when dishonour is "the condition. If therefore, Newgate-" Here the only copy which we could procure of this speech breaks off abruptly; however, we can assure the reader, from very authentic information, that he concluded with advising the Prigs to put their affairs into other hands. After which, one of his party, as had been before concerted, in a very long speech recommended him (Wild himself) to their choice.

Newgate was divided into parties on this occasion; the Prigs on each side representing their chief or Great Man to be the only person by whom the affairs of Newgate could be managed with safety and advantage. The Prigs had indeed very incompatible interests; for whereas the supporters of Johnson, who was in possession of the plunder of Newgate, were admitted to some share under their leader; so the abettors of Wild had, on his promotion, the same views of dividing some part of the spoil among themselves. It is no wonder therefore they were both so warm on each side. What may seem more remarkable was that the debtors, who were entirely unconcerned in the dispute, and who were the destreed stander of both parties, should interest themset as with the utmost violence, some on behalf of Wild, others in favour of Johnson. So that all News resounded with WILD for ever, JOHNSON fore And the poor debtors re-echoded the litera Newgate, which in the cant language, signifies

der, as loudly as the thieves themselves. In short, such quarrels and animosities happened between them, that they seemed rather the people of two countries long at war with each other, than the

inhabitants of the same castle.

Wild's party at length prevailed, and he succeeded to the place and power of Johnson, whom he presently stripped of all his finery; but when it was proposed, that he should sell it, and divide the money for the good of the whole; he waved that motion, saying, it was not yet time, that he should find a better opportunity, that the clothes wanted cleaning, with many other pretences, and, within two days, to the surprize of many, he appeared in them himself: for which he vouchsafed no other apology than, that they fitted him much better than they did Johnson, and that they became him in a much more elegant manner.

This behaviour in Wild greatly incensed the debtors, particularly those by whose means he had been promoted. They grumbled extremely, and vented great indignation against Wild; when one day a very grave man, and one of much authority

among them, bespake them as follows:

"Nothing sure can be more justly ridiculous "than the conduct of those, who should lay the lamb in the wolf's way, and then should lament his being devoured. What a wolf is in a sheep-fold, a great man is in society. Now when one wolf is in possession of a sheepfold, how little would it avail the simple flock to expel him, and place another in his stead? Of the same benefit to us is the overthrowing one Prig in favour of another. And for what other advantage was your struggle? Did you not all know that Wild and his tollowers were Prigs, as well as Johnson and

" his? What then could the contention be among " such, but that which you have now discovered "it to have been? Perhaps some would say, Is it " then our duty tamely to submit to the rapine of " the Prig who now plunders us, for fear of an " exchange? Surely no: but I answer, It is better " to shake the plunder off, than to exchange the " plunderer. And by what means can we effect "this, but by a total change in our manners? " Every Prig is a slave. His own Priggish desires " which enslave him, themselves betray him to the "tyranny of others. To preserve, therefore, the " liberty of Newgate, is to change the manners of "Newgate. Let us therefore, who are confined "here for debt only, separate ourselves entirely " from the Prigs; neither drink with them, nor " converse with them. Let us, at the same time, " separate ourselves farther from Priggism itself. "Instead of being ready, on every opportunity, to " pillage each other, let us be content with our " honest share of the common bounty, and with " the acquisition of our own industry. When we " separate from the Prigs, let us enter into a closer " alliance with one another. Let us consider our-" selves all as members of one community, to the " public good of which we are to sacrifice our pri-"vate views; not to give up the interest of the "whole for every little pleasure or profit which " shall accrue to ourselves. Liberty is consistent " with no degree of honesty inferior to this, and the " community where this abounds no Pric well " have the impudence or audaciousness to spice-"vour to enslave; or if he should, his awa dostruction would be the only consequence of in-" attempt. But while one man pursues his and " tion, another his interest, another his saleto

" while one hath a roguery (a Priggism they here " call it), to commit, and another a roguery to " defend, they must naturally fly to the favour " and protection of those, who have power to give " them what they desire, and to defend them from "what they fear; nay, in this view it becomes "their interest to promote this power in their pa-"trons. Now gentlemen, when we are no longer " Prigs, we shall no longer have these fears or "these desires. What remains, therefore, for us, "but to resolve bravely to lay aside our Priggism, " our roguery, in plainer words, and preserve our "liberty, or to give up the latter in the preserva-

"tion and preference of the former."

This speech was received with much applause; however Wild continued as before to levy contributions among the prisoners, to apply the garnish to his own use, and to strut openly in the ornaments which he had stripped from Johnson. To speak sincerely, there was more bravado than real use or advantage in these trappings. As for the nightgown, its outside indeed made a glittering tinsel appearance, but it kept him not warm; nor could the finery of it do him much honour, since every one knew it did not properly belong to him; as to the waistcoat, it fitted him very ill, being infinitely too big for him; and the cap was so heavy, that it made his head ache. Thus these clothes, which perhaps (as they presented the idea of their misery more sensibly to the people's eyes), brought him more envy, hatred, and detraction, than all his deeper impositions and more real advantages, afforded very little use or honour to the wearer; nay, could scarce serve to amuse his own vanity, when this was cool enough to reflect with the least seriousness. And should I speak in the language of a man who estimated human happiness without regard to that greatness, which we have so laboriously endeavoured to paint in this history, it is probable he never took (i. e. robbed the prisoners of) a shilling, which he himself did not pay too dear for.

## CHAP. IV.

The dead-warrant arrives for Heartfree; on which occasion Wild betrays some human weakness.

THE dead-warrant, as it is called, now came down to Newgate for the execution of Heartfree among the rest of the prisoners. And here the reader must excuse us who profess to draw natural, not perfect characters, and to record the truths of history, not the extravagancies of romance, while we relate a weakness in Wild, of which we are ourselves ashamed, and which we would willingly have concealed, could we have preserved at the same time that strict attachment to truth and impartiality, which we have professed in recording the annals of this great man. Know then, reader, that this dead-warrant did not affect Heartfree who was to suffer a shameful death by it, well had the concern it gave Wild, who had been the accessful He had been a little struck the day before on seeing the children carried away in tears from their father. This sight brought the remembrance of some slight injuries he had done the father, to his mind, which he endeavoured, as much as possible, to obliterate; but when one of the keepers

(I should say lieutenants of the castle), repeated Heartfree's name among those of the malefactors who were to suffer within a few days, the blood forsook his countenance, and, in a cold still stream moved heavily to his heart, which had scarce strength enough left to return it through his veins. In short, his body so visibly demonstrated the pangs of his mind, that, to escape observation, he retired to his room, where he sullenly gave vent to such bitter agonies, that even the injured Heartfree, had not the apprehension of what his wife had suffered, shut every avenue of compassion, would have

pitied him.

When his mind was thoroughly fatigued, and worn out with the horrors which the approaching fate of the poor wretch, who lay under a sentence which he had iniquitously brought upon him, had suggested, sleep promised him relief; but this promise was, alas! delusive. This certain friend to the tired body is often the severest enemy to the oppressed mind. So at least it proved to Wild, adding visionary to real horrors, and tormenting his imagination with phantoms too dreadful to be described. At length, starting from these visions, he no sooner recovered his waking senses, than he cried out: "I may yet prevent this catastrophe. "It is too late to discover the whole." He then paused a moment: But greatness instantly returning to his assistance, checked the base thought, as it first offered itself to his mind. He then reasoned thus coolly with himself: "Shall I, like a child. "or a woman, or one of those mean wretches, "whom I have always despised, be frightened by "dreams and visionary phantoms, to sully that " honour which I have so difficultly acquired, and " so gloriously maintained! Shall I, to redeem the

" the worthless life of this silly fellow, suffer my " reputation to contract a stain, which the blood " of millions cannot wipe away! Was it only that " the few, the simple part of mankind, should call " me Rogue, perhaps I could submit; but to be " for ever contemptible to the Prices, as a wretch "who wanted spirit to execute my undertaking, " can never be digested. What is the life of a " single man? Have not whole armies and nations "been sacrificed to the honour of ONE GREAT "MAN? Nay to omit that first class of greatness, "the conquerors of mankind, how often have " numbers fallen by a fictitious plot only to satisfy " the spleen, or perhaps exercise the ingenuity of " of a member of that second order of greatness the "Ministerial! What have I done then? Why, I " have ruined a family, and brought an innocent "man to the gallows. I ought rather to weep " with Alexander, that I have ruined no more, " than to regret the little I have done." He at length, therefore, bravely resolved to consign over Heartfree to his fate, though it cost him more struggling than may easily be believed, utterly to conquer his reluctance, and to banish away every degree of humanity from his mind, these little sparks of which composed one of those weaknesses, which we lamented in the opening of our history.

But, in vindication of our hero, we must be leave to observe, that nature is seiden so kind at those writers who draw characters absolutely perfect. She seldom creates any man so completely great, or completely low, but that some spans of humanity will glimmer in the foreser, and some sparks of what the vulgar call evil, will dart forth in the latter; utterly to extinguish which, will give some pain, and uneasiness to both; for I apprehead.

no mind was ever yet formed entirely free from blemish, unless peradventure that of a sanctified hypocrite, whose praises some well-fed flatterer hath gratefully thought proper to sing forth.

### CHAP. V.

# Containing various matters.

THE day was now come when poor Heartfree was to suffer an ignominious death. Friendly had, in the strongest manner, confirmed his assurance of fulfilling his promise, of becoming a father to one of his children, and a husband to the other. This gave him inexpressible comfort, and he had, the evening before, taken his last leave of the little wretches, with a tenderness which drew a tear from one of the keepers, joined to a magnanimity which would have pleased a Stoic. When he was informed that the coach which Friendly had provided for him, was ready, and that the rest of the prisoners were gone, he embraced that faithful friend with great passion, and begged that he would leave him here; but the other desired leave to accompany him to his end; which at last he was forced to comply with. And now he was proceeding towards the coach, when he found his difficulties were not yet over; for now a friend arrived, of whom he was to take a harder and more tender leave than he had yet gone through. This friend, reader, was no other than Mrs. Heartfree herself, who ran to him with a look all wild, staring, and frantic, and, having reached his arms, fainted away in them without uttering a single syllable. Heart-

free was, with great difficulty, able to preserve his own senses in such a surprize at such a scason. And indeed our good-natured reader will be rather inclined to wish this miserable couple had, by dying in each other's arms, put a final period to their woes, than have survived to taste those bitter moments which were to be their portion, and which the unhappy wife soon recovering from the short intermission of being, now began to suffer. When she became first mistress of her voice, she burst forth into the following accents: "O my hus-" band:-Is this the condition in which I find you " after our cruel separation! Who hath done this? " Cruel heaven! What is the occasion? I know "thou canst deserve no ill. Tell me, somebody " who can speak, while I have my senses left to un-" derstand, -what is the matter?" At which words several laughed, and one answered: "The matter "Why no great matter.—The gentleman is not the " first, nor won't be the last: The worst of the " matter is, that if we are to stay all the morning "here, I shall lose my dinner." Heartfree, pausing a moment, and recollecting himself, cry'd out: "I will bear all with patience." And then, addressing himself to the commanding officer, begged he might only have a few minutes by himself with his wife, whom he had not seen before, since his misfortunes. The great man answered: "He had " compassion on him, and would do more than he " could answer; but he supposed he was too made " a gentleman not to know that something was due " for such civility." On this hint, Friendly, sales was himself half dead, pulled five games out of his pocket, which the great man took, and said, he would be so generous to give him ten minuted on which one observed, that many a gentleman had bought ten minutes with a woman dearer, and

many other facetious remarks were made, unnecessary to be here related. Heartfree was now suffered to retire into a room with his wife, the commander informing him at his entrance, that he must be expeditious, for that the rest of the good company would be at the tree before him, and he supposed he was a gentleman of too much breed-

ing to make them wait.

This tender wretched couple were now retired for these few minutes, which the commander without, carefully measured with his watch; and Heartfree was mustering all his resolution to part with what his soul so ardently doated on, and to conjure her to support his loss for the sake of her poor infants, and to comfort her with the promise of Friendly on their account; but all his design was frustrated. Mrs. Heartfree could not support the shock, but again fainted away, and so entirely lost every symptom of life, that Heartfree called vehemently for assistance. Friendly rushed first into the room, and was soon followed by many others, and, what was remarkable, one who had unmoved beheld the tender scene between these parting lovers, was touched to the quick by the pale looks of the woman, and ran up and down for water, drops, &c. with the utmost burry and confusion. The ten minutes were expired, which the commander now hinted; and seeing nothing offered for the renewal of the term (for indeed Friendly had unhappily emptied his pockets), he began to grow very importunate, and at last told Heartfree, He should be ashamed not to act more like a man. Heartfree begged his pardon, and said, he would make him wait no longer. Then, with the deepest sigh, cry'd: "O my angel!" and embracing his wife with the utmost eagerness, kissed her pale hps with more fervency than ever bridegroom did the

blushing cheeks of his bride; he then cry'd: "The Almighty bless thee; and, if it be his plea-" sure, restore thee to life; if not, I beseech him " we may presently meet again in a better world "than this." He was breaking from her, when perceiving her sense returning, he could not forbear renewing his embrace, and again pressing her lips, which now recovered life and warmth so fast, that he begged one ten minutes more to tell her what her swooning had prevented her hearing. The worthy commander being perhaps a little touched at this tender scene, took Friendly aside, and asked him what he would give, if he would suffer his friend to remain half an hour? Friendly answered, any thing; that he had no more money in his pocket, but he would certainly pay him that afternoon. Well then, I'll be moderate, said he,-Twenty guineas.-Friendly answered, It is a bargain. The commander, having exacted a firm promise, cry'd,-Then I dont't care if they stay a whole hour together; for what signifies hiding good good news! The gentleman is reprieved; of which he had just before received notice in a whisper. It would be very impertinent to offer at a description of the joy this occasioned to the two friends, or to Mrs. Heartfree, who was now again recovered. A surgeon who was happily present, was employed to bleed them all. After which the commander, who had his promise of the money again confirmed to him, wished Heartfree ich, and shaking him very friendly by the hands, cleared the room of all the company, and left the three freeds together.

#### CHAP. VI.

In which the foregoing happy incident is accounted

Bur here, though I am convinced my good natured reader may almost want the surgeon's assistance also, and that there is no passage in this whole story, which can afford him equal delight: yet lest our reprieve should seem to resemble that in the Beggar's Opera, I shall endeavour to shew him, that this incident, which is undoubtedly true, is at least as natural as delightful; for, we assure him, we would rather have suffered half mankind to be hang'd, than have saved one contrary to the

strictest rules of writing and probability.

Be it known then (a circumstance which I think highly credible,) that the great Fireblood had been, a few days before, taken in the fact of a robbery, and carried before the same justice of peace, who had, on his evidence, committed Heartfree to prison. This magistrate, who did indeed no small honour to the commission he bore, duly considered the weighty charge committed to him, by which he was entrusted with decisions affecting the lives, liberties, and properties of his countrymen; he therefore examined always with the lumost diligence and caution into every minute or comstance. And, as he had a good deal balanced, even when he committed Heartfree, on the expelled character given him by Friendly and the tand; and, as he was much staggered on unding that of the two persons, on whose evidence dow, Heartfree had been committed, and had beed since convicted, one was in Newgate for arelony, and the other was now brought before TOL. XII.

him for a robbery, he thought proper to put the matter very home to Fireblood at this time. The young Achates was taken, as we have said, in the fact; so that denial he saw was in vain, He therefore honestly confessed what he knew must be proved; and desired, on the merit of the discoveries he made, to be admitted as an evidence against his accomplices. This afforded the happiest opportunity to the justice, to satisfy his conscience in relation to Heartfree. He told Fireblood, that if he expected the favour he solicited, it must be on condition, that he revealed the whole truth to him concerning the evidence which he had lately given against a bankrupt, and which some circumstances had induced a suspicion of; that he might depend on it, the truth would be discovered by other means, and gave some oblique hints (a deceit entirely justifiable) that Wild himself had offered such a discovery. The very mention of Wild's name immediately alarmed Fireblood, who did not in the least doubt the readiness of that GREAT MAN to hang any of the gang, when his own interest seemed to require it. He therefore besitated not a moment; but, having obtained a promise from the justice, that he should be accepted as an evidence, he discovered the whole falsehood, and declared that he had been seduced by Wild to depose as he had done.

The justice having thus luckily and timely discovered this scene of villainy alias greatness, lost not a moment in using his utmost endeavours to get the case of the unhappy convict represented to the sovereign; who immediately granted him that gracious reprieve, which caused such happiness to the persons concerned; and which we hope we have now accounted for to the satisfaction of the

reader.

The good magistrate having obtained this reprieve for Heartfree, thought it incumbent on him to visit him in the prison, and to sound, if possible, the depth of this affair, that if he should appear as innocent as he now began to conceive him, he might use all imaginable methods to obtain his

pardon and enlargement.

The next day therefore, after that when the miserable scene above described had passed, he went to Newgate, where he found those three persons, namely Heartfree, his wife, and Friendly, sitting together. The justice informed the prisoner of the confession of Fireblood, with the steps which he had taken upon it. The reader will easily conceive the many outward thanks as well as inward gratitude which he received from all three; but those were of very little consequence to him, compared with the secret satisfaction he felt in his mind, from reflecting on the preservation of innocence, as he soon after very clearly perceived was the case.

When he entered the room, Mrs. Heartfree was speaking with some earnestness: As he perceived, therefore, he had interrupted her, he begged she would continue her discourse, which, if he prevented by his presence, he desired to depart; but Heartfree would not suffer it. He said, she had been relating some adventures, which perhaps make categories him to hear, and which she the relating to the relation on which this falsehood is the point of the formation on which this falsehood is the point which had brought on her hus-

bard all his mistortunes.

Mrs. Meaning at her husband's desire, began the relation from the first renewal of Wild's acquaintance the litera but, though this recapitulation was necessary for the information of our good magistrate, as it would be useless, and perhaps tedious, to the reader, we shall only repeat that part of her story to which only he is a stranger, beginning with what happened to her after Wild had been turned adrift in the boat by the captain of the French privateer.

# CHAP. VII.

Mrs. Heartfree relates her adventures.

MRS. Heartfree proceeded thus: "The ven-" geance which the French captain exacted on " that villain (our hero,) persuaded me, that I was " fallen into the hands of a man of honour and "justice; nor, indeed, was it possible for any " person to be treated with more respect and civi-"lity than I now was; but this could not mitigate "my sorrows, when I reflected on the condition " in which I had been betrayed to leave all that " was dear to me, much less could it produce " such an effect, when I discovered, as I soon did, "that I owed it chiefly to a passion, which threat-"ened me with great uneasiness, as it quickly " appeared to be very violent, and as I was abso-" lutely in the power of the person who possessed "it, or was rather possessed by it. I must how-"ever do him the justice to say, my fears carried " my suspicions farther than I afterwards found I "had any reason to carry them: He did indeed very soon acquaint me with his passion, and " used all those gentle methods, which frequently " succeed with our sex, to prevail with me to gra-" tify it; but never once threatened, nor had the

" least recourse to force. He did not even once in-"sinuate to me, that I was totally in his power, " which I myself sufficiently saw, and whence I "drew the most dreadful apprehensions, well " knowing, that as there are some dispositions so " brutal, that cruelty adds a zest and savour to "their pleasures; so there are others whose gen-"tler inclinations are better gratified, when they " win us by softer methods to comply with their " desires; yet that even these may be often com-" pelled by an unruly passion to have recourse at "last to the means of violence, when they despair " of success from persuasion; but I was happily "the captive of a better man. My conqueror " was one of those over whom vice bath a limited "jurisdiction; and though he was too easily pre-" vailed on to sin, he was proof against any temp-

" tation to villainy.

"We had been two days almost totally be-" calmed, when a brisk gale rising, as we were in " sight of Dunkirk, we saw a vessel making full "sail towards us. The captain of the privateer " was so strong, that he apprehended no danger "but from a man of war, which the sailors dis-"cerned this not to be. He therefore struck his " colours, and furled his sails as much as possible, " in order to lie by and expect her, hoping she "might be a prize." (Here Heartfree smiling, his wife stopped, and enquired the cause. He told her, it was from her using the sea terms so aptly: She laughed, and answered, he would wonder less at this, when he heard the long time she had been on board: And then proceeded) "This vessel now came along-side of us, and " hailed us, having perceived that, on which we " were aboard, to be of her own country: they " begged us not to put into Dunkirk, but to ac" company them in their pursuit of a large English " merchantman, whom we should easily overtake, " and both together as easily conquer. Our cap-" tain immediately consented to this proposition, " and ordered all his sail to be crowded. This " was most unwelcome news to me, however, he " comforted me all he could, by assuring me, I " had nothing to fear, that he would be so far from " offering the least rudeness to me himself, that "he would, at the hazard of his life, protect me " from it. This assurance gave me all the conso-" lation which my present circumstances and the "dreadful apprehensions I had on your dear ac-" count would admit." (At which words the tenderest glances passed on both sides between the husband and wife.)

"We sailed near twelve hours, when we came " in sight of the ship we were in pursuit of, and " which we should probably have soon come up " with, had not a very thick mist ravished her " from our eyes. This mist continued several "hours, and when it cleared up, we discovered " our companion at a great distance from us; but " what gave us (I mean the captain and his crew) "the greatest uneasiness, was the sight of a very " large ship within a mile of us, which presently "saluted us with a gun, and now appeared to be " a third-rate English man of war. Our captain "declared the impossibility of either fighting or " escaping, and accordingly struck, without wait-"ing for the broadside which was preparing for " us, and which perhaps would have prevented " me from the happiness I now enjoy." This occasioned Heartfree to change colour, his wife therefore passed hastily to circumstances of a more smiling complexion. "I greatly rejoiced at this event, as I thought

"it would not only restore me to the safe possession of my jewels, but to what I value beyond
all the treasure in the universe. My expectation,
however, of both these was somewhat crost for
the present: As to the former, I was told, they
should be carefully preserved; but that I must
prove my right to them before I could expect
their restoration; which, if I mistake not, the
captain did not very eagerly desire I should be
able to accomplish: And as to the latter, I was
acquainted, that I should be put on board the
first ship which they met on her way to
England, but that they were proceeding to the
West Indies.

"I had not been long on board the man of war, "before I discovered just reason rather to lament "than to rejoice at the exchange of my captivity; " (for such I concluded my present situation to "be.) I had now another lover in the captain of "this Englishman, and much rougher and less " gallant than the Frenchman had been. He used " me with scarce common civility, as indeed he " shewed very little to any other person, treating " his officers little better than a man of no great " good-breeding would exert to his meanest ser-" vant, and that too, on some very irritating provo-" cation. As for me, he addressed me with the "insolence of a basha to a Circassian slave; he " talked to me with the loose licence in which the " most profligate libertines converse with harlots, " and which women, abandoned only in a mo-"derate degree, detest and abhor. He often "kissed me with very rude familiarity, and one "day attempted further brutality; when a gentle-"man on board, and who was in my situation, "that is, had been taken by a privateer and was " retaken, rescued me from his hands; for which " the captain confined him, though he was not " under his command, two days in irons; when " he was released (for I was not suffered to visit " him in his confinement), I went to him and "thanked him with the utmost acknowledgment, " for what he had done and suffered on my " account. The gentleman behaved to me in the " handsomest manner on this occasion; told me " he was ashamed of the high sense I seemed to entertain of so small an obligation, of an action " to which his duty as a christian, and his honour " as a man, obliged him. From this time I lived "in great familiarity with this man, whom I re-" garded as my protector, which he professed him-" self ready to be on all occasions, expressing the " utmost abhorrence of the captain's brutality, " especially that shewn towards me, and the ten-"derness of a parent for the preservation of my " virtue, for which I was not myself more soli-"citous than he appeared. He was, indeed, the " only man I had hitherto met, since my unhappy "departure, who did not endeavour by all his "looks, words, and actions, to assure me, he had " a liking to my unfortunate person. The rest " seeming desirous of sacrificing the little beauty "they complimented, to their desires, without the " least consideration of the ruin, which I earnestly represented to them, they were attempting to " bring on me and on my future repose.

"I now passed several days pretty free from the captain's molestation, till one fatal night:" Here, perceiving Heartfree grew pale, she comforted him by an assurance, that heaven had preserved her chastity, and again had restored her unsullied to his arms. She continued thus: "Perhaps I gave it a wrong epithet in the word fatal; but a wretched night, I am sure I may call it, for no

" woman, who came off victorious, was, I believe, "ever in greater danger. One night, I say, " having drank his spirits high with punch, in "company with the purser, who was the only " man in the ship he admitted to his table, the " captain sent for me into his cabin; whither, "though unwilling, I was obliged to go. We "were no sooner alone together, than he seized " me by the hand, and after affronting my ears " with discourse which I am unable to repeat, he " swore a great oath, that his passion was to be " dallied with no longer; that I must not expect " to treat him in the manner to which a set of " blockhead landmen submitted. None of your " coquette airs, therefore, with me, madam, said "he, for I am resolved to have you this night. No " struggling nor squawling, for both will be imper-"tinent. The first man who offers to come in " here, I will have his skin flea'd off at the gang-"way. He then attempted to pull me violently " towards his bed. I threw myself on my knees, " and with tears and intreaties besought his com-" passion; but this was, I found, to no purpose: " I then had recourse to threats, and endeavoured " to frighten him with the consequence; but " neither had this, though it seemed to stagger " him more than the other method, sufficient force " to deliver me. At last a stratagem came into " my head, of which my perceiving him reel, gave " me the first hint, I entreated a moment's re-" prieve only, when collecting all the spirits I "could muster, I put on a constrained air of " gaiety, and told him with an affectionate laugh, " he was the roughtest lover I had ever met with, "and that I believed I was the first woman he "had ever paid his addresses to. Addresses, said "he, d-n your dresses, I want to undress you. "I then begged him to let us drink some punch " together; for that I loved a can as well as him-" self, and never would grant the favour to any " man till I had drank a hearty glass with him. "O! said he, if that be all, you shall have punch " enough to drown yourself in. At which words " he rung the bell, and ordered in a gallon of that " liquor. I was in the mean time obliged to suffer " his nauseous kisses, and some rudenesses which " I had great difficulty to restrain within moderate "bounds. When the punch came in, he took " up the bowl and drank my health ostentatiously, " in such a quantity, that it considerably advanced "my scheme. I followed him with bumpers, " as fast as possible, and was myself obliged to "drink so much, that at another time it would " have staggered my own reason, but at present it "did not affect me. At length, perceiving him "very far gone, I watched an opportunity, and "ran out of the cabin, resolving to seek pro-" tection of the sea, if I could find no other; but " heaven was now graciously pleased to relieve " me; for in his attempt to pursue me, he reeled " backwards, and falling down the cabin stairs, he " dislocated his shoulder, and so bruised himself, "that I was not only preserved that night from " any danger of my intended ravisher; but the " accident threw him into a fever, which endan-" gered his life, and whether he ever recovered or " no, I am not certain; for, during his delirious " fits, the eldest lieutenant commanded the ship. "This was a virtuous and a brave fellow, who " had been twenty-five years in that post without "being able to obtain a ship, and had seen several " boys, the bastards of noblemen, put over his " head. One day, while the ship remained under " his command, an English vessel bound to Cork,

"passed by; myself and my friend, who had formerly lain two days in irons on my account, went on board this ship with the leave of the good lieutenant, who made us such presents as he was able, of provisions, and congratulating me on my delivery from a danger to which none of the ship's crew had been strangers, he kindly wished us both a safe voyage."

## CHAP. VIII.

In which Mrs. Heartfree continues the relation of her adventures.

"THE first evening after we were aboard this "vessel, which was a brigantine, we being then " at no very great distance from the Madeiras, the " most violent storm arose from the north-west, in "which we presently lost both our masts; and " indeed death now presented itself as inevitable to "us-I need not tell my Tommy what were "then my thoughts. Our danger was so great, "that the captain of the ship, a professed atheist, " betook himself to prayers, and the whole crew, " abandoning themselves for lost, fell with the "utmost eagerness to the emptying a cask of "brandy, not one drop of which, they swore, " should be polluted with salt water. I observed "here, my old friend displayed less courage "than I expected from him. He seemed en-"tirely swallowed up in despair. But, heaven "be praised! we were all at last preserved. The "storm, after above eleven hours continuance, began to abate, and by degrees entirely ceased; " but left us still rolling at the mercy of the waves, " which carried us at their own pleasure to the " south-east, a vast number of leagues. Our crew " were all dead drunk with the brandy which they " had taken such care to preserve from the sea: " but, indeed, had they been awake, their labour " would have been of very little service, as we had " lost all our rigging; our brigantine being reduced " to a naked hulk only. In this condition we floated " about thirty hours, till in the midst of a very dark " night we spied a light which seeming to approach "us, grew so large, that our sailors concluded it " to be the lanthorn of a man of war; but when " we were cheering ourselves with the hopes of " our deliverance from this wretched situation, on " a sudden, to our great concern, the light entirely "disappeared, and left us in a despair, encreased " by the remembrance of those pleasing imagina-" tions with which we had entertained our minds " during its appearance. The rest of the night we "passed in melancholy conjectures on the light " which had deserted us, which the major part of " the sailors concluded to be a meteor. In this " distress we had one comfort, which was a plenti-"ful store of provision; this so supported the " spirits of the sailors, that they declared, had they " but a sufficient quantity of brandy, they cared " not whether they saw land for a month to come: " but indeed, we were much nearer it than we " imagined, as we perceived at break of day; one " of the most knowing of the crew declared we " were near the continent of Africa; but when we " were within three leagues of it, a second violent " storm arose from the north, so that we again gave "over all hopes of safety. This storm was not " quite so outrageous as the former, but of much "longer continuance, for it lasted near three days:

" and drove us an immense number of leagues to " the south. We were within a league of the shore, "expecting every moment our ship to be dashed to "pieces, when the tempest ceased all on a sudden; "but the waves still continued to roll like moun-" tains, and before the sea recovered its calm mo-" tion, our ship was thrown so near the land, that " the captain ordered out his boat, declaring he had " scarce any hopes of saving her; and indeed we "had not quitted her many minutes, before we "saw the justice of his apprehensions; for she "struck against a rock, and immediately sunk. "The behaviour of the sailors on this occasion very " much affected me, they beheld their ship perish " with the tenderness of a lover or a parent, they " spoke of her as the fondest husband would of his " wife; and many of them, who seemed to have "no tears in their composition, shed them plenti-" fully at her sinking. The captain himself cried "out, Go thy way, charming Molly, the sea never " devoured a lovelier morsel. If I have fifty vessels, " I shall never love another like thee. " I shall remember thee to my dying day .- Well, " the boat now conveyed us all safe to shore, where " we landed with very little difficulty. It was now " about noon, and the rays of the sun, which de-"scended almost perpendicular on our heads, were "extremely hot and trublesome. However, we " travelled through this extreme heat about five " miles over a plain. This brought us to a vast "wood, which extended itself as far as we could " see both to the right and left, and seemed to me "to put an entire end to our progress. Here we decreed to rest and dine on the provision which "we had brought from the ship, of which we had "sufficient for very few meals; our boat being so "overloaded with people, that we had very little VOL. XII.

" room for luggage of any kind. Our repast was " salt pork broiled, which the keenness of hunger " made so delicious to my companions, that they " fed very heartily upon it. As for myself, the " fatigue of my body, and the vexation of my " mind, had so thoroughly weakened me, that I " was almost entirely deprived of appetite; and the " utmost dexterity of the most accomplished French " cook would have been ineffectual, had he en-"deavoured to tempt me with delicacies. I thought " myself very little a gainer by my late escape from "the tempest, by which I seemed only to have ex-" changed the element in which I was presently to "die. When our company had sufficiently, and " indeed very plentifully, feasted themselves, they " resolved to enter the wood, and endeavour to " pass it, in expectation of finding some inhabitants," " at least some provision. We proceeded there-" fore in the following order: one man in the front " with a hatchet to clear our way, and two others " followed him with guns to protect the rest from " wild beasts; then walked the rest of our com-" pany, and last of all, the captain himself, being " armed likewise with a gun, to defend us from " any attack behind, in the rear, I think, you call "it. And thus our whole company, being four-" teen in number, travelled on till night overtook "us, without seeing any thing, unless a few birds, " and some very insignificant animals. We rested " all night under the covert of some trees, and in-" deed we very little wanted shelter at that season, "the heat in the day being the only inclemency " we had to combat with in this climate. I cannot " help telling you my old friend lay still nearest to " me on the ground, and declared he would be my " protector should any of the sailors offer rudeness; " but I can acquit them of any such attempt; not "was I ever affronted by any one, more than with "a coarse expression, proceeding rather from the "roughness and ignorance of their education, than from any abandoned principle, or want of humanity.

"We had now proceeded very little way on our " next day's march, when one of the sailors having "skipt nimbly up a hill, with the assistance of a "speaking trumpet informed us, that he saw a "town a very little way off. This news so com-" forted me, and gave me such strength, as well " as spirits, that, with the help of my old friend, " and another, who suffered me to lean on them. " I, with much difficulty attained the summit; but " was so absolutely overcome in climbing it, that "I had no longer sufficient strength to support my "tottering limbs, and was obliged to lay myself " again on the ground; nor could they prevail on " me to undertake descending through a very thick " wood into a plain, at the end of which indeed "appeared some houses, or rather huts; but at a " much greater distance than the sailor had assured "us. The little way, as he had called it, seeming " to me full twenty miles, nor was it, I believe, " much less."

# CHAP. IX.

Containing incidents very surprizing.

The captain declared, he would, without delay, proceed to the town before him; in which resolution he was seconded by all the crew; but when I could not be persuaded, nor was I able to travel any farther before I had rested

"myself, my old friend protested he would not leave me, but would stay behind as my guard; and, when I had refreshed myself with a little repose, he would attend me to the town, which the captain promised he would not leave, before had seen us

" he had seen us. "They were no sooner departed than (having " first thanked my protector for his care of me) I " resigned myself to sleep, which immediately " closed my eyelids, and would probably have de-" tained me very long in his gentle dominion, had "I not been awaked with a squeeze by the hand "by my guard; which I at first thought intended " to alarm me with the danger of some wild beast; " but I soon perceived it arose from a softer motive, " and that a gentle swain was the only wild beast I " had to apprehend. He began now to disclose his " passion in the strongest manner imaginable, in-" deed with a warmth rather beyond that of both " my former lovers; but as yet without any attempt of absolute force. On my side remonstrances " were made in more bitter exclamations and re-" vilings than I had used to any, that villain Wild "excepted. I told him, he was the basest and " most treacherous wretch alive; that his having " cloaked his iniquitous designs under the appear-" ance of virtue and friendship, added an ineffable " degree of horror to them, that I detested him of "all mankind the most, and, could I be brought " to yield to prostitution, he should be the last to "enjoy the ruins of my honour. He suffered him-" self not to be provoked by this language, but "only changed his method of solicitation from " flattery to bribery. He unript the lining of his " waistcoat, and pulled forth several jewels; these, " he said, he had preserved from infinite danger to the happiest purpose, if I could be won by them. "I rejected them often with the utmost indigna-"tion, till at last, casting my eye, rather by acci-"dent than design, on a diamond necklace, a " thought, like lightning, shot through my mind, " and, in an instant, I remembered, that this was " the very necklace you had sold the cursed Count, "the cause of all our misfortunes. The confusion " of ideas into which this surprize hurried me, pre-"vented me reflecting on the villain who then "stood before me: but the first recollection pre-" sently told me, it could be no other than the "Count himself, the wicked tool of Wild's bar-"barity. Good heavens! what was then my con-"dition! How shall I describe the tumult of pas-" sions which then laboured in my breast! How-"ever, as I was happily unknown to him, the least " suspicion on his side was altogether impossible. "He imputed, therefore, the eagerness with which "I gazed on the jewels, to a very wrong cause, " and endeavoured to put as much additional soft-" ness into his countenance as he was able. My "fears were a little quieted, and I was resolved "to be very liberal of promises, and hoped so " thoroughly to persuade him of my venality, that "he might, without any doubt, be drawn in to "wait the captain and crew's return, who would, "I was very certain, not only preserve me from "his violence, but secure the restoration of what "you had been so cruelly robbed of. But alas! I "I was mistaken." Mrs. Heartfree again perceiving symptoms of the utmost disquietude in her husband's countenance, cried out; "My dear, "don't you apprehend any harm .- But, to deliver "you as soon as possible from your anxiety.-"When he perceived I declined the warmth of his "addresses, he begged me to consider; he changed " at once his voice and features, and, in a very dif" ferent tone from what he had hitherto affected. " he swore I should not deceive him as I had the " captain: that fortune had kindly thrown an op-" portunity in his way, which he was resolved not " foolishly to lose; and concluded with a violent " oath, that he was determined to enjoy me that " moment; and therefore, I knew the consequence " of resistance. He then caught me in his arms, " and began such rude attempts, that I screamed " out with all the force I could, though I had so " little hopes of being rescued, when there suddenly " rushed forth from a thicket, a creature, which, " at his first appearance, and in the hurry of spirits "I then was, I did not take for a man; but indeed " had he been the fiercest of wild beasts, I should " have rejoiced at his devouring us both. I scarce " perceived he had a musket in his hand, before he " struck my ravisher such a blow with it, that he " felled him at my feet. He then advanced with a "gentle air towards me, and told me in French, " he was extremely glad he had been luckily present "to my assistance. He was naked, except his " middle and his feet, if I call a body so, which " was covered with hair almost equal to any beast "whatever. Indeed, his appearance was so horrid " in my eyes, that the friendship he had shewn me, " as well as his courteous behaviour, could not en-" tirely remove the dread I had conceived from " his figure. I believe he saw this very visibly; " for he begged me not to be frightened, since, "whatever accident had brought me thither, I " should have reason to thank heaven for meeting "him, at whose hands I might assure myself " of the utmost civility and protection. In the " midst of all this consternation, I had spirits " enough to take up the casket of jewels which the " villain, in falling, had dropped out of his hands,

" and conveyed it in to my pocket. My deliverer "telling me, that I seemed extremely weak and " faint, desired me to refresh myself at his little " hut, which he said, was hard by. If his de-" meanour had been less kind and obliging, my des-" perate situation must have lent me confidence, "for sure the alternative could not be doubtful, " whether I should rather trust this man, who, " not withstanding his savage outside, expressed so " much devotion to serve me, which at last I was " not certain of the falsehood of, or should abide "with one whom I so perfectly well knew to be " an accomplished villain. I, therefore, committed "myself to his guidance, though with tears in my " eyes, and begged him to have compassion on my "innocence, which was absolutely in his power. "He said, the treatment he had been witness of, "which, he supposed, was from one, who had " broken his trust towards me, sufficiently justified "my suspicion; but begged me to dry my eyes, " and he would soon convince me, that I was with a " man of different sentiments. The kind accents "which accompanied these words, gave me some "comfort, which was assisted by the repossession of our jewels by an accident, strongly savouring " of the disposition of Providence in my favour. "We left the villain weltering in his blood,

"We left the villain weltering in his blood, "though beginning to recover a little motion, and, walked together to his hut, or rather cave, for it was under ground, on the side of a hill; the situation was very pleasant, and, from its mouth, we overlooked a large plain, and the town I had before seen. As soon as I entered it, he desired me to sit down on a bench of earth, which served him for chairs, and then laid before me some fruits, the wild product of that country, one or

"two of which had an excellent flavour. He likewise produced some baked flesh, a little resem-" bling that of venison. He then brought forth a " bottle of brandy, which, he said, had remained " with him ever since his settling there, now above "thirty years; during all which time he had " never opened it, his only liquor being water; "that he had reserved this bottle as a cordial in " sickness; but, he thanked heaven, he had never " yet had occasion for it. He then acquainted me, " that he was a hermit, that he had been formerly " cast away on that coast, with his wife, whom he "dearly loved, but could not preserve from perish-"ing; on which account he had resolved never to " return to France, which was his native country, "but to devote himself to prayer, and a holy life, " placing all his hopes in the blessed expectation of " meeting that dear woman again in heaven, where, " he was convinced, she was now a saint, and an "interceder for him. He said, he had exchanged " a watch with the king of that country, whom he "described to be a very just and good man, for a "gun, some powder, shot, and ball; with which " he sometimes provided himself food, but more "generally used it in defending himself against "wild beasts; so that his diet was chiefly of the " vegetable kind. He told me many more cir-"cumstances, which I may relate to you hereafter: "but to be as concise as possible at present, he at " length greatly comforted me, by promising to " conduct me to a sea-port, where I might have an "opportunity to meet with some vessels traffick-"ing for slaves; and whence I might once more commit myself to that element, which, though I " had already suffered so much on it, I must again " trust, to put me in possession of all I loved.

"The character he gave me of the inhabitants of " the town we saw below us, and of their king, " made me desirous of being conducted thither; " especially as I very much wished to see the "captain and sailors, who had behaved very " kindly to me, and with whom, notwithstanding " all the civil behaviour of the hermit, I was " rather easier in my mind, than alone with this " single man; but he dissuaded me greatly "from attempting such a walk, till I had re-" cruited my spirits with rest, desiring me to re-" pose myself on his couch or bank, saying, that "he himself would retire without the cave, "where he would remain as my guard. I ac-"cepted this kind proposal; but it was long " before I could procure any slumber: however, " at length, weariness prevailed over my fears. " and I enjoyed several hours sleep. When I " awaked, I found my faithful centinel on his " post, and ready at my summons. This behaviour "infused some confidence into me, and I now " repeated my request, that he would go with " me to the town below: but he answered, It "would be better advised to take some repast " before I undertook the journey, which I should "find much longer, than it appeared. I con-" sented, and he set forth a greater variety of fruits "than before, of which I ate very plentifully; " my collation being ended, I renewed the men-"tion of my walk; but he still persisted in dis-" suading me, telling me, that I was not yet " strong enough; that I could repose myself no "where with greater safety, than in his cave; " and that, for his part, he could have no greater " happiness than that of attending me, adding " with a sigh, it was a happiness he should envy " any other, more than all the gifts of fortune.

"You may imagine, I began now to entertain " suspicions; but he presently removed all doubt, " by throwing himself at my feet, and expressing "the warmest passion for me. I should have " now sunk with despair, had he not accompanied " these professions with the most vehement pro-" testations, that he would never offer me any "other force but that of entreaty, and that he " would rather die the most cruel death by my " coldness, than gain the highest bliss by becoming " the occasion of a tear of sorrow to these bright "eyes, which he said, were stars, under whose " benign influence alone, he could enjoy, or indeed "suffer life." She was repeating many more compliments he made her, when a horrid uproar, which alarmed the whole gate, put a stop to her narration at present. It is impossible for me to give the reader a better idea of the noise which now arose, than by desiring him to imagine I had the hundred tongues the poet once wished for, and was vociferating from them all at once, by hollowing, scolding, crying, swearing, bellowing, and in short, by every different articulation which is within the scope of the human organ.

# CHAP. X.

# A horrible uproar in the gate.

But however great an idea the reader may hence conceive of this uproar, he will think the occasion more than adequate to it, when he is informed, that our hero (I blush to name it,) had discovered an injury done to his honour, and that in the tenderest point—In a word, reader (for thou must

know it, though it give thee the greatest horror imaginable,) he had caught Fireblood in the arms of his lovely Lætitia.

As the generous bull who having long depastured among a number of cows, and thence contracted an opinion, that these cows are all his own property, if he beholds another bull bestride a cow within his walks, he roars aloud, and threatens instant vengeance with his horns, till the whole parish are alarmed with his bellowing: not with less noise, nor less dreadful menaces, did the fury of Wild burst forth, and terrify the whole gate. Long time did rage render his voice inarticulate to the hearer; as when, at a visiting day, fifteen or sixteen, or perhaps twice as many females of delicate but shrill pipes, ejaculate all at once on different subjects, all is sound only, the harmony entirely melodious indeed, but conveys no idea to our ears; but at length, when reason began to get the better of his passion, which latter being deserted by his breath, began a little to retreat, the following accents leapt over the hedge of his teeth. or rather the ditch of his gums, whence those hedgestakes had long since by a patten been displaced in battle, with an amazon of Drury.

"friend? Could I have expected such a breach of "all the laws of honour from thee, whom I had taught to walk in its paths? Hadst thou chosen any other way to injure my confidence, I could have forgiven it; but this is a stab in the tenderest part, a wound never to be healed, an injury never to be repaired: for it is not only the loss of an agreeable companion, of the affection of a wife, dearer to my soul than life itself, it is not this loss alone I lament: This

<sup>\*</sup> The beginning of this speech is lost,

"loss is accompanied with disgrace, and with dis-" honour. The blood of the Wilds, which hath " run with such uninterrupted purity through so " many generations, this blood is fouled, is conta-" minated: Hence flows my tears, hence arises "my grief. This is the injury never to be re-"dressed, nor ever to be with honour forgiven." "M - in a bandbox," answered Fireblood, "here " is a noise about your honour: If the mischief "done to your blood be all you complain of, I am " sure you complain of nothing; for my blood is " as good as yours." "You have no conception," replied Wild, " of the tenderness of honour; you know not how nice and delicate it is in both " sexes; so delicate, that the least breath of air "which rudely blows on it, destroys it." "I will " prove from your own words," says Fireblood, "I have not wronged your honour. Have you " not often told me, that the honour of a man con-" sisted in receiving no affront from his own sex, " and that of a woman in receiving no kindness " from ours. Now, Sir, if I have given you no "affront, how have I injured your honour." "But doth not every thing,' cried Wild " of the " wife belong to the husband? A married man " therefore, hath his wife's honour as well as his " own, and by injuring hers, you injure his. How " cruelly you have hurt me in this tender part, I " need not repeat; the whole gate knows it, and " the world shall. I will apply to Doctors Com-" mons for my redress against her, I will shake off as much of my dishonour as I can, by part-" ing with her; and as for you, expect to hear of " me in Westminster-hall; the modern method of " repairing these breaches, and of resenting this "affront." "D-n your eyes," cries Fireblood, " I fear you not, nor do I believe a word you say."

"Nay, if you affront me personally," says Wild, " another sort of resentment is prescribed." At which word, advancing to Fireblood, he presented him with a box on the ear, which the youth immediately returned, and now our hero and his friend fell to boxing, though with some difficulty, both being incumbered with the chains which they wore between their legs: A few blows passed on both sides, before the gentlemen, who stood by, stept in and parted the combatants: and now both parties having whispered each other, that, if they outlived the ensuing sessions, and escaped the tree, the one should give, and the other should receive satisfaction, in single combat, they separated, and the gate soon recovered its former tranquillity.

Mrs. Heartfree was then desired by the justice and her husband both, to conclude her story, which

she did in the words of the next chapter.

#### CHAP, XI.

The conclusion of Mrs. Heartfree's adventures.

"IF I mistake not, I was interrupted just as I "was beginning to repeat some of the compliments made me by the hermit"—"Just as you had finished them, I believe, madam," said the justice. "Very well, Sir," said she, "I am sure I have no pleasure in the repetition. I concluded then with telling me, though I was, in his eyes, the most charming woman in the "world, and might tempt a saint to abandon the ways of holiness, yet my beauty inspired him "with a much tenderer affection towards me, than to purchase any satisfaction of his own desires you. XII.

"with my misery; if, therefore, I could be so " cruel to him, to reject his honest and sincere " address, nor could submit to a solitary life with "one, who would endeavour by all possible " means, to make me happy, I had no force to " dread; for that I was as much at my liberty, as " if I was in France, or England, or any other free " country. I repulsed him with the same civility " with which he advanced; and told him, that as " he professed great regard to religion, I was con-" vinced he would cease from all farther solici-" tation, when I informed him, that if I had no "other objection, my own innocence would not " admit of my hearing him on this subject, for "that I was married. -- He started a little at "that word, and was for some time silent; but at "length recovering himself, he began to urge the " uncertainty of my husband's being alive, and " the probability of the contrary; he then spoke " of marriage as of a civil policy only; on which " head he urged many arguments not worth re-" peating, and was growing so very eager and imor portunate, that I know not whither his passion " might have hurried him, had not three of the " sailors, well armed, appeared at that instant in " sight of the cave. I no sooner saw them, than; " exulting with the utmost inward joy, I told him " my companions were come for me, and that I " must now take my leave of him; assuring him, "that I would always remember, with the most grateful acknowledgment, the favours I had " received at his hands. He fetched a very heavy " sigh, and, sqeezing me tenderly by the hand, he " saluted my lips with a little more eagerness than " the European salutations admit of; and told me, "he should likewise remember my arrival at his " cave to the last day of his life; adding-O that "he could there spend the whole in the company

of one whose bright eyes had kindled-; but "I know you will think, Sir, that we women "love to repeat the compliments made us, I will "therefore omit them. In a word, the sailors " being now arrived, I quitted him, with some com-" passion for the reluctance with which he parted " from me, and went forward with my companions. "We had proceeded but a very few paces be-" fore one of the sailors said to his comrades: "D-n me, Jack, who knows whether you "fellow hath not some good flip in his cave; I "innocently answered, the pooor wretch had only "one bottle of brandy. Hath he so, cries the "sailor, 'Fore George we will taste it; and, so " saying, they immediately returned back, and my-" self with them. We found the poor man pros-" trate on the ground, expressing all the symptoms " of misery and lamentation. I told him in French " (for the sailors could not speak that language,) "what they wanted.-He pointed to the place "where the bottle was deposited, saying, they "were welcome to that, and whatever else he "had; and added, he cared not if they took his "life also. The sailors searched the whole cave, " where finding nothing more which they deemed " worth their taking, they walked off with the "bottle, and immediately emptying it, without " offering me a drop, they proceeded with me towards the town.

"In our way, I observed one whisper another, while he kept his eye stedfastly fixed on me. This gave me some uneasiness; but the other answered, No, d—n me, the captain will never forgive us: Besides, we have enough of it among the black women, and, in my mind, one colour is as good as another. This was enough to give me violent apprehensions; but I heard

" no more of that kind, till we came to the town. "where, in about six hours, I arrived in safety.

" As soon as I came to the captain, he enquired " what was become of my friend, meaning the "villainous count. When he was informed by " me of what had happened, he wished me heartily " joy of my delivery, and, expressing the utmost " abhorrence of such baseness, swore if ever he " met him he would cut his throat; but indeed "we both concluded, that he had died of the

" blow which the hermit had given him. "I was now introduced to the chief magistrate " of this country, who was desirous of seeing me. "I will give you a short description of him: He " was chosen (as is the custom there) for his supe-"rior bravery and wisdom. His power is entirely " absolute during his continuance; but, on the " first deviation from equity and justice, he is " liable to be deposed and punished by the people, " the elders of whom, once a year, assemble, to " examine into his conduct. Besides the danger " which these examinations, which are very strict, "expose him to, his office is of such care and " trouble, that nothing but that restless love of " power, so predominant in the mind of man, " could make it the object of desire; for he is "indeed the only slave of all the natives of this " country. He is obliged, in time of peace, to " hear the complaint of every person in his domi-" nions, and to render him justice. For which " purpose every one may demand an audience of " him, unless during the hour which he is allowed " for dinner, when he sits alone at the table, and " is attended, in the most public manner, with " more than European ceremony. This is done to "create an awe and respect towards him in the

"eye of the vulgar; but, lest it should elevate

"him too much in his own opinion, in order to "his humiliation, he receives every evening in pri-" vate, from a kind of beadle, a gentle kick on his " posteriors; besides which, he wears a ring in " his nose, somewhat resembling that we ring our "pigs with, and a chain round his neck, not un-" like that worn by our aldermen; both which, I " suppose, to be emblematical, but heard not the "reasons of either assigned. There are many " more particularities among these people, which, " when I have an opportunity, I may relate to you. "The second day after my return from court, one " of his officers, whom they call SCHACH PIM-" PACH, waited upon me, and, by a French inter-"preter who lives here, informed me, that the "chief magistrate liked my person, and offered "me an immense present, if I would suffer him " to enjoy it (this is, it seems, their common form "of making love). I rejected the present, and " never heard any further solicitation; for, as it " is no shame for women here to consent at the " first proposal, so they never receive a second. "I had resided in this town a week, when the " captain informed me, that a number of slaves

"who had been taken captives in war, were to be "guarded to the sea side, where they were to be "sold to the merchants, who traded in them to "America; that if I would embrace this opportunity, I might assure myself of finding a passage to America, and thence to England; acquainting me at the same time, that he himself intended to go with them. I readily agreed to accompany him. The chief, being advertised of our designs, sent for us both to court, and without mentioning a word of love to me, having presented me with a very rich jewel, of less value, "he said, than my chastity, took a very civil leave,

" recommending me to the care of heaven, and " ordering us a large supply of provisions for our

" journey. "We were provided with mules for ourselves, " and what we carried with us, and, in nine days, " reached the sea shore, where we found an " English vessel ready to receive both us and the slaves. We went aboard it, and sailed the next " day with a fair wind for New England, where I " hoped to get an immediate passage to the Old: But Providence was kinder than my expectation: " for the third day after we were at sea, we met " an English man of war, homeward bound; the captain of it was a very good-natured man, and " agreed to take me on board. I accordingly took "my leave of my old friend the master of the shipwrecked vessel, who went on to New " England, whence he intended to pass to Jamaica, "where his owners lived. I was now treated with great civility, had a little cabin assigned " me, and dined every day at the captain's table, "who was indeed a very gallant man, and, at " first, made me a tender of his affections; but " when he found me resolutely bent to preserve " myself pure and entire for the best of husbands, "he grew cooler in his addresses, and soon be-" haved in a manner very pleasing to me, regarding or my sex only so far as to pay me a deference, which is very agreeable to us all.

" To conclude my story; I met with no adven-" ture in this passage at all worth relating, till " my landing at Gravesend, whence the captain " brought me in his own boat to the Tower. In a short hour after my arrival, we had that " meeting, which, however dreadful at first, will, I now hope, by the good offices of the best of men, whom heaven for ever bless, end in our "perfect happiness, and be a strong instance of "what I am persuaded is the surest truth, THAT "PROVIDENCE WILL SOONER OR LATER, PROT" CURE THE FELICITY OF THE VIRTUOUS AND "INNOCENT."

Mrs. Heartfree thus ended her speech, having before delivered to her husband the jewels, which the count had robbed him of, and that presented her by the African chief, which last was of immense value. The good magistrate was sensibly touched at her narrative, as well on the consideration of the sufferings she had herself undergone, as for those of her husband, which he had himself been innocently the instrument of bringing upon him, That worthy man, however, much rejoiced in what he had already done for his preservation, and promised to labour with his utmost interest and industry, to procure the absolute pardon, rather of his sentence, than of his guilt, which, he now plainly discovered, was a barbarous and false imputation.

#### CHAP, XII.

The history returns to the contemplation of GREATNESS.

But we have already perhaps detained our reader too long in this relation, from the consideration of our hero, who daily gave the most exalted proofs of greatness, in cajoling the *Prigs*, and in exactions on the debtors; which latter now grew so great, i. e. corrupted in their morals, that they spoke with the utmost contempt of what the vulgar call Honesty. The greatest character among them was

that of a Pickpocket, or, in truer language, a File; and the only censure was want of dexterity. As to virtue, goodness, and such like, they were the objects of mirth and derision, and all Newgate was a complete collection of Prigs, every man being desirous to pick his neighbour's pocket, and every one was as sensible that his neighbour was as ready to pick his; so that (which is almost incredible) as great roguery was daily committed

within the walls of Newgate as without.

The glory resulting from these actions of Wild probably animated the envy of his enemies against him. The day of his trial now approached; for which, as Socrates did, he prepared himself; but not weakly and foolishly, like that philosopher, with patience and resignation; but with a good number of false witnesses. However, as success is not always proportioned to the wisdom of him who endeavours to attain it; so are we more sorry than ashamed to relate, that our hero was, notwithstanding his utmost caution and prudence, convicted, and sentenced to a death, which, when we consider not only the great men who have suffered it, but the much larger number of those, whose highest honour it hath been to merit it, we cannot call otherwise than Honourable. Indeed those, who have unluckily missed it, seem all their days to have laboured in vain to attain an end, which Fortune, for reasons only known to herself, hath thought proper to deny them. Without any farther preface then, our hero was sentenced to be hanged by the neck: But whatever was to be now his fate, he might console himself that he had perpetrated what

Nec poterit ferrum, nec edax abolere vetustas.

For my own part, I confess, I look on this death of Hanging to be as proper for a Hero as any other; and I solemnly declare, that had Alexander the Great been hanged, it would not in the least have diminished my respect to his memory. Provided a hero in his life doth but execute a sufficient quantity of mischief; provided he be but well and heartily cursed by the widow, the orphan, the poor, and the oppressed (the sole rewards, as many authors have bitterly lamented both in prose and verse, of greatness, i. e. Priggism), I think it avails little of what nature his death be, whether it be by the axe, the halter, or the sword. Such names will be always sure of living to posterity, and of enjoying that fame which they so gloriously and eagerly coveted; for, according to a GREAT Dramatic Poet.

Not more survives from good than evil deeds. Th' aspiring youth that fir'd th' Ephesian dome, Outlives in fame the pious fool who rais'd it.

Our hero now suspected that the malice of his enemies would overpower him. He, therefore, betook himself to that true support of greatness in affliction, a bottle; by means of which he was enabled to curse, and swear, and bully, and brave his fate. Other comfort indeed he had not much; for not a single friend ever came near him. His wife, whose trial was deferred to the next sessions, visited him but once, when she plagued, tormented, and upbraided him so cruelly, that he forbad the keeper ever to admit her again. The Ordinary of Newgate had frequent conferences with him, and greatly would it embellish our history, could we record all which that good man delivered on these

occasions; but unhappily we could procure only the substance of a single conference, which was taken down in short hand by one who overheard it. We shall transcribe it, therefore, exactly in the same form and words we received it; nor can we help regarding it as one of the most curious pieces, which either ancient or modern history hath recorded.

### CHAP, XIII.

A dialogue between the Ordinary of Newgate, and Mr. Jonathan Wild the Great: in which the subjects of death, immortality, and other grave matters, are very learnedly handled by the former.

#### ORDINARY.

Good morrow to you, Sir; I hope you rested well last night.

JONATHAN. D-n'd ill, Sir. I dreamt so confoundedly of hanging, that it disturbed my

sleep.

ORDINARY. Fie upon it. You should be more resigned. I wish you would make a little better use of those instructions which I have endeavoured to inculcate into you, and particularly last Sunday, and from these words: Those who do evil shall go into everlasting fire, prepared for the devil and his angels. I undertook to shew you first, what is meant by EVERLASTING FIRE; and, secondly, who were the Devil and his angels. I then proceeded to draw some inferences from the

whole \*; in which I am mightily deceived, if I did not convince you, that you yourself was one of those angels; and, consequently, must expect EVERLASTING FIRE to be your portion in the other world.

JONATHAN. Faith, Doctor, I remember very little of your inferences; for I fell asleep soon after your naming the text: But did you preach this doctrine then, or do you repeat it now, in order to comfort me?

ORDINARY. I do it, in order to bring you to a true sense of your manifold sins, and, by that means, to induce you to repentance. Indeed, had I the eloquence of Cicero, or of Tully, it would not be sufficient to describe the pains of hell, or the joys of heaven. The utmost that we are taught is, that ear hath not heard, nor can heart conceive. Who then would, for the pitiful consideration of the riches and pleasures of this world, forfeit such inestimable happiness! Such joys! Such pleasures! Such delights! Or who would run the venture of such misery which, but to think on, shocks the human understanding! Who, in his senses, then, would prefer the latter to the former?

JONATHAN. Ay, who indeed! I assure you, Doctor, I had much rather be happy than miserable. But † \* \* \* \* \*

\* \*

<sup>\*</sup> He pronounced this word HULL, and perhaps would have stell it so.

<sup>†</sup> This part was so blotted that it was illegible.

ORDINARY: Nothing can be plainer. St. \* \*

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JONATHAN. \* \* \* \*

once convinced \* \* \* \*

no man \* \* lives of \*

\* no man \* \* whereas

sure the clergy \* \* oppportunity \* \*

\* better informed \* \*

\* all manner of vice \* \* \*

\* \* \*

ORDINARY. \* are \* atheist. \* deist \* ari \* \* cinian \* hanged \* \* burnt \* \* oiled \* oasted. \* \* \* dev \* his an \* \* \* ell fire \* \*

ternal d \* \* \* tion.

JONATHAN. You \* \* to frighten me out of my wits: But the good \* \* is, I doubt not, more merciful than his wicked \* \* If I should believe all you say, I am sure I should die in inexpressible horror.

ORDINARY. Despair is sinful. You should place your hopes in repentance and grace; and though it is most true, that you are in danger of the judgment, yet there is still room for mercy; and no man, unless excommunicated, is absolutely without

hopes of a reprieve.

JONATHAN. I am not without hopes of a reprieve from the cheat yet: I have pretty good interest; but if I cannot obtain it, you shall not frighten me out of my courage, I will not die like a pimp. D—n me, what is death? It is nothing

but to be with Platos and with Cæsars,—as the poet says, and all the other great heroes of antiquity.

\* \* \* \*

ORDINARY. Ay, all this is very true; but life is sweet for all that, and I had rather live to eternity, than go into the company of any such heathens, who, are, I doubt not, in hell with the devil and his angels; and, as little as you seem to apprehend it, you may find yourself there before you expect it. Where then will be your tauntings and your vauntings, your boastings and your braggings? You will then be ready to give more for a drop of water than you ever gave for a bottle of wine.

JONATHAN. Faith, Doctor, well minded. What

say you to a bottle of wine.

ORDINARY. I will drink no wine with an atheist. I should expect the devil to make a third in such company; for, since he knows you are his, he may be impatient to have his due.

JONATHAN. It is your business to drink with the

wicked, in order to amend them.

ORDINARY. I despair of it; and so I consign you over to the devil, who is ready to receive you.

JONATHAN. You are more unmerciful to me than the judge, Doctor. He recommended my soul to heaven; and it is your office to shew me the way thither.

ORDINARY. No: the gates are barred against

all revilers of the clergy.

JONATHAN. I revile only the wicked ones, if any such are, which cannot affect you, who, if men were preferred in the church by merit only, would have long since been a bishop. Indeed, it

might raise any good man's indignation to observe one of your vast learning and abilities obliged to exert them in so low a sphere, when so many of your inferiors wallow in wealth and preferment.

ORDINARY. Why, it must be confessed, that there are bad men in all orders; but you should not censure too generally. I must own, I might have expected higher promotion; but I have learnt patience and resignation: and I would advise you to the same temper of mind; which if you can attain, I know you will find mercy; nay, I do now promise you, you will. It is true, you are a sinner: but your crimes are not of the blackest dye: You are no murderer, nor guilty of sacrilege. Andif you are guilty of theft, you make some atonement by suffering for it, which many others do not. Happy is it indeed for those few who are detected in their sins, and brought to exemplary punishment for them in this world. So far, therefore, from repining at your fate when you come to the tree, you should exult and rejoice in it: and to say the truth, I question whether, to a wise man, the catastrophe of many of those who die by a halter, is not more to be envied than pitied. Nothing is so sinful as sin, and murder is the greatest of all sins; it follows, that whoever commits murder is happy in suffering for it; if, therefore, a man who commits murder is so happy in dying for it, how much better must it be for you, who have committed a less crime.

JONATHAN. All this is very true; but let us

take a bottle of wine to cheer our spirits.

ORDINARY. Why wine? Let me tell you, Mr. Wild, there is nothing so deceitful as the spirits given us by wine. If you must drink, let us have a bowl of punch; a liquor I the rather prefer, as

it is no where spoken against in scripture, and as it is more wholesome for the gravel, a distemper with

which I am grievously afflicted.

JONATHAN. (Having called for a bowl.) I ask your pardon, Doctor; I should have remembered, that punch was your favourite liquor. I think you never taste wine while there is any punch remaining on the table.

ORDINARY. I confess, I look on punch to be the more eligible liquor, as well for the reasons I have before mentioned, as likewise for one other cause, viz. it is the properest for a DRAUGHT. I own I took it a little unkind of you to mention wine, thinking you knew my palate.

JONATHAN. You are in the right; and I will take a swinging cup to your being made a bishop.

ORDINARY. And I will wish you a reprieve in as large a draught. Come, don't despair: It is yet time enough to think of dying; you have good friends, who very probably may prevail for you. I have known many a man reprieved, who had less reason to expect it.

JONATHAN. But if I should flatter myself with such hopes, and be deceived, what then would be-

come of my soul?

ORDINARY. Pugh! Never mind your soul, leave that to me; I will render a good account of it, I warrant you. I have a sermon in my pocket, which may be of some use to you to hear. I do not value myself on the talent of preaching, since no man ought to value himself for any gift in this world: But, perhaps, there are not many such sermons.—But to proceed, since we have nothing else to do till the punch comes .- My text is the latter part of a verse only.

To the Greeks FOOLISHNESS. The occasion of these words was principally that philosophy of the Greeks, which at that time had over-run great part of the heathen world, had poisoned, and as it were puffed up their minds with pride, so that they disregarded all kinds of doctrine in comparison of their own; and however safe, and however sound the learning of others might be, yet, if it any wise contradicted their own laws, customs, and received opinions, away with it, it is not for us. It was to the Greeks Foolish-NESS

In the former part, therefore, of my discourse on these words, I shall principally confine myself to the laying open and demonstrating the great emptiness and vanity of this philosophy, with which these idle and absurd sophists were so proudly blown up and elevated:

And here I shall do two things: First, I shall expose the matter: and secondly, the manner of

this absurd philosophy.

And first, for the first of these, namely the matter, Now here we may retort the unmannerly word, which our adversaries have audaciously thrown in our faces; for what was all this mighty matter of philosophy, this heap of knowledge, which was to bring such large harvests of honour to those who sowed it, and so greatly and nobly to enrich the ground on which it fell; what was it but FOOLISHNESS? An inconsistent heap of nonsense, of absurdities and contradictions, bringing no ornament to the mind in its theory, nor exhibiting any usefulness to the body in its practice. What were all the sermons and the sayings, the fables and the morals of all these wise men, but to use the word mentioned in my text once more, FOOLISHNESS? What was their great master Plato, or their other great light, Aristotle? Both fools, mere quibblers and sophists, idly and vainly at-

tached to certain ridiculous notions of their own, founded neither on truth nor on reason. whole works are a strange medley of the greatest falsehoods, scarce covered over with the colour of truth: Their precepts are neither borrowed from nature, nor guided by reason: Mere fictions. serving only to evince the dreadful height of human pride; in one word, Foolishness. It may be, perhaps, expected of me, that I should give some instances from their works to prove this charge; but as to transcribe every passage to my purpose, would be to transcribe their whole works, and as in such a plentiful crop, it is difficult to chuse; instead of trespassing on your patience, I shall conclude this first head with asserting what I have so fully proved, and what may indeed be inferred from the text, that the philosophy of the Greeks was FOOLISHNESS.

Proceed we now in the second place, to consider the manner in which this inane and simple doctrine was propagated. And here—But here, the punch by entering waked Mr. Wild who was fast asleep, and put an end to the sermon; nor could we obtain any further account of the con-

versation which passed at this interview.

# CHAP. XIV.

Wild proceeds to the highest consummation of human Greatness.

The day now drew nigh, when our great man was to exemplify the last and noblest act of greatness, by which any hero can signalize himself. This was the day of execution, or consummation,

or apotheosis (for it is called by different names,) which was to give our hero an opportunity of facing death and damnation, without any fear in his heart, or, atleast without betraying any symptoms of it in his countenance. A completion of greatness which is heartily to be wished to every great man; nothing being more worthy of lamentation than when fortune, like a lazy poet, winds up her catastrophe awkwardly, and bestowing too little care on her fifth act, dismisses the hero with a sneaking and private exit, who had in the former part of the drama performed such notable exploits, as must promise to every good judge among the spectators, a noble, public, and exalted end.

But she was resolved to commit no such error in this instance. Our hero was too much and too deservedly her favourite, to be neglected by her in his last moments: Accordingly all efforts for a reprieve were vain, and the name of Wild stood at the head of those who were ordered for execution.

From the time he gave over all hopes of life, his conduct was truly great and admirable. Instead of shewing any marks of dejection or contrition, he rather infused more confidence and assurance into his looks. He spent most of his hours in drinking with his friends, and with the good man above commemorated. In one of these compotations, being asked whether he was afraid to die, he answered, D-n me it is only to dance without music. Another time, when one expressed some sorrow for his misfortune, as he termed it, he said with great fierceness. A man can die but once. Again, when one of his intimate acquaintance hinted his hopes, that he would die like a man, he cocked his hat in defiance, and cried out greatly, Zounds! who's afraid?

Happy would it have been for posterity, could

we have retrieved any entire conversation which passed at this season, especially between our hero and his learned comforter; but we have searched

many pasteboard records in vain.

On the eve of his apotheosis, Wild's lady desired to see him, to which he consented. This meeting was at first very tender on both sides: but it could not continue so; for unluckily some hints of former miscarriages intervening, as particularly when she asked him, how he could have used her so barbarously once, as calling her B-, and whether such language became a man, much less a gentleman, Wild flew into a violent passion, and swore she was the vilest of B-s, to upbraid him at such a season, with an unguarded word spoke long ago. She replied, with many tears, she was well enough served for her folly in visiting such a brute; but she had one comfort however, that it would be the last time he could ever treat her so; that indeed she had some obligation to him, for that his cruelty to her would reconcile her to the fate he was to-morrow to suffer; and indeed, nothing but such brutality could have made the consideration of his shameful death (so this weak woman called hanging) which was now inevitable, to be borne even without madness. She then proceeded to a recapitulation of his faults in an exacter order and with more perfect memory than one would have imagined her capable of; and it is probable, would have rehearsed a complete catalogue, had not our hero's patience failed him, so that with the utmost fury and violence he caught her by the hair and kicked her as heartily as his chains would suffer him, out of the room.

At length the morning came, which fortune at his birth had resolutely ordained for the consummation of our hero's GREATNESS: He had himself indeed modestly declined the public honours she intended him, and had taken a quantity of laudanum, in order to retire quietly off the stage; but we have already observed in the course of our wonderful history; that to struggle against this lady's decrees is vain and impotent: And whether she hath determined you shall be hanged or be a prime minister, it is in either case lost labour to resist. Laudanum, therefore, being unable to stop the breath of our hero, which the fruit of hemp-seed and not the spirit of poppy-seed, was to overcome, he was at the usual hour attended by the proper gentlemen appointed for that purnose, and acquainted that the cart was ready. On this occasion he exerted that greatness of courage, which hath been so much celebrated in other heroes: and knowing it was impossible to resist, he gravely declared, he would attend them. He then descended to that room where the fetters of great men are knocked off, in a most solemn and ceremonious manner. Then shaking hands with his friends (to wit, those who were conducting him to the tree,) and drinking their healths in a bumper of brandy, he ascended the cart, where he was no sooner seated, than he received the acclamations of the multitude, who were highly ravished with his GREATNESS.

The cart now moved slowly on, being preceded by a troop of horse-guards bearing javelins in their hands, through streets lined with crowds, all admiring the great behaviour of our hero, who rode on, sometimes sighing, sometimes swearing, sometimes singing or whistling, as his humour varied.

When he came to the tree of glory, he was welcomed with an universal shout of the people, who were there assembled in prodigious numbers, to

behold a sight much more rare in populous cities than one would reasonably imagine it should be,

viz, the proper catastrophe of a great man.

But though envy was, through fear, obliged to join the general voice in applause on this occasion, there were not wanting some who maligned this completion of glory, which was now about to be fulfilled to our hero, and endeavoured to prevent it by knocking him on the head as he stood under the tree, while the ordinary was performing his last office. They therefore began to batter the cart with stones, brick-bats, dirt, and all manner of mischievous weapons, some of which erroneously playing on the robes of the ecclesiastic, made him so expeditions in his repetition, that with wonderful alacrity he had ended almost in an instant, and conveyed himself into a place of safety in a hackney coach, where he waited the conclusion with a temper of mind described in these verses,

Suave mari magno, turbantibus æquora ventis, E terra alterius magnum spectare laborem.

We must not, however, omit one circumstance, as it serves to shew the most admirable conservation of character in our hero to his last moment, which was, that whilst the ordinary was busy in his ejaculations, Wild, in the midst of the shower of stones, &c. which played upon him, applied his hands to the parson's pocket, and emptied it of his bottle-screw, which he carried out of the world in his hand.

The ordinary being now descended from the cart, Wild had just opportunity to cast his eyes around the crowd, and to give them a hearty curse, when immediately the horses moved on, and with universal applause, our hero swung out

of this world.

Thus fell Jonathan Wild the GREAT, by a death as glorious as his life had been, and which was so truly agreeable to it, that the latter must have been deplorably maimed and imperfect without the former; a death which hath been alone wanting to complete the characters of several ancient and modern heroes, whose histories would then have been read with much greater pleasure by the wisest in all ages. Indeed we could almost wish, that whenever Fortune seems wantonly to deviate from her purpose, and leaves her work imperfect in this particular, the historian would indulge himself in the licence of poetry and romance, and even do a violence to truth, to oblige his reader with a page, which must be the most delightful in all his history, and which could never fail of producing an instructive moral.

Narrow minds may possibly have some reason to be ashamed of going this way out of the world, if their consciences can fly in their faces, and assure them they have not merited such an honour; but he must be a fool who is ashamed of being hanged, who is not weak enough to be

ashamed of having deserved it.

#### CHAP. XV.

The character of our hero, and the conclusion of this history.

WE will now endeavour to draw the character of this Great Man; and by bringing together those several features as it were of his mind, which lie scattered up and down in this history, to present our readers with a perfect picture of greatness.

Jonathan Wild had every qualification necessary to form a great man. As his most powerful and predominant passion was ambition, so nature had, with consummate propriety, adapted all his faculties to the attaining those glorious ends to which this passion directed him. He was extremely ingenious in inventing designs; artful in contriving the means to accomplish his purposes, and resolute in executing them: For as the most exquisite cunning, and most undaunted boldness qualified him for any undertaking; so was he not restrained by any of those weaknesses which disappoint the views of mean and vulgar souls, and which are comprehended in one general term of honesty, which is a corruption of HONOSTY, a word derived from what the Greeks call an Ass. He was entirely free from those low vices of modesty and good-nature, which, as he said, implied a total negation of human greatness, and were the only qualities which absolutely rendered a man incapable of making a considerable figure in the world. His lust was inferior only to his ambition; but, as for what simple people call love, he knew not what it was. His avarice was immense; but it was of the rapacious, not of the tenacious kind; his rapaciousness was indeed so violent, that nothing ever contented him but the whole; for, however considerable the share was, which his coadjutors allowed him of a booty, he was restless in inventing means to make himself master of the smallest pittance reserved by them. He said, laws were made for the use of Prigs only, and to secure their property; they were never therefore more perverted, than when their edge was turned against these; but that this generally happened through their want of sufficient dexterity. The character which he most valued himself upon, and which he

principally honoured in others, was that of hypocrisy. His opinion was, that no one could earry Priggism very far without it; for which reason, he said, there was little greatness to be expected in a man who acknowledged his vices; but always much to be hoped from him, who professed great virtues; wherefore, though he would always shun the person whom he discovered guilty of a good action, yet he was never deterred by a good character, which was more commonly the effect of profession than of action: For which reason, he himself was always very liberal of honest professions, and had as much virtue and goodness in his mouth as a saint; never in the least scrupling to swear by his honour, even to those who knew him the best; nay, though he held good-nature and modesty in the highest contempt, he constantly practised the affectation of both, and recommended this to others, whose welfare, on his own account, he wished well to. He laid down several maxims, as the certain methods of attaining greatness, to which, in his own pursuit of it, he constantly adhered. As,

 Never to do more mischief to another, than was necessary to the effecting his purpose; for that mischief was too precious a thing to

be thrown away.

To know no distinction of men from affection; but to sacrifice all with equal readiness to his interest.

3. Never to communicate more of an affair than was necessary, to the person who was to execute it.

4. Not to trust him who hath deceived you, nor who knows he bath been deceived by you.

5. To forgive no enemy; but to be cautious and often dilatory in revenge.

- 6. To shun poverty and distress, and to ally himself as close as possible to power and riches.
- To maintain a constant gravity in his countenance and behaviour, and to affect wisdom on all occasions.
- 8. To foment eternal jealousies in his gang, one of another.
- Never to reward any one equal to his merit; but always to insinuate that the reward was above it.
- 10. That all men were knaves or fools, and much the greater number a composition of both.
- 11. That a good name, like money, must be parted with, or at least greatly risked, in order to bring the owner any advantage.
- 12. That virtues, like precious stones, were easily counterfeited; that the counterfeits in both cases adorned the wearer equally, and that very few had knowledge or discernment sufficient to distinguish the counterfeit jewel from the real.
- 13. That many men were undone by not going deep enough in roguery; as in gaming any man may be a loser who doth not play the whole game.
- 14. That men proclaim their own virtues, as shopkeepers expose their goods, in order to profit by them.
- 15. That the heart was the proper seat of hatred, and the countenance of affection and friendship.
- He had many more of the same kind all equally good with these, and which were after his decease, found in his study, as the twelve excellent and celebrated rules were in that of king Charles the first; for he never promulgated them in his lifetime, not having them constantly in his mouth, as

some grave persons have the rules of virtue and morality, without paying the least regard to them in their actions: whereas our hero, by a constant and steady adherence to his rules in conforming every thing he did to them, acquired at length a settled habit of walking by them, till at last he was in no danger of inadvertently going out of the way; and by these means he arrived at that degree of greatness, which few have equalled; none, we may say, have exceeded: For, though it must be allowed that there have been some few heroes, who have done greater mischiefs to mankind, such as those who have betrayed the liberty of their country to others, or have undermined and overpowered it themselves; or conquerors who have impoverished, pillaged, sacked, burnt, and destroyed the countries and cities of their fellowcreatures, from no other provocation than that of glory; i. e. as the tragic poet calls it,

a privilege to kill,

A strong temptation to do bravely ill; yet if we consider it in the light wherein actions

are placed in this line,

Lætius est, quoties magno tili constat honestum, when we see our hero without the least assistance or pretence, setting himself at the head of a gang, which he had not any shadow of right to govern; if we view him maintaining absolute power, and exercising tyranny over a lawless crew, contray to all law, but that of his own will; if we consider him setting up an open trade publicly, in defiance, not only of the laws of his country, but of the common sense of his countrymen; if we see him first contriving the robbery of others, and again the defrauding the very robbers of that booty, which they had ventured their necks to acquire, and which, without any hazard, they might have

retained: Here sure he must appear admirable, and we may challenge not only the truth of history, but almost the latitude of fiction to equal his glory.

Nor had he any of those flaws in his character, which, though they have been commended by weak writers, have (as I hinted in the beginning of this history) by the judicious reader been censured and despised. Such was the clemency of Alexander and Cæsar, which nature hath as grossly erred in giving them, as a painter would, who should dress a peasant in robes of state, or give the nose, or any other feature of a Venus, to a satyr. What had the destroyers of mankind, that glorious pair, one of whom came into the world to usurp the dominion, and abolish the constitution of his own country; the other to conquer, enslave, and rule over the whole world, at least as much as was well known to him, and the shortness of his life would give him leave to visit; what had, I say, such as these to do with clemency? Who cannot see the absurdity and contradiction of mixing such an ingredient with those noble and great qualities I have before mentioned. Now in Wild, every thing was truly great, almost without alloy, as his imperfections (for surely some small ones he had) were only such as served to denominate him a human creature, of which kind none ever arrived at consummate excellence; but surely his whole behaviour to his friend Heartfree is a convincing proof, that the true iron or steel greatness of his heart was not debased by any softer metal. Indeed, while greatness consists in power, pride, insolence, and doing mischief to mankind;to speak out-while a great man and a great rogue are synonymous terms, so long shall Wild stand unrivalled on the pinnacle of GREATNESS. Normust we omit here, as the finishing of his character, what indeed ought to be remembered on his tomb or his statue, the conformity above mentioned of his death to his life; and that Jonathan Wild the Great, after all his mighty exploits, was, what so few GREAT men can accomplish—hanged by the neck till he was dead.

Having thus brought our hero to his conclusion, it may be satisfactory to some readers (for many, I doubt not, carry their concern no farther than his fate) to know what became of Heartfree. We shall acquaint them, therefore, that his sufferings were now at an end; that the good magistrate easily prevailed for his pardon, nor was contented till he had made him all the reparation he could for his troubles, though the share he had in bringing these upon him, was not only innocent, but, from its motive, laudable. He procured the restoration of the jewels from the man of war, at her return to England, and, above all, omitted no labour to restore Heartfree to his reputation, and to persuade his neighbours, acquaintance, and customers of his innocence. When the commission of bankruptcy was satisfied, Heartfree had a considerable sum remaining; for the diamond presented to his wife, was of prodigious value, and infinitely recompensed the loss of those jewels, which Miss Straddle had disposed of. He now set up again in his trade; compassion for his unmerited misfortunes brought him many customers among those who had any regard to humanity; and he hath, by industry joined with parsimony, amassed a considerable fortune. His wife and he are now grown old in the purest love and friendship; but never had another child. Friendly married his elder daughter at the age of nineteen, and became his partner in trade. As to the younger, she never would listen to the addresses of any

lover, not even of a young nobleman, who offered to take her with two thousand pounds, which her father would have willingly produced, and indeed did his utmost to persuade her to the match: But she refused absolutely, nor would give any other reason when Heartfree pressed her, than that she had dedicated her days to his service, and was resolved no other duty should interfere with that which she owed the best of fathers, nor prevent her from being the nurse of his old age.

Thus Heartfree, his wife, his two daughters, his son-in-law, and his grand-children, of which he hath several, live all together in one house; and that with such amity and affection towards each other, that they are in the neighbourhood called

the family of love.

As to all the other persons mentioned in this history, in the light of greatness, they had all the fate adapted to it, being every one hanged by the neck, save two, viz. Miss Theodosia Snap, who was transported to America, where she was pretty well married, reformed, and made a good wife; and the Count, who recovered of the wound he had received from the hermit, and made his escape into France, where he committed a robbery, was taken, and broke on the wheel.

Indeed, whoever considers the common fate of great men must allow, they well deserve, and hardly earn that applause which is given them by the world; for, when we reflect on the labours and pains, the cares, disquietudes, and dangers which attend their road to greatness, we may say with the divine, that a man may go to heaven with half the pains which it costs him to purchase hell. To say the truth, the world have this reason at least to honour such characters as that of Wild;

that while it is in the power of every man to be perfectly honest, not one in a thousand is capable of being a complete rogue; and few indeed there are, who if they were inspired with the vanity of imitating our hero, would not after much fruitless pains be obliged to own themselves inferior to Mr. Jonathan Wild the great.

## A CHARGE

DELIVERED TO THE

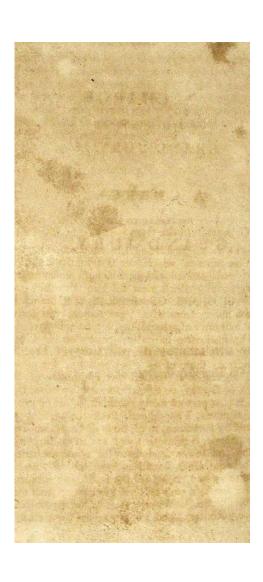
# GRAND JURY,

AT THE

## SESSIONS OF THE PEACE

HELD FOR THE

CITY AND LIBERTY OF WESTMINSTER, &c. On Thursday the 29th of June, 1749.



### A CHARGE

DELIVERED TO THE

GRAND JURY, &c.

### Gentlemen of the Grand Jury,

THERE is no part in all the excellent frame of our constitution which an Englishman can, I think, contemplate with such delight and admiration; nothing which must fill him with such gratitude to our earliest ancestors, as that branch of British liberty from which, gentlemen, you derive your authority of assembling here on this day.

The institution of juries, gentlemen, is a privilege which distinguishes the liberty of Englishmen from those of all other nations; for as we find no traces of this in the antiquities of the Jews, or Greeks, or Romans, so it is an advantage which is at present solely confined to this country; not so much, I apprehend, from the reasons assigned by Fortescue, in his book de Laudibus, cap. 29, namely, 'because there are more husband- men and fewer freeholders in other countries,' as because other countries have less of freedom than this; and, being for the most part subjected to the absolute wills of their governors, hold their lives, liberties, and properties, at the discretion of those governors, and not under the protection of

certain laws. In such countries it would be absurd to look for any share of power in the hands of the

people.

And, if juries in general be so very signal a blessing to this nation, as Fortescue, in the book I have just cited, thinks it; 'A method,' says he, ' much more available and effectual for the trial of truth than is the form of any other laws of the world, as it is farther from the danger of cor-'ruption and subordination;' what, gentlemen, shall we say of the institution of grand juries, by which an Englishman, so far from being convicted, cannot be even tried, nor even put on his trial in any capital case, at the suit of the crown; unless, perhaps, in one or two very special instances, till twelve men, at the least, have said on their oaths that there is a probable cause for his accusation! Surely we may, in a kind of rapture, cry out with Fortescue, speaking of the second jury, 'Who then can unjustly die in England for any criminal offence, seeing he may have so many helps for the favour of his life, and that none may condemn ' him but his neighbours, good and lawful men, 'against whom he hath no manner of exception?'

To trace the original of this great and singular privilege, or to say when and how It began, is not an easy task; so obscure indeed are the footsteps of it through the first ages of our history, that my lord Hale, and even my lord Coke, seem to have declined it. Nay, this latter, in his account of his second or petty jury is very succinet; and contents himself with saying, Co. Lit. 155. L. that it

is very ancient, and before the Conquest.

Spelman, in his Life of Alfred, lib. ii. page 71, will have that prince to have been the first founder of juries, but in truth they are much older; and very probably had some existence even among the

Britons. The Normans likewise had antiently the benefit of juries, as appears in the Custumier de Normandy; and something like grand juries too we find in that book under the title Suit de Murdyt.

Bracton, who wrote in the reign of Henry the Third, in his book de Corona, cap. 1. gives a plain account of this matter; and by him it appears, that the grand juties before the justices in eyre differed very little at that time from what they now are, before justices assigned to keep the peace, over, and terminer, and gaol-delivery, unless in the manner of choosing them, and unless in one other respect; there being then a grand jury sworn for every hundred; whereas, at present, one serves for the whole county, liberty, &c.

But before this time our ancestors were sensible of the great importance of this privilege, and extremely jealous of it, as appears by the twenty-ninth chapter of the great charter, granted by king John, and confirmed by Henry the Third. For thus my lord Coke, 2 Instit. 46. expounds that chapter. Nullus liter homo capiatur, &c. 'No man shall be taken, that is,' says he 're- 'strained of liberty, by petition or suggestion to 'the king and his council; unless it be by indict- ment or presentment of good and lawful men,

' where such deeds be done.'

And so just a value have our ancestors always set on this great branch of our liberties, and so jealous have they been of any attempt to diminish it, that when a commission to punish rioters in a summary way was awarded, in the second year of Richard the Second, 'it was,' says Mr. Lambard in his Eirenarcha, fol. 305. 'even in the self-same 'year of the same king, resumed, as a thing over 'hard,' says that writer, 'to be borne, that a 'freeman should be imprisoned without an indict-

ment, or other trial, by his peers, as Magua 'Charta speaketh; until that the experience of greater evils had prepared and made the stomach of the commonwealth able and fit to digest it.'

And a hard morsel surely it must have been. when the commonwealth could not digest it in that turbulent reign, which, of all others, in our history, seems to have afforded the most proper ingredients to make it palatable; in a reign, moreover, when the commonwealth seemed to have been capable of swallowing and digesting almost any thing; when judges were so prostituted as to acknowledge the king to be above the law; and when a parliament, which even Echard censures, and for which Mr. Rapin, with a juster indignation, tells us, he knows no name odious enough, made no scruple to sacrifice to the passions of the king, and his ministers, the lives of the most distinguished lords of the kingdom, as well as the liberties and privileges of the people. Even in that reign, gentlemen, our ancestors could not, as Mr. Lambard remarks, be brought by any necessity of the times to give up, in any single instance,

this their invaluable privilege. Another considerable attempt to deprive the subject of the benefit of grand juries was made in the eleventh year of Henry the Seventh. The pretence of this act of parliament was the wilful concealment of grand jurers in their inquests; and by it 'power was given to the justices of assize in

their sessions, and to the justices of peace in every county, upon information for the king to

hear and determine all offences and contempts

(saving treason, murder, or felony) by any person

against the effect of any statute.'

My lord Coke, in his 4th Institute, fol. 40, sets forth this act at large, not as a law which in his time had any force, but in terrorem; and, as he himself says, that the like should never be at-

tempted in any future parliament.

'This act,' says lord Coke, 'had a fair flattering preamble; but in the execution, tended diame-' trically contrary; viz. to the high displeasure of 'Almighty God, and to the great let, nay, the 'utter subversion of the common law; namely, by depriving the subject of that great privilege of ' being indicted and tried by a jury of their counftrymen.'

By pretext of this law, says the great writer I have just cited, Epsom and Dudley did commit upon the subject insufferable pressures and oppressions. And we read in history, that soon after the act took place, Sir William Capel, alderman of London, who was made the first object of its tyranny, was fined two thousand seven hundred pounds, sixteen hundred of which he actually paid to the king, by way of composition. A vast sum, in those days, to be imposed for a crime so minute that scarce any notice is taken of it in history.

Our ancestors, however, bore not long this invasion on their liberties; for in the very first year of king Henry VIII. this flagitious act was repealed, and the advisers of all the extortions committed by it were deservedly sacrificed to the pub-

lic resentment.

Gentlemen, I shall mention but two more attacks on this most valuable of all our liberties; the first of which was indeed the greatest of all, I mean that cursed court of Star-Chamber, which was erected under the same king.

I shall not before you, gentlemen, enter into a contest with my lord Coke whether this court had a much older existence, or whether it first began under the statute of 3 Henry VII. For my part,

I clearly think the latter.

I. Because the statute which erects it, mentions no such court as then existing, and most manifestly speaks the language of creation, not of confirmation.

II. Because it was expressly so understood by the judges, within five years after the statute was made, as appears by the year-book of 8 Henry

VII. Pasch. fol. 13. Plac. 7.

Lastly, Because all our historians and law writers before that time are silent concerning any such court; for as to the records and acts of parliament cited by my lord Coke, they are most evidently to be applied only to the king and council, to whom, in old time, complaints were, in very extraordinary

cases, preferred.

This old court, my lord Coke himself confesses, sat very rarely; so rarely indeed, that there are no traces left of its proceedings, at least of any such as were afterwards had under the authority of the statute. Had this court had an original existence in the constitution, I do not see why the great lawyer is so severe against the before-mentioned act of the eleventh of Henry VII. or how he can, with any propriety, call the liberty of being accused and tried only by juries the birthright of an English subject.

The other instance was that of the High Commission court, instituted by parliament in the first

year of queen Elizabeth.

This act likewise pretends to refer to an authority in being. The title of it is, 'An Act restoring to the Crown the ancient jurisdiction,' &c. By which, saith lord Coke, 4 Inst. 325. the nature of the act doth appear, viz. that it is an act of restoration.

And hence the court of Common Pleas, in the reign of James I. well argued, that the act being meant to restore to the crown the ancient ecclesiastical jurisdiction, the commissioners could derive no other power from it than before belonged to that ecclesiastical jurisdiction.

But however necessary, as my lord Coke says, 4 Inst. 326, this act might have been at its first creation, or however the intention of the legislature might have been to restrain it, either as to time or persons, certain it is, that the commissioners extended its jurisdiction in many cases, to the great grievance of the subject, and to the depriving them of that privilege which I have just mentioned to be the birthright of an Englishman.

The uses made of these courts, and particularly under that unhappy prince, Charles I. need not be mentioned. They are but too well known. Let it suffice, that the spirit of our ancestors at last prevailed over these invasions of their liberties.

and these courts were for ever abolished.

And, gentlemen, if we have just reason to admire the great bravery and steadiness of those our ancestors, in defeating all the attempts of tyranny against this excellent branch of our constitution, we shall have no less reason, I apprehend, to extol that great wisdom which they have from time to time demonstrated, in well ordering and regulating their juries; so as to preserve them as clear as possible from all danger of corruption. In this light, gentlemen, we ought to consider the several laws by which the morals, the character, the substance, and good demeanor of jurors are regulated. These jurors, gentlemen, must be good and lawful men, of reputation and substance in their country, chosen at the nomination of neither party, absolutely disinterested and indifferent in the cause which they are to try. Upon the whole, the excellence of our constitution, and the great wisdom of our laws, which Fortescue, my lord Coke, and many other great writers, have so highly extolled, is in no one instance so truly admirable as in this institution of our juries.

I hope, gentlemen, I shall not be thought impertinent in having taken up so much of your time to shew you the great dignity and importance of that office which you are now assembled here to execute; the duties of which it is incumbent on me concisely to open to you; and this I shall endea-

your in the best manner I am able.

The duty, gentlemen, of a grand juror, is to inquire of all crimes and misdemeanors whatsoever, which have been committed in the county or liberty for which he serves as a grand juror, and which are anywise cognizable by the court in which he is sworn to inquire.

And this inquiry is in a twofold manner, by way of indictment and by way of presentment.

Which two words Mr. Lambard, fol. 461, thus

explains:

A presentment, says he, I take to be a mere determination of the jurors themselves; and an indictment is the verdict of the jurors, grounded upon the accusation of a third person; so that a presentment is but a declaration of the jurors, without any bill offered before; and an indictment is their finding a bill of accusation to be true.

The usual method of charge hath been to run over the several articles, or heads of crimes, which might possibly become subject to the inquiry of

the grand jury.

This we find in Bracton, who writ so long ago as the reign of Henry III. was the practice of the justices in Eyre, I. iii. c. 1. And my lord Coke

says, 4 Inst. 183, that the charge to be given at the sessions of the peace, consisteth of two parts; laws ecclesiastical for the peace of the church, and laws civil and temporal for the peace of the land. And Mr. Lambard, in his Eirenarcha, gives the whole form of the charge at length, in which he recapitulates every article which was at that time

inquirable in the sessons.

But, gentlemen, I think I may be excused at present from taking up so much of your time; for though we are assembled to exercise the jurisdiction of a very ancient and honourable liberty, yet, as there is another sessions of justices within that county of which this liberty is a part, before whom indictments for all crimes of the deeper dye are usually preferred, it seems rather to savour of ostentation than utility, to run over those articles which in great probability will not come before you.

And indeed a perfect knowledge of the law in these matters is not necessary to a grand juror; for in all cases of indictments, whether for a greater or lesser, a public or private crime, the business of a grand jury is only to attend to the evidence for the king; and if on that evidence there shall appear a probable cause for the accusation, they are to find the bill true, without listening to any circumstances of defence, or to any matter of law.

And therefore my lord Hale, vol. II. fol. 158, puts this case: If A. be killed by B. so that the person of the slayer and slain be certain; and a bill of murder be presented to the grand jury regularly, they ought to find the bill for murder, and not for manslaughter, or se defendendo; because otherwise offences may be smothered without due trial; and when the party comes on his trial, the whole fact will be examined before the

court and the petty jury: for if a man kills B. in his own defence, or per infortunium, or possibly 'in executing the process of law upon an assault ' made upon him, or in his own defence on the highway, or in defence of his house against those that come to rob him (in which three last cases it is neither felony nor forfeiture, but, upon not guilty pleaded, he ought to be acquitted); yet ' if the grand inquest find an ignoramus upon the ' bill, or find the special matter, whereby the pri-' soner is dismissed and discharged, he may never-' theless be indicted for murder seven years after;' whereas, if upon a proper finding he had been acquitted he could never afterwards be again arraigned without having the plea of autrefois acquit.

This doctrine of the learned chief justice you will apply to whatever case may come before you; for wherever you shall find probable cause, upon the oaths of the king's witnesses, you will not discharge your office without finding the bill to be true, shewing no regard to the nature of the crime, or the degree of the guilt; which are matters proper for the cognizance and determination of the

court only.

I must not, however, omit, on the authority of the last-mentioned judge, H. P. C. ii. 157, 'that' if, upon the hearing the king's evidence, or upon 'your own knowledge of the incredibility of the witnesses, you shall be dissatisfied, you may 'then return the bill ignoramus.'

It is true my lord Hale confines this to indictments for capital offences; but I see no reason why it may not be extended to any indictment what-

ever.

One caution more occurs on this head of indictment; and it is the duty of secrecy. To have revealed the king's counsel disclosed to the grand jurors was formerly taken to be felony: nay, justice Shard, in the 27th year of the book of assizes, Placit. 63, doubted whether it was not treason; and though at this day the law be not so severe, yet is this still a very great misdemeanour, and fineable as such, and is moreover a manifest breach of your oath.

I come now, gentlemen, to the second branch of your duty, namely, that of presenting all offences

which shall come to your knowledge.

And this is much more painful, and of greater difficulty than the former; for here you are obliged without any direct accusation, to inform yourselves as well as is possible of the truth of the fact, and in some measure likewise to be conusant of those laws which subject offences to your presentment.

Upon this head, therefore, I shall beg leave to remind you of those articles which seem to be most worthy of your inquiry at this time; for indeed it would be useless and tedious to enumerate the whole catalogue of misdemeanours that are to be found in our statutes; many of which, though still in force, are, by the changes of times and fashions, become antiquated, and of little use. Cessante ratione legis, cessat et ipsa lex; and there are some accidental and temporary evils which at particular seasons have, like an epidemic distemper, affected society, but have afterwards disappeared, or at least made very faint efforts to corrupt the public morals. The laws made to suppress such, though very wholesome and necessary at the time of their creation, become obsolete with the evil which occasioned them, and which they were intended to cure. But, gentlemen, there are evils of a more durable kind, which rather resemble chronical than

epidemic diseases; and which have so inveterated themselves in the blood of the body politic, that they are perhaps never to be totally eradicated. These it will be always the duty of the magistrate to palliate and keep down as much as possible. And these, gentlemen, are the misdemeanours of which you are to present as many as come to your knowledge.

And first, gentlemen, I will remind you of presenting all offences committed immediately against the Divine Being; for though all crimes do include in them some degree of sin, and may therefore be considered as offences against the Almighty; yet there are some more directly levelled at his honour, and which the temporal laws do punish as such.

And, 1. All blasphemous expressions against any one of the Sacred Persons in the Trinity are severely punishable by the common law; for, as my lord Hale says, in Taylor's case, 1 Vent. 203. 3 Keb. 607. 621. S. C. 'Such kind of wicked blasphe' mous words are not only an offence against God and religion, but a crime against the laws, state, and government; and in that case the defendant for blasphemy, too horrible indeed to be repeated, was sentenced to stand three times in the pillory, to pay a great fine, and to find security for his good behaviour during life.

In like manner, all scandalous and contemptuous words spoken against our holy religion are by the wisdom of the common law made liable to an indictment; for 'Christianity' (says that excellent chief-justice, in the case I have just cited) 'is 'parcel of the laws of England; therefore to re'proach the Christian religion is to speak in sub'version of the law.' And to the same purpose is Atwood's case, in Cro. Jac. 421, where one was indicted before the justices of peace for saying,

that the religion now professed was a new religion within fifty years, &c. For as to the doubt concerning the high commissioners started in that case, and then, as it appears, over-ruled, that is now vanished.

Nor are our statutes silent concerning this dreadful offence; particularly by 1 Eliz. c. 2. sect. 9. a severe punishment is enacted for any person who shall, in any interludes, plays, songs, rhymes, or by other open words, declare or speak any thing in derogation, depraving or despising the Book of Common Prayer, &c.

Mr. Lambard, I find, mentions this act in his charge, though the execution of it be in the counties confined to the justices of Oyer and Terminer, and of assize; but the 22d sect. of the statute seems to give a clear jurisdiction to this court, at two of our

quarter-sessions.

The last offence of this kind which the wicked tongue of man can commit is by profane cursing and swearing. This a sin expressly against the law delivered by God himself to the Jews, and which is as expressly prohibited by our Blessed

Saviour in his sermon on the mount.

Many statutes have been made against this offence; and by the last of these, which was enacted in the nineteenth year of the present king, every day-labourer, common soldier, common sailor, and common seaman, forfeits one shilling; every other person under the degree of a gentleman, two shillings; and every person of or above that degree five shillings.

And in case any person shall after such conviction offend again he forfeits double; and for every

offence after a second conviction treble.

Though the execution of this act be entrusted to one single magistrate, and no jurisdiction, unless by

appeal, given to the sessions; yet I could not forbear mentioning it here, when I am speaking in the presence of many peace-officers, who are to forfeit forty shillings for neglecting to put the act in execution. And I mention it the rather to inform them, that whenever the offender is unknown to any constable, petty constable, tithingman, or other peace officer, such constable, &c. is empowered by the act, without any warrant, to seize and detain any such person, and forthwith to carry him before the next magistrate.

And if these officers would faithfully discharge the duty thus enjoined them, and which religion, as well as the law, requires of them, our streets would soon cease to resound with this detestable crime, so injurious to the honour of God, so directly repugnant to his positive commands, so highly offensive to the ears of all good men, and so very scandalous to the nation in the ears of

foreigners.

Having dispatched those misdemeanours (the principal ones at least) which are immediately committed against God, I come now to speak of those which are committed against the person of the king, which person the law wisely holds to be sacred.

Besides those heinous offences against this sacred person which are punished *ultimo supplicio*, there are many articles, some of which involve the criminal in the guilt of præmunire, and others are considered in law as misprisions or contempts. The former of these is by Mr. Serjeant Hawkins, in his Pleas of the Crown divided into two general heads:

viz.

Into offences against the crown.

And offences against the authority of the king and parliament.

Under the former head he enumerates nine several articles; but as these chiefly relate to such invasions of the royal prerogative as were either made in Popish ages in favour of the Bishops of Rome, or in those times which bordered on the reformation in favour of the Church of Rome, and are not practised, at least not openly practised, in these days, I shall have no need to repeat them here.

Under the latter head he mentions only one, which was enacted in the reign of queen Anne, 6 Ann. c. 7. If any person shall maliciously and directly, by preaching, teaching, or advised speaking, declare, maintain, and affirm, that the pretended prince of Wales hath any right or title to the crown of these realms, or that any other person or persons hath or have any right or title to the same, otherwise than according to the acts of settlement; or that the kings or queens of this realm, with the authority of parliament, are not able to make laws to limit the crown and the descent, &c. thereof, shall incur a præmunire.

A most wholesome and necessary law. And yet so mild hath been our government, that I remember no one instance of putting it in execu-

tion

Misprisions or contempts are against the king's prerogative, against his title, or against his sacred

person or government.

Under these heads will fall any act of public and avowed disobedience; any denying his most just and lawful title to the crown; any overt act which directly tends to encourage or promote rebellion or sedition; all false rumours against his majesty, or his councils; all contemptuous language concerning his sacred person, by cursing, reviling him, &c. or by uttering any thing which manifests an

intention of lessening that esteem, awe, and reverence, which subjects ought to bear to the best of

princes.

These are offences, gentlemen, which I must earnestly recommend to your inquiry. This, gentlemen, is your duty as grand jurors: and it must be a most pleasing task to you as you are Englishmen; for in proportion as you love and esteem your liberties you will be fired with love and reverence toward a prince under whose administration you enjoy them in the fullest and amplest manner.

Believe me, gentlemen, notwithstanding all which the malice of the disappointed, the madness of republicans, or the folly of Jacobites, may insinuate, there is but one method to maintain the liberties of this country, and that is, to maintain the crown on the heads of that family which now

happily enjoys it.

If ever subjects had reason to admire the justice of that sentiment of the poet Claudian. 'That li'berty never flourishes so happily as under a good 'king,' we have reason at present for that ad-

miration ...

I am afraid, gentlemen, this word liberty, though so much talked of, is but little understood. What other idea can we have of liberty than that it is the enjoyment of our lives, our persons, and our properties in security; to be free masters of ourselves and our possessions, as far as the known laws of our country will admit; to be liable to no punishment, no confinement, no loss, but what those laws subject us to! Is there any man ignorant enough to deny that this is the description of a free people? or base enough to accuse me of pancegeric, when I say this is our present happy condition?

But if the blessing of liberty, like that of health,

be not to be perceived by those who enjoy it, or at least must be illustrated by its opposite, let us compare our own condition with that of other countries; of those whose polity some among us pretend so much to admire, and whose government they seem so ardently to affect. Lettres de Cachet, Bastiles, and Inquisitions, may, perhaps, give us a livelier sense of a just and mild administration, than any

of the blessings we enjoy under it.

Again, gentlemen, let us compare the present times with the past. And here I need not resort back to those distant ages when our unhappy fore-tathers petitioned their conquevor, 't at he would not make them so miserable, nor be so severe to them, as to judge them by a law they understood not.' These are the very words, as we find them preserved in Daniel; in return to which the historian informs us, nothing was obtained but fair promises. I shall not dwell here on the tyranny of his immediate successor, of whom the same historian records, that 'seeking to establish absolute power by force, he made both himself and his people miserable.'

I need not, gentlemen, here remind you of the oppressions under whichour ancestors have groaned in many other reigns, to shake off which the sword of civil war was first drawn in the reign of king John, which was not entirely sheathed during

many successive generations.

I might, perhaps, have a fairer title to your patience in laying open the tyrannical proceedings of latter times, while the crown was possessed by four successive princes of the House of Stuart. But this, gentlemen, would be to trespass on your patience indeed; for to mention all their acts of absolute power, all their attempts to subvert the li-

berties of this nation, would be to relate to you the

history of their reigns.

In a word, gentlemen, all the struggles which our ancestors have so bravely maintained with ambitious princes, and particularly with the last mentioned family, was to maintain and preserve to themselves and their posterity, that very liberty which we now enjoy, under a prince to whom I may truly apply what the philosopher long ago said of virtue, That all who truly know him, must love him.

The third general head of misdemeanors, gentlemen, is of those which are committed against the subject; and these may be divided into two branches.

Into such as are committed against individuals

only:

And into such as affect the public in general. The former of these will probably come before you by way of indictment; for men are apt enough to revenge their own quarrels; but offences in commune nocumentum do not so certainly find an avenger; and thus those crimes, which it is the duty of every man to punish, do often escape with impunity.

Of these gentlemen, it may be therefore proper to awaken your inquiry, and particularly of such as do in a more especial manner infest the public at

this time.

The first of this kind is the offence of profligate lewdness; a crime of a very pernicious nature to society, as it tends to corrupt the morals of our youth, and is expressly prohibited by the law of God, under the denunciation of the severest judgment, in the New Testament. Nay, we read in the 25th chapter of Numbers the exceeding wrath of God against the children of Israel for their for-

nication with the daughters of Moab. Nor did the plague, which on that occasion was sent among them, and which destroyed four and twenty thousand, cease, till Phineas, the son of Eleazer, and grandson of Aaron, had slain the Israelite together with his harlot.

And this, gentlemen, though a spiritual offence, and of a very high nature too, as appears from what I have mentioned, is likewise a temporal crime, and, as Mr. Lambard (122) says, against

the peace.

My lord Coke, in his third Institute, 206, tells us, that, in ancient times, adultery and fornication were punished by fine and imprisonment, and were inquirable in turns and leets. And in the year-book of Hen. VII. 1 H. vii. fol. 6. plac. 3. we find the custom of London pleaded for a constable to seize a woman taken in the act of adultery, and to carry her to prison.

And though later times have given up this matter in general to ecclesiastical jurisdiction, yet there are two species which remain at this day cognizable

by the common law.

The first is, any open act of lewdnesss and indecency in public, to the scandal of good manners.

And therefore, in Michaelmas term, 15 Car. II. B. R. sir Charles Sidley was indicted for having exposed himself naked in a balcony in Covent Garden, to a great multitude of people, with many indecent words and actions; and this was laid to be contrary to the king's peace, and to the great scandal of Christianity. He sonfessed the indictment; and Siderfin, 1 Sid. 168, who reports the case, tells us, that the court, in consideration of his embarrassed fortune, fined him only two thousand marks, with a short imprisonment, and to be bound three years to his good behaviour. An in-

famous punishment for a gentleman, but far less infamous than the offence. If any facts of this nature shall come to your knowledge, you will, I make no doubt, present them, without any respect to persons. Sex or quality may render the crime more atrocious, and the example more pernicious; but can give no sauction to such infamous offences, nor will, I hope, ever give impunity.

The second species which falls under this head, is the crime of keeping a brothel or bawdy-house. This is a kind of common nuisance, and is punish-

able by the common law.

It is true, that certain houses of this kind, under the name of public stews, have been sometimes tolerated in Christian countries, to the great scandal of our religion, and in direct contradiction to its positive precepts; but in the thirty-seventh year of Henry the Eighth, they were all suppressed by proclamation. And those infamous women who inhabited them were not, says lord Coke, either buried in Christian burial when they were dead, nor permitted to receive the rites of the church while they lived.

And, gentlemen, notwithstanding the favour which the law in many cases extends to married women, yet in this case the wife is equally indictable, and may be found guilty with her husband.

Nor is it necessary that the person be master of mistress of the whole house; for if he or she have only a single room, and will therewith accommodate lewd people to perpetrate acts of uncleanness, they may be indicted for keeping a bawdy-house. And this was the resolution of the whole court, in the Queen and Peirson. Salk, 332.

Nor is the guilt confined to those who keep such houses; those who frequent them are no less liable to the censure of the law. Accordingly we find

in the select cases printed at the end of lord Ch. J. Popham's reports, that a man was indicted in the beginning of the reign of Charles the First, at the sessions of the peace for the town of Northampton, for frequenting a suspected bawdy-house. And the indictment being removed into the King's Bench, several objections were taken to it, which were all over-ruled, judgment was given upon it, and the defendant fined.

If you shall know, therefore, gentlemen, of any such crimes, it will be your duty to present them

to the court.

For however lightly this offence may be thought or spoken of by idle and dissolute persons, it is a matter of serious and weighty consideration. It is the cause, says my lord Coke, of many mischiefs, the fairest end whereof is beggary; and tends directly to the overthrow of men's bodies, to the wasting of their livelihood, and to the endangering of their

souls.

To eradicate this vice out of society, however it may be the wish of sober and good men, is, perhaps, an impossible attempt; but to check its progress, and to suppress the open and more profligate practice of it, is within the power of the magistrate, and it is his duty. And this is more immediately incumbent upon us, in an age when brothels are become in a manner the seminaries of education, and that especially of those youths, whose birth makes their right institution of the utmost consequence to the future well-being of the public; for whatever may be the education of these youths, however vitiated and enervated their minds and bodies may be with vices and diseases, they are born to be the governors of our posterity. If, therefore, through the egregious folly of their parents, this town is to be the school of such youths, it behoves us, gentlemen, to take as much care as pos-

sible to correct the morals of that school.

And, gentlemen, there are other houses, rather less scandalous, perhaps, but equally dangerous to the society: in which houses the manners of youth are greatly tainted and corrupted. These are those places of public rendezvous, where idle persons of both sexes meet in a very disorderly manner, often at improper hours, and sometimes in disguised habits. These houses which pretend to be the scenes of innocent diversion and amusement, are, in reality, the temples of iniquity. Such meetings are contra bonos mores; they are considered in law in the nature of a nuisance; and, as such, the keepers and maintainers of them may be presented

and punished.

There is great difference, gentlemen, between a morose and over sanctified spirit which excludes all kind of diversion, and a profligate disposition which hurries us into the most vicious excesses of this kind. 'The common law,' says Mr. Pulton in his excellent treatise de Pace, fol. 25. b. 'allows many ' recreations, which be not with intent to break or disturb the peace, or to offer violence, force, or ' hurt to the person of any; but either to try ac-' tivity, or to increase society, amity, and neigh-'bourly friendship.' He there enumerates many sorts of innocent diversions of the rural kind, and which for the most part belong to the lower sort of people. For the upper part of mankind, and in this town, there are many lawful amusements, abundantly sufficient for the recreation of any temperate and sober mind. But, gentlemen, so immoderate are the desires of many, so hungry is their appetite for pleasure that they may be said to have a fury after it; and diversion is no longer the recreation or amusement, but the whole business

of their lives. They are not content with three theatres, they must have a fourth; where the exhibitions are not only contrary to law, but contrary to good manners, and where the stage is reduced back again to that degree of licentiousness which was too enormous for the corrupt state of Athens to tolerate; and which, as the Roman poet, rather, I think, in the spirit of a censor than a satirist, tells us, those Athenians, who were not themselves abused, took care to abolish, from their concern for the public.

Gentlemen, our newspapers, from the top of the page to the bottom, the corners of our streets up to the very eves of our houses, present us with nothing but a view of masquerades, balls, and assemblies of various kinds, fairs, wells, gardens, &c. tending to promote idleness, extravagance, and im-

morality, among all sorts of people.

This fury after licentious and luxurious pleasures is grown to so enormous a height, that it may be called the characteristic of the present age. And it is an evil, gentlemen, of which it is neither easy nor pleasant to foresee all the consequences. Many of them, however, are obvious; and these are so dreadful, that they will, I doubt not, induce you to use your best endeavours to check the farther increase of this growing mischief; for the rod of the law, gentlemen, must restrain those within the bounds of decency and sobriety, who are deaf to the voice of reason, and superior to the fear of shame.

Gentlemen, there are another sort of these temples of iniquity, and these are gaming-houses. This vice, gentlemen, is inseparable from a luxurious and idle age; for while luxury produces want, idleness forbids honest labour to supply it. All such houses are nuisances in the eye of the common

law; and severe punishments, as well on these who keep them, as on those who frequent and play at them, are inflicted by many statutes. Of these houses, gentlemen, you will, I doubt not, inquire with great diligence; for though possibly there may be some offenders out of your reach, yet if those within it be well and strictly prosecuted, it may, perhaps, in time, have some effect on the others. Example in this case may, contrary to its general course, move upwards; and men may become ashamed of offending against those laws with impunity, by which they see their inferiors brought to punishment. But if this effect should not be produced, yet, gentlemen, there is no reason why you should not exert your duty as far as you are able, because you cannot extend it as far as you desire. And to say the truth, to prevent gaming among the lower sort of people, is principally the business of society; and for this plain reason, because they are the most useful members of the society; which, by such means, will lose the benefit of their labour. As for the rich and great, the consequence is generally no other than the exchange of property from the hands of a fool into those of a sharper, who is, perhaps, the more worthy of the two to enjoy it.

I will mention only one article more, and that of a very high nature indeed. It is, gentlemen, the offence of libelling, which is punished by the common law, as it tends immediately to quarrels and breaches of the peace, and very often to blood-

shed and murder itself.

The punishment of this offence, saith my lord Coke, is fine or imprisonment; and if the case be exorbitant, by pillory and loss of ears.

And, gentlemen, even the last of these judgments will appear extremely mild, if we consider, in the first place, the atrocious temper of mind

from which this proceeds.

Mr. Pulton, in the beginning of his treatise de Pace, says of a libeller, 'that he is a secret canker, 'which concealeth his name, hideth himself in a 'corner, and privily stingeth his neighbour in his 'fame, reputation, and credit; who neither knows 'from whom, nor from what cause he receiveth 'his blows, nor hath any means to defend himself: 'And my lord Coke, in his 5th Report (125), compares him to a prisoner, who is the meanest, the vilest, and most dangerous of all murderers. Nor can I help repeating to you a most beautiful passage in the great orator Demosthenes, who compares this wretch to a viper, which men ought to crush wherever they find him, without staying till he bite them.

In the second place, if we consider the injury done by these libellers, it must raise the indignation of every honest and good man; for what is this but, as Mr. Pulton says, 'a note of infamy, 'intended to defame the person at whom it is 'levelled, to tread his honour and estimation in 'the dust, to extirpate and root out his reputation from the face of the earth, to make him a scorn 'to his enemies, and to be derided and despised

by his neighbours?'

If praise, and honour, and reputation, be so highly esteemed by the greatest and best of men, that they are often the only rewards which they propose to themselves from the noblest actions: if there be nothing too difficult, too dangerous, or too disagreeable for men to encounter, in order to acquire and preserve these rewards; what a degree of wickedness and barbarity must it be, unjustly and wantonly to strip men of that on which they place so high a value.

Nor is reputation to be considered as a chime-

rical good, or as merely the food of vanity and ambition. Our worldly interests are closely connected with our fame; by losing this, we are deprived of the chief comforts of society, particularly of that which is most dear to us, the friendship and love of all good and virtuous men. Nay, the common law indulged so great a privilege to men of good reputation in their neighbourhood, that in many actions the defendant's word was taken in his own cause, if he could bring a certain number of his neighbours to vouch that they believed him.

On the contrary, whoever robs us of our good name, doth not only expose us to public contempt and avoidance, but even to punishment; for by the statute 34 Edw. III. c. 1. the justices of the peace are empowered and directed to bind all such as be not of good fame to their good behaviour, and, if they cannot find sufficient sureties, they may be committed to prison.

Seeing, therefore, the execrable mischiefs perpetrated by this secret canker, this viper, this poisoner in society, we shall not wonder to hear him so severely condemned in Scripture; nor that Aristotle in his politics should mention slander as one of those great evils which it is difficult for a legislator to guard against; that the Athenians punished it with a very severe and heavy fine, and the Romans with death.

But though the libeller of private persons be so detestable a vermin, yet is the offence still capable of aggravation, when the poison is scattered upon public persons and magistrates. All such reflections are, as my lord Coke observes, a scandal on the government itself; and such scandal tends not only to the breach of the peace, but to raise seditions and insurrections among the whole body of the people.

And, gentlemen, the higher and greater the

magistrates be against whom such slanders are propagated, the greater is the danger to the society; and such we find to have been the sense of the legislature in the second year of Richard II. For in the statute of that year, chap. 5. it is said, 'that by such means discords may arise between the lords and commons, whereof great peril and 'mischief might come to all the realm, and quick subversion and destruction of the said realm. And of such consequence was this apprehended to be, that we find no less than four statutes to prohibit and punish it; viz. Westm. 1. c. 33. 2 R. II. c. 5. 12 R. II. 11. and 2 and 3 P. & M. c. 12. By this last statute a jurisdiction was given to the justices of peace to inquire of all such offences; and if it was by book, ballad, letter, or writing, the offender's right hand was to be stricken off for the first offence, and for the second he was to incur a præmunire.

This last statute was afterwards prolonged in the last year of queen Mary, and in the first of Elizabeth, during the life of that princess, and of the

heirs of her body.

I have mentioned these laws to you, gentlemen, to shew you the sense of our ancestors of a crime, which, I believe, they never saw carried to so flagitious a height as it is at present; when, to the shame of the age be it spoken, there are men who make a livelihood of scandal. Most of these are persons of the lowest rank and education, men, who lazily declining the labour to which they were born and bred, save the sweat of their brows at the expence of their consciences; and in order to get a little better livelihood, are content to get it, perhaps, in a less painful, but in a baser way than the meanest mechanic.

Of these, gentlemen, it is your business to inquire; of the devisers, of the writers, of the printers,

and of the publishers of all such libels; and I doheartily recommend this inquiry to your care.

To conclude, gentlemen, you will consider yourselves as now summoned to the execution of an office of the utmost importance to the well-being of this community; nor will you, I am confident, suffer that establishment, so wisely and carefully regulated, and so stoutly and zealously maintained by your wise and brave ancestors, to degenerate into mere form and shadow. Grand juries, gentlemen, are, in reality, the only censors of this nation. As such, the manners of the people are in your hands, and in your's only. You, therefore, are the only correctors of them. If you neglect your duty, the certain consequences to the public are too apparent; for, as in a garden, however well cultivated at first, if the weeder's care be omitte I, the whole must in time be over-run with weeds, and will resemble the wildness and rudeness of a desart; so if those immoralities of the people, which will sprout up in the best constitution, be not from time to time corrected by the hand of justice, they will at length grow up to the most enormous vices, will overspread the whole nation, and, in the end, must produce a downright state of wild and savage barbarism.

To this censorial office, gentlemen, you are called by our excellent constitution. To execute this duty with vigilance, you are obliged by the duty you owe both to God and to your country. You are invested with full power for the purpose. This you have promised to do, under the sacred sanction of an oath; and you are all met, I doubt not, with disposition and resolution to perform it, with that zeal which I have endeavoured to recommend, and which the peculiar licentiousness of

the age so stronly requires.

## AN ENQUIRY

INTO THE CAUSES OF THE LATE

## INCREASE OF ROBBERS, &c.

WITH SOME

#### PROPOSALS

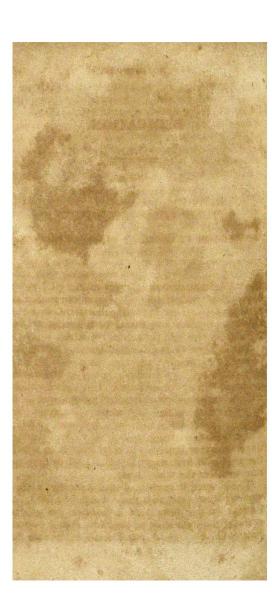
#### FOR REMEDYING THIS GROWING EVIL.

#### IN WHICH

The present reigning Vices are impartially exposed; and the Laws that relate to the Provision for the Poon, and to the Punishment of Felons are largely and freely examined.

Non jam sunt mediocres hominum libidines, non humanæ audaciæ ac tolerandæ. Nihil cogitant nisi cædem, nisi incendia, nisi rapinas.

Crc. in Catil. 2do.



#### DEDICATION.

TO THE RIGHT HONOURABLE

#### PHILIP LORD HARDWICKE,

LORD HIGH CHANCELLOR OF GREAT BRITAIN.

My LORD,

As the reformation of any part of our civil polity requires as much the knowledge of the statesman as of the lawyer, the following sheets are, with the strictest propriety, addressed to a person of the

highest eminence in both these capacities.

The subject of this treatise cannot be thought unworthy of such a protection, because it touches only those evils which have arisen in the lower branches of our constitution. This consideration will account for their having hitherto escaped your lordship's notice; and that alone will account for their having so long prevailed; but your lordship will not, for this reason, think it below your regard; since, however ignoble the parts may be in which the disease is first engendered, it will in time be sure to affect the whole body.

The subject, indeed, is of such importance, that we may truly apply to it those words of Cicero, in his first book of laws: Ad Reipublicæ formandas et stabiliendas vires, et ad sanandos Populos omnis Pergit Oratio. How far I have been able to

succeed in the execution, must be submitted to your lordship's candour. I hope I have no immodest opinion of my own abilities; but, in truth, I have much less confidence in my authority. Indeed, the highest authority is necessary to any degree of success in an attempt of this kind. Permit me, therefore, my lord, to fly to the protection of the highest which doth now exist, or which

perhaps ever did exist, in this kingdom.

This great sanction is, I am convinced, always ready to support what really tends to the public utility: if I fail, therefore, of obtaining the honour of it, I shall be fully satisfied that I do not descrive it, and shall sit down contented with the merit of a good intent; for surely there is some praise due to the bare design of doing a service to the public. Nor can my enemies, I think, deny that I am entirely disinterested in my endeavour, unless they should discover the gratification which my ambition finds in the opportunity of this address.

I am, with the most profound respect,

My Lord.

Your Lordship's most obedient, Most devoted humble servant,

HENRY FIELDING.

# PREFACE.

THERE is nothing so much talked of, and so little understood in this country, as the Constitution. It is a word in the mouth of every man; and yet when we come to discourse of the matter, there is no subject on which our ideas are more confused and perplexed. Some, when they speak of the constitution, confine their notions to the law; others to the legislature; others, again, to the governing or executive part; and many there are, who jumble all these together in one idea. One error, however, is common to them all; for all seem to have the conception of something uniform and permanent, as if the constitution of England partook rather of the nature of the soil than of the climate, and was as fixed and constant as the former, not as changing and variable as the latter.

Now, in this word, The Constitution, are included the original and fundamental law of the kingdom, from whence all powers are derived, and by which they are circumscribed; all legislative and executive authority; all those municipal provisions which are commonly called The Laws; and, lastly, the customs, manners, and habits of the people. These, joined together, do, I apprehend, form the political, as the several members of the body, the animal economy, with the humours and habit, compose that which is alled the

natural constitution.

The Greek philosophy will, perhaps, help us to a better idea; for neither will the several constituent parts, nor the contexture of the whole, give an adequate notion of the word. By the Constitution is, indeed, rather meant something which results from the order and disposition of the whole; something resembling that harmony for which the Thetan in Plato's Phædo contends; which he calls ασρατόν τι και ατώματον something invisible and incorporeal. For many of the Greeks imagined the soul to result from the xpaois, or composition of the parts of the body, when these were properly tempered together; as harmony doth from the proper composition of the several parts in a well-tuned musical instrument: In the same manner, from the disposition of the several parts in a state, arises that which we call the Constitution.

In this disposition the laws have so considerable a share, that, as no man can perfectly understand the whole, without knowing the parts of which it is composed, it follows, that, to have a just notion of our constitution, without a competent knowledge of the laws, is impossible. Without this, the reading over our historians, may afford amusement, but will very little instruct us in the true essentials of our constitution. Nor will this knowledge alone serve our purpose. The mere lawyer, however skilful in his profession, who is not versed in the genius, manners, and habits of the people, makes but a wretched politician. Hence the historian, who is ignorant of our law, and the lawyer, who is ignorant of our history, have agreed in that common error, remarked above, of considering our constitution as something fixed and permanent; for the exterior form of government (however the people are changed) still, in a great degree, remains what it was; and the same, notwithstanding all its alterations, may be said of the law.

To explain this a little farther: From the original of the lower house of parliament to this day, the supreme power hath been vested in the king and the two houses of parliament. These two houses have, each at different times, carried very different weights in the balance, and yet the form of government remained still one and the same; so hath it happened to the law; the same courts of justice. the same form of trials, &c. have preserved the notion of identity, though, in real truth, the present governing powers, and the present legal provisions, bear so little resemblance to those of our ancestors in the reign of king John, or indeed in later times, that could any lawyer or statesman of those days be recalled to life, he would make, I believe, a very indifferent figure in Westminsterhall, or in any of the parts there adjacent.

To perceive the alterations in our constitution, doth, in fact, require a pretty just knowledge both of the people and of the laws; for either of these may be greatly changed, without producing any immediate effect on the other. The alterations in the great wheels of state above-mentioned, which are so visible in our historians, are not noticed in our laws, as very few of the great changes in the law have fallen under the eye of our historians.

Many of both kinds have appeared in our constitution; but I shall at present confine myself to one only, as being that which principally relates to the subject of the following treatise.

If the constitution, as I have above asserted, be the result of the disposition of the several parts before-mentioned, it follows, that this disposition can never be altered, without producing a proportional change to the constitution. 'If the soul,' says Simmias in Plato, 'be a harmony resulting from the disposition of the corporeal parts, it follows, that when this disposition is confounded, and the body is torn by diseases or other evils, the soul immediately (whatever be her divinity) must perish.' This will be apparent, if we cast our eyes a moment towards the animal œconomy; and it is no less true in the political.

The customs, manners, and habits of the people, do, as I have said, form one part of the political constitution; if these are altered therefore, this must be changed likewise; and here, as in the natural body, the disorder of any part will, in its

consequence, affect the whole.

One known division of the people in this nation is into the nobility, the gentry, and the commonalty. What alterations have happened among the two former of these, I shall not at present inquire; but that the last, in their customs, manners, and habits, are greatly changed from what they were,

I think to make appear.

If we look into the earliest ages, we shall find the condition of this third part to have been very low and mean. The highest order of this rank, before the conquest, were those tenants in socage, who held their lands by the service of the plough; who, as Lyttleton tells us, 'were to come with their plough for certain days in the year, to 'plough and sow the demesne of the lords;' 'as 'the villains,' saith the same author, 'were to carry and recarry the dung of his lord, spread it upon his land, and to perform such like services.'

This latter was rightly accounted a slavish tenure. The villains were indeed considered in law as a kind of chattel belonging to their masters; for though these had not the power of life and death over them, nor even of maining them with

impunity, yet these villains had not even the capacity of purchasing lands or goods; but the lord on such purchase, might enter into the one, and seize the other for his own use. And as for the land which they held in villenage, though lord Coke says, it was not only held at the will of the lord, but according to the custom of the manor; yet, in ancient times, if the lord ejected them, they were

manifestly without remedy.

And as to the former, though they were accounted freemen, yet were they obliged to swear fealty to their lord; and though Mr. Rapin be mistaken, when he says they could not alienate the land (for before the statute of Magna Charta, chap. 32. they could have given or sold the whole, but without any alteration of the tenure), yet was the estate of these but very mean. 'Though they are called freemen,' says lord Coke, 'yet they 'ploughed, harrowed, reaped, and mowed, &c. for the lord;' and Bracton, Dicuntur Socmanni co quod deputati sunt tantummodo ad culturam.

Besides such as were bound by their tenures to the service of agriculture, the number of freemen below the degree of gentry, and who got their livelihood in the mercantile or mechanical way, was very inconsiderable. As to the servants they were chiefly bound by tenure, and those of the

lower sort differed very little from slaves.

That this estate of the commonalty is greatly changed, is apparent; and to this alteration many

causes in subsequent ages have contributed,

First, the oath of fealty, or fidelity, which of old time was administered with great ceremony, became afterwards to be omitted; and though this fealty still remained incident to every socage tenure, yet the omission of the form was not without its consequences; for, as lord Coke says, speaking of homage, Prudent antiquity did, for the more solemnity and better memory and observation of that which is to be done, express substances under ceremonies.

2dly, Whereas in the ancient tenures the principal reservation was of personal services from the inferior tenants, the rent being generally trifling, such as hens, capons, roses, spurs, hawks, &c. afterwards the avarice or necessity of the lords incited them to convert these for the most part into money, which tended greatly to weaken the power of the lord, and to raise the freedom and independency of the tenant.

3dly, The dismembering manors by leases for years, as it flowed from the same sources, so it produced the same effects. These were probably very rare before the reign of Edward I. at which time the statute of Gloucester secured the estate

of this tenant.

4thly, The estate of the villain or copyhold seems clearly, as I have said, to have originally been holden only at the will of the lord; but the law was afterwards altered, and in the reign of Edward IV. some of the best judges were of opinion, that if the copyholder was unlawfully ejected by his lord, he should have an action of trespass against him at the common law.

From this time the estate of the copyholder (which, as Britton tells us, was formerly a base tenure) began to grow into repute, and, though still distinguished in some privileges from a freehold, became the possession of many opulent and pow-

erful persons.

By these and such like means the commonalty, by degrees, shook off their vassalage, and became more and more independent on their superiors. Even servants, in process of time, acquired a state of freedom and independency, unknown to this rank in any other nation; and which, as the law now stands, is inconsistent with a servile condition.

But nothing hath wrought such an alteration in this order of people, as the introduction of trade. This hath indeed given a new face to the whole nation, hath in a great measure subverted the former state of affairs, and hath almost totally changed the manners, customs, and habits of the people, more especially of the lower sort. The narrowness of their fortune is changed into wealth; the simplicity of their manners into craft; their frugality into luxury; their humility into pride, and their subjection into equality.

The philosopher, perhaps, will think this a bad exchange, and may be inclined to cry out with the

poet,

\_ Sævior armis

Again,

Prima peregrinos obscæna pecunia mores Intulit, et turpi fregerunt sæcula luxu Divitiæ molles —

But the politician finds many emoluments to compensate all the moral evils introduced by trade, by which the grandeur and power of the nation is cartied to a pitch that it could never otherwise have teached; arts and sciences are improved, and human life is embellished with every ornament, and furnished with every comfort, which it is capable of tasting.

In all these assertions he is right; but surely he forgets himself a little, when he joins the philosopher in lamenting the introduction of luxury as a

casual evil; for as riches are the certain consequence of trade, so is luxury the no less certain consequence of riches; nay, trade and luxury do indeed support each other; and this latter, in its turn, becomes as useful to trade, as trade had been

before to the support of luxury.

To prevent this consequence therefore of a flourishing commerce is totally to change the nature of things, and to seperate the effect from the cause. A matter as impossible in the political body as in the natural. Vices and diseases, with like physical necessity, arise from certain habits in both; and to restrain and palliate the evil consequences, is all that lies within the reach of art. How far it is the business of the politician to interfere in the case of luxury, we have attempted to shew in the following treatise.

Now, to conceive that so great a change as this in the people should produce no change in the constitution, is to discover, I think, as great ignorance as would appear in the physician, who should assert, that the whole state of the blood may be entirely altered from poor to rich, from cool to inflamed, without producing any alteration in the constitution

of the man.

To put this in the clearest light; there appear to me to be four sorts of political power; that of bodily strength, that of the mind, the power of the purse, and the power of the sword. Under the second of these divisions may be ranged all the art of the legislator and politician, all the power of laws and government. These do constitute the civil power; and a state may then be said to be in good order, when all the other powers are subservient to this; when they own its superior excellence and energy, pay it a ready obedience, and all unite in support of its rule.

But so far are these powers from paying such voluntary submission, that they are all extremely apt to rebel, and to assert their own superiority; but none is more rebellious in its nature, or more difficult to be governed, than that of the purse or money. Self-opinion, arrogance, insolence, and impatience of rule, are its almost inseparable companions.

Now if these assertions are true, what an immense accession of this power hath accrued to the commonalty by the increase of trade; for though the other orders have acquired an addition by the same means, yet this is not in the same proportion, as every reader, who will revolve the proposition but a moment in his own

mind, must be satisfied.

And what may we hence conclude? is that civil power which was adapted to the government of this order of people in that state in which they were at the conquest, capable of ruling them in their present situation? hath this civil power kept equal pace with them in the increase of its force, or hath it not rather, by the remissness of the magistrate, lost much of its ancient energy? where is now that power of the sheriff, which could formerly awaken and arm a whole county in an instant; where is that posse comitatus, which attended at his beck? what is become of the constitutions of Alfred, which the reader will find set forth at large in the following treatise? what of the ancient conservators of the peace? have the justices, on whom this whole power devolves, an authority sufficient for the purpose? in some counties, perhaps, you may find an overgrown tyrant, who lords it over his neighbours and tenants with despotic sway, and who is as regardless of the law as he is ignorant of it; but as to the magistrate of a VOL. XII.

CC

kess fortune, and more knowledge, every riotous independent butcher or baker, with two or three thousand pounds in his pocket, laughs at his power,

and every pettyfogger makes him tremble.

It is a common and popular complaint, that the justices of peace have already too much power. Indeed, a very little is too much, if it be abused; but, in truth, this complaint proceeds from a mistake of business for power: The business of the justice is indeed multiplied by a great number of statutes; but I know not of any (the riot act perhaps excepted) which hath at all enlarged his power. And what the force of that act is, and how able the magistrate is, by means of the civil power alone, to execute it in any popular commotion, I have myself experienced. But when a mob of chairmen or servants, or a gang of thieves and sharpers, are almost too big for the civil authority to suppress, what must be the case in a seditious tumult, or general riot of the people?

From what hath been said, I may, I think, conclude, that the constitution of this country is altered

from its ancient state.

2dly, That the power of the commonalty hath received an immense addition; and that the civilpower having not increased, but decreased, in the

same proportion, is not able to govern them.

What may and must be the consequences of this, as well as what remedy can be applied to it, I leave to the consideration of others: I have proceeded far enough already on the subject, to draw sufficient ill-will on myself, from unmeaning or ill-meaning people, who either do not foresee the mischievous tendency of a total relaxation of government, or who have some private wicked purpose to effect from public confusion.

In plain truth, the principal design of this whole

work, is to rouse the CIVIL power from its present lethargic state. A design, which alike opposes those wild notions of liberty that are inconsistent with all government, and those pernicious schemes of government which are destructive of true liberty. However contrary indeed these principles may seem to each other, they have both the same common interest; or, rather, the former are the wretched tools of the latter; for anarchy is almost sure to end in some kind of tyranny.

Dr. Middleton, in his life of Cicero, hath a fine observation to my present purpose, with which I

will conclude this Preface.

'From the railleries of the Romans (says he) ' on the barbarity and misery of our island, one cannot help reflecting on the surprising fate and revolutions of kingdoms; how Rome, once the mistress of the world, the seat of arts, empire, and glory, now lies sunk in sloth, ignorance, and 'poverty; enslaved to the most cruel, as well as to the most contemptible of tyrants, superstition, and religious imposture: while this remote 'country, anciently the jest and contempt of the polite Romans, is become the happy seat of 'liberty, plenty, and letters: flourishing in all the arts and refinements of civil life; yet running, perhaps the same course, which Rome itself had 'run before it; from virtuous industry to wealth; from wealth to luxury; from luxury to an im-' patience of discipline and corruption of morals; 'till, by a total degeneracy and loss of virtue, being grown ripe for destruction, it falls a prey 'at last to some hardy oppressor, and, with the "loss of liberty, losing every thing else that is valuable, sinks gradually again into its original barbarism.

# AN ENQUIRY

INTO THE CAUSES OF THE LATE

# INCREASE OF ROBBERS, &c.

#### INTRODUCTION.

The great increase of robberies within these few years, is an evil which to me appears to deserve some attention; and the rather as it seems (though already become so flagrant) not yet to have arrived to that height of which it is capable, and which it is likely to attain; for diseases in the political, as in the natural body seldom fail going on to their crisis, especially when nourished and encouraged by faults in the constitution. In fact, I make no doubt, but that the streets of this town, and the roads leading to it, will shortly be impassable without the utmost hazard; nor are we threatened with seeing less dangerous gangs of rogues among us, than those which the Italians call the Banditti.

Should this ever happen to be the case, we shall have sufficient reason to lament that remissness by which this evil was suffered to grow to so great a height. All distempers, if I may once more resume the allusion, the sooner they are opposed, admit of the easier and the safer cure. The great difficulty

of extirpating desperate gangs of robbers, when once collected into a body, appears from our own history in termer times. France hath given us a later example in the long reign of Cartouche, and his banditti; and this under an absolute monarchy, which affords much more speedy and efficacious remedies against these political disorders, than can be administered in a free state, whose forms of correction are extremely slow and uncertain, and whose punishments are the mildest and the most void of terror of any other in the known world.

For my own part, I cannot help regarding these depredations in a most serious light; nor can I help wondering that a nation so jealous of her liberties, that from the slightest cause, and often without any cause at all, we are always murmuring at our superiors, should tamely and quietly support the invasion of her properties by a few of the lowest and vilest among us: doth not this situation in reality level us with the most enslaved countries? If I am to be assaulted, and pillaged, and plundered; if I can neither sleep in my own house, nor walk the streets, nor travel in safety; is not my condition almost equally bad whether a licensed or unlicensed rogue, a dragoon or a robber, be the person who assaults and plunders me? The only difference which I can perceive is, that the latter evil appears to be more easy to remove.

If this be, as I clearly think it is, the case, surely there are few matters of more general concern than to put an immediate end to these outrages, which are already become so notorious, and which, as I have observed, seem to threaten us with such a dangerous increase. What indeed may not the public apprehend, when they are informed as an unquestionable fact, that there are at this time a great gang of rogues, whose number falls little

short of a hundred, who are incorporated in one body, have officers and a treasury, and have reduced theft and robbery into a regular system. There are of this society of men who appear in all disguises, and mix in most companies. Nor are they better versed in every art of cheating, thieving, and robbing, than they are armed with every method of evading the law, if they should ever be discovered, and an attempt made to bring them to justice. Here, if they fail in rescuing the prisoner, or (which seldom happens) in bribing or deterring the prosecutor, they have for the last resource some rotten members of the law to forge a defence for them, and a great number of false witnesses ready

to support it.

Having seen the most convincing proofs of all this, I cannot help thinking it high time to put some stop to the farther progress of such impudent and audacious insults, not only on the properties of the subject, but on the national justice, and on the laws themselves. The means of accomplishing this (the best which suggest themselves to me) I shall submit to the public consideration, after having first enquired into the causes of the present growth of this evil, and whence we have great reason to apprehend its farther increase. Some of these, I am too well versed in the affairs of this world to expect to see removed; but there are others, which, without being over sanguine, we may hope to remedy; and thus perhaps one ill consequence, at least, of the more stubborn political diseases may cease.

### SECT. I.

Of too frequent and expensive Diversions among the lower Kind of People.

FIRST then, I think, that the vast torrent of luxury, which of late years hath poured itself into this nation, hath greatly contributed to produce, among many others, the mischief I here complain of. I am not here to satirize the great, among whom luxury is probably rather a moral than a political evil. But vices no more than diseases will stop with them; for bad habits are as infectious by example, as the plague itself by contact. In free countries, at least, it is a branch of liberty claimed by the people to be as wicked and as profligate as their superiors. Thus while the nobleman will emulate the grandeur of a prince, and the gentleman will aspire to the proper state of the nobleman, the tradesman steps from behind his counter into the vacant place of the gentleman. Nor doth the confusion end here; it reaches the very dregs of the people, who aspiring still to a degree beyond that which belongs to them, and not being able by the fruits of honest labour to support the state which they affect, they disdain the wages to which their industry would entitle them; and abandoning themselves to idleness, the more simple and poorspirited betake themselves to a state of starving and beggary, while those of more art and courage become thieves, sharpers, and robbers.

Could luxury be confined to the palaces of the great, the society would not, perhaps, be much affected with it; at least, the mischiefs, which I am now intending to obviate, can never be the consequence. For though, perhaps, there is not

more of real virtue in the higher state, yet the sense of honour is there more general and prevalent. But there is a much stronger reason. The means bear no probable proportion to the end; for the loss of thousands, or of a great estate, is not to be relieved or supplied by any means of common theft or robbery.-With regard to such evils, therefore, the legislature might be justified in leaving the punishment as well as the pernicious consequence, to end in the misery, distress, and sometimes utter ruin of a private family. But when this vice deseends downward to the tradesman, the mechanic, and the labourer, it is certain to engender many political mischiefs, and among the rest it is most evidently the parent of theft and robbery, to which not only the motive of want but of shame conduces; for there is no greater degree of shame than the tradesman generally feels at the first inability to make his regular payments; nor is there any difficulty which he would not undergo to avoid it. Here then the highway promises, and hath, I doubt not, often given relief. Nay, I remember very lately a highwayman who confessed several robberies before me, his motive to which, he assured me (and so it appeared), was to pay a bill that was shortly to become due. In this case, therefore, the public becomes interested, and consequently the legislature is obliged to interpose.

To give a final blow to luxury by any general prohibition, if it would be advisable, is by no means possible. To say the truth, bad habits in the body politic, especially if of any duration, are seldom to be wholly eradicated. Palliatives alone are to be applied; and these two in a free constitution must be of the gentlest kind, and as much as possible adapted to the taste and genius of the people.

The gentlest method which I know, and at the same time perhaps one of the most effectual, of stopping the progress of vice, is by removing the temptation. Now the too great motives to luxury, in the mind of man, are vanity and voluptuousness. The former of these operates but little in this regard with the lower order of people. I do not mean that they have less of this passion than their betters; but the apparent impossibility of gratifying it this way deters them, and diverts at least this passion into another channel; for we find it puts them rather on vying with each other in the reputation of wealth, than in the outward appearance of shew and grandeur. Voluptuousness, or the love of pleasure, is that alone which leads them into luxury. Here then the temptation is with all possible care to be withdrawn from them.

Now what greater temptation can there be to voluptuousness, than a place where every sense and appetite of which it is compounded, are fed and delighted; where the eyes are feasted with show, and the ears with music, and where gluttony and drunkenness are allured by every kind of dainty; nay, where the finest women are exposed to view, and where the meanest person who can dress himself clean, may in some degree mix with his betters, and thus perhaps satisfy his vanity as

well as his love of pleasure?

It may possibly be said that these diversions are cheap: I answer, that is one objection I have to them; was the price as high as that of a ridotto, or an opera, it would, like these diversions, be confined to the higher people only; besides, the cheapnesss is really a delusion. Unthinking men are often deceived into expence, as I once knew an honest gentleman, who carried his wife and two daughters to a masquerade, being told that he could

have four tickets for four guineas; but found afterwards, that in dresses, masques, chairs, &c. the night's entertainment cost him almost twelve. I am convinced that many thousands of honest tradesmen have found their expences exceed their computation in a much greater proportion. And the sum of seven or eight shillings (which is a very moderate allowance for the entertainment of the smallest family) repeated once or twice a week through a summer, will make too large a deduction from the reasonable profits of any low mechanic.

Besides the actual expence in attending these places of pleasure, the loss of time, and neglect of business, are consequences which the inferior tradesman can by no means support. To be born for no other purpose than to consume the fruits of the earth, is the privilege (if it may be really called a privilege) of very few. The greater part of mankind must sweat hard to produce them, or society will no longer answer the purposes for which it was ordained. Six days shalt thou labour, was the positive command of God in his own republic. A severity, however, which the divine wisdom was pleased somewhat to relax; and appointed certain times of rest and recreation for his people. Such were the feast of the unleavened bread, the feast of the weeks and the feast of the tabernacles. On which occasions it is written, Thou shall rejoice before the Lord thy God, thou, and thy son, and thy daughter, and thy servant, and thy maid, and the Levite that is within thy gates, and the stranger, and the fatherless, and the widow \*.

All other nations have imitated this divine institution. It is true, among the Greeks, arising from the nature of their superstition, there were many festivals; yet scarce any of these were universal,

<sup>\*</sup> Exod. chap. xxxiv. Deut. chap. xvi.

and few attended with any other than religious ceremonies\*. The Roman calender is thinner strewed with these seasons of idleness. Indeed there seems to have been one only kind of universal sport and revelling amongst them, which they called the Saturnalia, when much too great indulgence was given to all kinds of licentiousness. Public scenes of rendezvous they had none. As to the Grecian women, it is well known they were almost entirely confined to their own houses; where the very entertainment of their finest ladies was only works of the finer sort. And the Romans by the Orchian law, which was made among many others for the suppression of luxury, and was published in the third year from Cato's censorship, thought proper to limit the number of persons who were to assemble even at any private feast +. Nay, the exhibitions of the theatre were suffered only at particular seasons, and on holidays.

Nor are our own laws silent on this head, with regard at least to the lowest sort of people, whose diversions have been confined to certain stated times. Mr. Pulton ‡, speaking of those games and assemblies of the people which are lawful, says, that they are lawful at certain places and seasons of the year, allowed by old and ancient customs. The statute of Henry VIII. § goes farther, and expressly enacts, that no manner of artificer or craftsman, of any handicraft or occupation, husbandman, apprentice, &c. shall play at the tables,

<sup>\*</sup> The gods, says Plato, pitying the laborious condition to which men were born, appointed holy rites to themselves, as seasons of rest to men; and gave them the Muses, with Apollo their leader, and Bacchus, to assist in the celebrations, &c. De Leg. I. ii. p. 787, edit. Ficini.

<sup>†</sup> Macrob, Saturnal, lib. ii. c. xiii. Note, This Rtor Acr Passed in one of the freest ages of the Roman republic.

<sup>‡</sup> De Pace, fol. 25. § 33 Hen. VIII. c. ix.

tennis, dice, cards, bowls, &c. out of Christmas,

under the penalty of 20s.

Thus we find that by divine as well as human institution, as well by our own laws as those of other countries, the diversions of the people have been limited and restrained to certain seasons; under which limitations. Seneca calls these diversions the necessary temperament of labour. 'Some remission, says he, must be given to our minds, which will spring up the better, and more brisk from rest. It is with the mind as with a fruitful field, whose fertility will be exhausted if we give ' it no intermission. The same will accrue to the ' mind by incessant labours, whereas both from gentle remission will acquire strength. From ' constant labour arises a certain dulness and lan-' guor of the spirits; nor would men with such ' eagerness affect them, if sport or merriment had ' not a certain natural sweetness inherent in themselves; the frequent use of which however will ' destroy all gravity and force in our minds. Sleep 'is necessary to our refreshment, but if this be ' continued night and day, it will become death. 'There is a great difference between the remission of any thing and its dissolution. Lawgivers, 'therefore, instituted certain holidays, that the ' people might be compelled by law to merriment, 'interposing this as a necessary temperament to ' their labours \*.'

Thus the Greek and Latin philosophers, though they derive the institution differently, the one alleging a divine and the other a human original, both agree that a necessary relaxation from labour was the only end for which diversion was invented and allowed to the people. This institution, as the

<sup>\*</sup> Sen. De Tranquill. Animi. p. 167. edit. Lips.

former of these great writers tells us, was grossly perverted even in his time; but surely neither then, nor in any age or nation, until now, was this pervertion carried to so scandalous an excess as it is at present in this kingdom, and especially in and near the metropolis, where the places of pleasure are almost become numberless; for, besides those great scenes of rendezvous, where the nobleman and his tailor, the lady of quality and her tirewoman, meet together and form one common assembly, what an immense variety of places have this town and its neighbourhood set apart for the amusement of the lowest order of the people; and where the master of the house, or wells, or garden, may be said to angle only in the kennels, where, baiting with the vilest materials, he catches only the thoughtless and tasteless rabble; these are carried on, not on a single day, or in a single week; but all of them during half, and some during the whole year.

If the computation was made of the money expended in these temples of idleness by the artificer, the handicraft, the apprentice, and even the common labourer, the sum would appear excessive; but without putting myself to that trouble, I believe the reader will permit me to conclude that it is much greater than such persons can or ought to afford; especially as idleness, its necessay attendant, adds greatly to the debtor's side in the account; and that the necessary consequence must be ruin to many, who, from being useful members of the society, will become a heavy burden or absolute nuisance to the public. It being indeed a certain method to fill the streets with beggars, and

the gaols with debtors and thieves.

That this branch of luxury hath grown to its present height, is owing partly to a defect in the

laws; and this defect may, with great decency and respect to the legislature, be very truly imputed to the recency of the evil; for as our ancestors knew it not, they may be well excused for not having foreseen and guarded against it. If therefore it should seem now necessary to be retrenched, a new law will, I apprehend, be necessary for that purpose; the powers of the magistrate being scarce extensive enough, under any provision extant, to destroy a hydra now become so pregnant and dangerous. And it would be too dangerous as well as too invidious a task to oppose the mad humours of the populace, by the force of any doubtful obsolete law; which, as I have hinted before, could not have been directly levelled at a vice, which did not exist at the time when the law was made.

But while I am recommending some restraint of this branch of lexery, which surely appears to be necessary, I would be understood to aim at the retrenchment only, not at the extirpation of diversion; nay, and in this restraint, I confine myself entirely to the lower order of people. Pleasure always bath been, and always will be, the principal business of persons of fashion and fortune, and more especially of the ladies, for whom I have infinitely too great an honour and respect to rob them of any of their least amusement. Let them have their plays, operas, and oratorios, their masquerades and ridottos; their assemblies, drums, routs, riots, and hurricanes; their Renelagh and Vauxhall; their Eath, Tunbridge, Bristol, Scarborough, and Cheltenham; and let them have their beans and danglers to attend them at all these; it is the only use for which such beaus are fit; and I have seen, in the course of my life, that it is the only one to which, by sensible women, they are applied. In civersion, as in many other particulars, the

upper part of life is distinguished from the lower. Let the great therefore answer for the employment of their time to themselves, or to their spiritual governors. The society will receive some temporal advantage from their luxury. The more toys which children of all ages consume, the brisker will be the circulation of money, and the greater

the increase of trade.

The business of the politician is only to prevent the contagion from spreading to the useful part of mankind, the ΕΠΙΠΟΝΟΝ ΗΕΦΥΚΟΣ ΓΕΝΟΣ\*; and this is the business of persons of fashion and fortune too, in order that the labour and industry of the rest may administer to their pleasures, and furnish them with the means of luxury. To the upper part of mankind time is an enemy, and (as they themselves often confess) their chief labour is to kill it; whereas, with the others, time and money are almost synonymous; and as they have very little of each to spare, it becomes the legislature, as much as possible, to suppress all temptations whereby they may be induced too profusely to squander either the one or the other; since all such profusion must be repaired at the cost of the public.

Such places of pleasure, therefore, as are totally set apart for the use of the great world, I meddle not with. And though Ranelagh and Vauxhall, by reason of their price, are not entirely appropriated to the people of fashion, yet they are seldom frequented by any below the middle rank; and a strict regard to decency is preserved in them both. But surely two such places are sufficient to contain all those who have any title to spend their time in this idle, though otherwise innocent way. Nor should such a fashion be allowed to spread into

every village round London, and by degrees all over the kingdom; by which means, not only idleness, but all kinds of immorality, will be en-

couraged.

I cannot dismiss this head, without mentioning a notorious nuisance which hath lately arisen in this town; I mean, those balls where men and women of loose reputation meet in disguised habits. As to the masquerade in the Hay-market, I have nothing to say; I really think it a silly rather than a vicious entertainment; but the case is very different with these inferior masquerades; for these are indeed no other than the temples of drunkenness, lewdness, and all kind of debauchery.

## SECT. II

Sand State of the last of the

Of Drunkenness, a second Consequence of Luxury among the Vulgar.

But the expence of money, and loss of time, with their certain consequences, are not the only evils which attend the luxury of the vulgar; drunkenness is almost inseparably annexed to the pleasures of such people. A vice by no means to be construed as a spiritual offence alone, since so many temporal mischiefs arise from it; amongst which are very frequently robbery and murder

I do not know a more excellent institution than that of Pittacus, mentioued by Aristotle in his Politics\*; by which a blow given by a drunken man, was more severely punished than if it had been given by one that was sober; for Pittacus,

<sup>\*</sup> L. ii. c. x.

says Aristotle, considered the utility of the Public (as drunken men are more apt to strike) and not the excuse, which might otherwise be allowed to their drunkenness. And so far both the civil law and our own have followed this institution, that neither have admitted drunkenness to be an excuse

for any crime.

This odious vice (indeed the parent of all others), as history informs us, was first introduced into this kingdom by the Danes, and with very mischievous effects. Wherefore that excellent prince Edgar the Peaceable, when he set about reforming the manners of his people, applied himself very particularly to the remedy of this great evil, and ordered silver or gold pins to be fixed to the sides of their pots and cups, beyond which it was not law-

ful for any person to drink \*.

What penalty was affixed to the breach of this institution, I know not; nor do I find any punishment in our books for the crime of drunkenness, till the time of Jac. I. in the fourth year of whose reign it was enacted, 'That every person lawfully convicted of drunkenness, shall, for every such offence, forfeit the sum of five shillings, to be paid within a week next after his, her, or their conviction, to the hands of the churchwardens of the parish where, &c. to the use of the poor. In default of payment, the sum to be levied by distress, and, in default of distress, the offender is to be committed to the stocks, there to remain for the space of six hours +.

For the second offence they are to be bound to their good behaviour, with two sureties, in a recog-

nizance of ten pounds ‡.

Nor is only that degree of drunkenness for-

<sup>\*</sup> Eachard, p. 88

<sup>†</sup> Jac. I. chap, v.

t Jac. I. chap. v. sect. 6.

bidden, which Mr. Dalton describes, 'so as to ' stagger and reel to and fro, and where the same legs which carry him into a house, cannot carry ' him out again \*;' for, by the same act of parliament, all persons who continue drinking or tippling in any inn, victualling house or alehouse, in their own city, town, or parish (unless such as being invited by a traveller, shall accompany him during his necessary abode there: or except labouring and handicraftsmen in cities, and corporate and market towns, upon a working-day, for an hour at dinner-time, in alehouses, where they take their diet; and except labourers and workmen, who, during their continuance in any work, shall lodge or victual in any inn, &c. or except for some urgent and necessary occasion, to be allowed by two justices of the peace) shall forfeit the sum of three shillings and sixpence, for the use of the poor; to be levied as before, and for want of distress, to be put in the stocks for four hours +.

This act hath been still farther enforced by another in the same reign ‡. By the latter act, the tippler is liable, whether his habitation be within the same or any other parish. 2dly, The proof by one witness is made sufficient; and, 3dly, A very extraordinary clause is added, by which the oath of the party offending, after having confessed his own crime, is made evidence against any other offender,

Thus we see the legislature have taken the utmost care not only to punish, but even to prevent this vice of drunkenness, which the preamble of one of the foregoing statutes calls a *loathsome* and odious sin, and the root and foundation of many

though at the same time.

<sup>\*</sup> Dalt. chap. vii. sect. 5.

<sup>†</sup> Jac. I. chap. iv. sect. 4. & 1 Jac. I. chap. ix:

<sup>‡ 21</sup> Jac. I. chap. vii.

other enormous sins, as murder, &c. Nor doth the wisdom of our law stop here. Our cautious ancestors have endeavoured to remove the temptation, and, in a great measure, to take away from the people their very power of offending this way. And this by going to the fountain head, and endeavouring to regulate and restrain the scenes of these disorders, and to confine them to those uses for which they were at first designed; namely, for the rest, refreshment, and convenience of travellers.

A cursory view of the statutes on this head will demonstrate of what consequence to society the suppression of this vice was in the opinion of our

By the common law, inns and alchouses might be kept ad lilitum; but if any disorders were suffered in them, they were indictable as a common muisance.

The first reform which I find to have been made by parliament, was in the reign of Henry VII.\*, when two justices were empowered to sup-

press an alebouse.

The statute of Edward VI.+ is the first which requires a precedent licence. By this act no man can keep an alehouse, without being licensed by the sessions, or by two justices; but now, by a late statute, all licences granted by justices out of

their sessions are void ‡.

By the statute of Charles I.S., which alters the penalties of that of Edward VI, the punishment for keeping an alchouse, or common selling ale, beer, cyder and perry, without a licence, is to pay twenty shillings to the use of the poor, to be levied by distress; which, if satisfaction be not made within three days, is to be sold. And if there be

t 5 Edw. vi. c. xxv. \* 11 Hen. VII. ‡ 2 G. II. c. xxviii. sect 11. § 3 Car. I. cap. iv.

no goods whereon to restrain, and the money be not paid within six days after conviction, the offender is to be delivered to the constable, or some inferior officer, to be whipped. For the second offence, he is to be committed to the house of correction for a month; and for the third, he is to be committed to the said house, till, by order of the justices, at their general sessions, he be discharged.

The conviction is to be on the view of the justice, confession of the party, or by the oath of two

witnesses.

And by this statute, if the constable or efficer to whom the party is committed to be whipped, &c. do not execute his warrant, the justice shall commit him to prison, there to remain till he shall procure some one to execute the said warrant, or until he shall pay forty shillings to the use of the poor.

The justices, at the time of granting the licence, shall take a recognizance from the party, not to suffer any unlawful games, nor other disorders, in his house; which is to be certified to the sessions, and the justices there have a power to proceed for the forfeiture\*.

By the statute of Jac. I.+, alchouse-keepers, who suffer townsmen to sit tippling, unless, in the cases abovementioned ‡, forfeit ten shillings to the poor: the distress to be sold within six days; and if no distress can be had, the party is to be committed till the forfeiture is paid.

Vintners who keep inns or victualling-houses,

are within this act &.

And by two several statutes ||, alehouse-keepers,

<sup>\* 5</sup> E. VI. ubi sup. ‡ Supra, p. 14. in the case of Tipplers. § 1 Car. I. cap. iv. § 7 Jac. I. cap. x. 21 Jac. I. cap. vij.

convicted of this offence, are prohibited from keeping an alchouse for the space of three years.

Justices of peace likewise, for any disorders committed in alchouses contrary to the condition of the recognizance, may suppress such houses \*; but then the proceeding must be on the recognizance, and the breach of the condition proved †.

Now, on the concise view of these several laws, it appears, that the legislature have been abundantly careful on this head; and that the only blam lies on the remissness with which these

wholesome provisions have been executed.

But though I will not undertake to defend the magistrates of former times, who have surely been guilty of some neglect of their duty: yet, on behalf of the present commissioners of the peace, I must observe, their case is very different. What physicians tell us of the animal functions will hold true when applied to laws; both by long disuse lose all their elasticity and force. Froward habits grow on men, as they do on children, by long indulgence; nor will either submit easily to correction in matters where they have been accustomed to act at their pleasure. They are very different offices to execute a new or a well-known law and to revive one which is obsolete. In the case of a known law, custom brings men to submission; and in all new provisions the ill-will, if any, is levelled at the legislature, who are much more able to support it than a few or a single magistrate. If therefore it be thought proper to suppress this vice, the legislature must once more take the matter into their hands; and to this perhaps they will be the more inclined when it comes to their knowledge, that a new kind of drunkenness, unknown to our ancestors, is lately sprung up amongst us,

<sup>\* 5</sup> E, VI. ubi sup.

evidence.

and which, if not put a stop to, will infallibly destroy a great part of the inferior people.

The drunkenness I here intend is that acquired by the strongest intoxicating liquors, and particularly by that poison called Gin; which I have great reason to think is the principal sustenance (if it may be so called) of more than an hundred thousand people in this metropolis. Many of these wretches there are who swallow pints of this poison within the twenty-four hours; the dreadful effects of which I have the misfortune every day to see, and to smell too. But I have no need to insist on my own credit, or on that of my informers; the great revenue arising from the tax on this liquor (the consumption of which is almost wholly confined to the lowest order of people) will prove the quantity consumed better than any other

Now besides the moral ill consequences occasioned by this drunkenness, with which, in this treatise I profess not to deal; how greatly must this be supposed to contribute to those political mischiefs which this essay proposes to remedy? this will appear from considering, that however cheap this vile potion may be, the poorer sort will not easily be able to supply themselves with the quantities they desire; for the intoxicating draught itself disqualifies them from using any honest means to acquire it, at the same time that it removes all sense of fear and shame, and emboldens them to commit every wicked and desperate enterprize. Many instances of this I see daily; wretches are often brought before me, charged with theft and robbery, whom I am forced to confine before they are in a condition to be examined; and when they have afterwards become sober, I have plainly perceived, from the state of the case, that the Gin alone was the cause of the transgression, and have been sometimes sorry that

I was obliged to commit them to prison.

But beyond all this there is a political ill consequence of this drunkenness, which, though it doth not strictly fall within my present purpose, I shall be excused for mentioning, it being indeed the greatest evil of all, and which must, I think, awaken our legislature to put a final period to so destructive a practice. And this is that dreadful consequence which must attend the poisonous quality of this pernicious liquor to the health, the strength, and the very being of numbers of his majesty's most useful subjects. I have not enough of physical knowledge to display the ill effects which such poisonous liquors produce in the constitution; for these I shall refer the reader to The physical Account of the Nature of all distilled Spirituous Liquors, and the effect they have on Human Bodies \*. And though, perhaps, the consequence of this poison, as it operates slowly, may not so visibly appear in the diminution of the strength, health, and lives of the present generation; yet let a man cast his eyes but a moment towards our posterity, and there the dreadful consequences must strike on the meanest capacity, and must alarm, I think, the most sluggish degree of public spirit. What must become of the infant who is conceived in Gin? with the poisonous distillations of which it is nouruished both in the womb and at the breast. Are these wretched infants, (if such can be sup-

<sup>\*</sup> This was composed by a very learned divine, with the assistance of several physicians, and published in the year 1736. The title is, Distilled Spirituous Liquors the Bane of the Nation.

posed capable of arriving at the age of maturity) to become our future sailors, and our future grenadiers? Is it by the labour of such as these that all the emoluments of peace are to be procured us, and all the dangers of war averted from us? What could an Edward or an Henry, a Mariborough or a Cumberland, effect with an army of such wretches? Doth not this polluted source, instead of producing servants for the husbandman or artificer, instead of providing recruits for the sea or the field, promise only to fill alms-houses, and hospitals, and to infect the streets with stench and diseases?

In solemn truth, there is nothing of more serious consideration, nor which more loudly calls for a remedy, than the evil now complained against. For what can be more worthy the care of the legislature, than to preserve the morals, the innocence, the health, strength, and lives, of a great part (I will repeat, the most useful part) of the people? So far am I, in my own opinion, from representing this in too serious or too strong a light, that I can find no words, or metaphor, adequate to my ideas on this subject. The first inventor of this diabolical liquor may be compared to the poisoner of a fountain, whence a large city was to derive its waters, the highest crime, as it hath been thought, of which human nature is capable. A degree of villainy, indeed, of which I cannot recollect any example; but surely if such was ever practised, the governors of that city could not be thought blameless, did they not endeavour, to the utmost, to withhold the citizens from drinking the poisonous draught; and, if such a general thirst after it prevailed as we are told possessed the people of Athens at the time of the plague \*, what could justify the not effectually cutting off all aqueducts by which the poison was

dispersed among the people?

Nor will any thing less than absolute deletion serve on the present occasion. It is not making men pay 50l. or 500l. for a licence to poison; nor enlarging the quantity from two gallons to ten, which will extirpate so stubborn an evil. Here may, perhaps, be no little difficulty. To lay the axe to the still-head, and prohibit all distillery in general, would destroy the chymist. If distilling this or that spirit was forbidden, we know how easily all partial prohibitions are evaded; nay, the chymist (was the matter confined to him) would soon probably become a common distiller, and his shop no better than a gin-shop; since what is more common than for men to adopt the morals of a thief at a fire, and to work their own private emolument out of a public mischief. Suppose all spirituous liquors were, together with other poison, to be locked up in the chymists or apothecaries shops, thence never to be drawn, till some excellent physicians call them forth for the cure of nervous distempers; or suppose the price was to be raised so high, by a severe impost, that gin would be placed entirely beyond the reach of the vulgar! or perhaps the wisdom of the legislature may devise a better and more effectual way.

But if the difficulty be really insuperable, or if there be any political reason against the total demolition of this poison, so strong as to countervail the preservation of the morals, health, and beings, of such numbers of his majesty's subjects, let us, however, in some measure, palliate the evil, and

<sup>\* &</sup>quot;Edgagar is ociala analess in diffusionization. They ran into the wells, being constantly possessed by an inexhausted thirst. Thucydid, p. 112. edit. Hudsoni.

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lessen its immediate ill consequences, by a more effectual provision against drunkenness than any we have at present, in which the method of conviction is too tedious and dilatory. Some little care on this head is surely necessary; for, though the increase of thieves, and the destruction of morality, though the loss of our labourers, our sailors, and our soldiers, should not be sufficient reasons, there is one which seems to be unanswerable, and that is, the loss of our gin-drinkers; since, should the drinking this poison be continued in its present height during the next twenty years, there will, by that time, be very few of the common people left to drink it.

## SECT. III.

Of Gaming among the Vulgar; a third Consequence of their Luxury.

I come now to the last great evil which arises from the luxury of the vulgar; and this is gaming; a school in which most highwaymen of great eminence have been bred. This vice is the more dangerous as it is deceitful, and, contrary to every other species of luxury, flatters its votaries with the hopes of increasing their wealth; so that avarice itself is so far from securing us against its temptations, that it often betrays the more thoughtless and giddy part of mankind into them; promising riches without bounds, and those to be acquired by the most sudden as well as easy and indeed pleasant means.

And here I must again remind the reader, that I have only the inferior part of makind under my consideration. I am not so ill-bred as to disturb the company at a polite assembly; nor so ignorant of our constitution as to imagine that there is a sufficient energy in the executive part to controul the economy of the great, who are beyond the reach of any, unless capital laws. Fashion, under whose guidance they are, and which created the evil, can alone cure it. With patience therefore must we wait, till this notable mistress of the few shall, in her good time, accomplish so desirable a change; in fact, till great men become wiser or better; till the prevalence of some laudable taste shall teach them a worthier manner of employing their time; till they have sense enough to be reasoned, modesty enough to be laughed, or conscience enough to be frightened, out of a silly, a shameful, and a sinful profligacy, attended with horrid waste of time, and the cruel destruction of the families of others, or of their own.

In the mean time we may, I think, reasonably desire of these great personages, that they would keep their favourite vice to themselves, and not suffer others, whose birth or fortune gives them no title to be above the terror of the laws, or the censure of their betters, to share with them in this privilege. Surely we may give great men the same advice which Archer, in the play, gives to the officers of the army; To hick out all——in red but their own. What temptations can gamesters of fashion have to admit inferior sharpers into their society; common-sense surely will not suffer a man to risque a fortune against one who hath none of his own to stake against it.

I am well apprised that this is not much the case with persons of the first figure; but to gentlemen (and especially the younger sort) of the second degree these fellows have found much too

easy an access. Particularly at the several public places (I might have said gaming places) in this kingdom, too little care is taken to prevent the promiscuous union of company; and sharpers of the lowest kind have frequently there found admission to their superiors, upon no other pretence or merit than that of a laced coat, and with no other stock than that of assurance.

Some few of these fellows, by luckily falling in with an egregious bubble, some thoughtless young heir, or more commonly heiress, have succeeded in a manner which, if it may give some encouragement to others to imitate them, should, at the same time, as strongly admonish all gentlemen and ladies to be cautious with whom they mix in public places, and to avoid the sharper as they would a pest. But much the greater part of such adventurers have met with a more probable and more deserved fate; and having exhausted their little fund in their attempts, have been reduced to a dilemma, in which it required more judgment and resolution than are the property of many men, and more true sense of honour than belongs to any debauched mind, to extricate themselves by honest means. The only means, indeed, of this kind, are to quit their assumed station, and to return to that calling, however mean and laborious, to which they were born and bred.

But, besides that the way to this is often obstructed with almost insuperable difficulties; and false shame, at its very entrance, dashes them in the face, how easily are they dissuaded from such disagreeable thoughts by the temptations with which fortune allures them, of a possibility, at least, of still supporting their false appearances, and of retrieving all their former hopes! how greedily, may we imagine, this enchanting alter-

native will be embraced by every bold mind, in such circumstances! for what but the danger of the undertaking can deter one, who hath nothing of a gentleman but his dress, to attain which he hath already divested himself of all sense of honesty; how easy is the transition from fraud to force! from a gamester to a rogue! perhaps, indeed, it is civil to suppose it any transition at all.

From this source, therefore, several of our most notable highwaymen have proceeded; and this hath likewise been the source of many other depredations on the honest part of mankind. So mischievous have been this kind of sharpers in society, that they have fallen under the particular notice of the legislature: for a statute in the reign of queen Anne, reciting, 'That divers lewd and dissolute persons live at great expences, having no visible estate, profession, or calling, to maintain them-'selves, but support those expences by gaming 'only;' enacts, 'That any two justices of the peace may cause to be brought before them all persons within their respective limits, whom they shall have just cause to suspect to have no visible 'estate, profession, or calling to maintain them-'selves by, but do, for the most part, support themselves by gaming; and if such persons shall 'not make the contrary appear to such justices, they are to be bound to their good behaviour for a twelvemonth; and, in default of sufficient ' security, to be committed till they can find such 'security; which security (in case they give it) is to be forfeited on their playing or betting at any one time for more than the value of 20s. †

<sup>† 9</sup> Annæ, chap. xiv. sect. 6, 7. It would be of great service to the public to extend this statute to idle persons and sharpers in general; for many support themselves by frauds, by cheating practices, even worse than gaming; and have the

As to gaming in the lower classes of life, so plainly tending to the ruin of tradesmen, the destruction of youth, and to the multiplication of every kind of fraud and violence, the legislature hath provided very wholesome laws †.

By the 33d of Henry VIII. 'Every artificer, 'craftsman of any handicraft or occupation, hus-bandman, labourer, servant at husbandry, jour-

'neyman or servant of artificer, mariners, fisher-

men, watermen, or any serving men, are prohibited from playing at tables, dice, cards, &c. ont

of Christmas, and in Christmas are permitted to play only in their masters' houses, or in his pre-

sence, under the penalty of 20s. And all manner of persons are prohibited from playing at any bowl or bowls, in any open place out of their

garden or orchard, under the penalty of 6s. 8d.
The conviction to be by action, information,
bill, or otherwise, in any of the king's courts;

one half of the penalty to the informer.

impudence to appear in the dress of gentlemen, and at public places, without having any pretensions of birth or fortune, or without any honest or visible means of livelihood whatever. Such a law would not be without a precedent: for such is the excellent institution mentioned by He odotus, in his Euterpe.—'Annasis (says that historian) established a law in Egypt, that 'every Egyptian should annually declare before the governor of the province by what means he maintained himself; and all those who did not appear, or who could not prove that they had some lawful livelihood, were punished by death. This law Solon introduced into Athens, where it was long inviolably preserved as a most just and equitable provision. Herod, edit, Hudsoni, p. 158. This punishment is surely too severe; but the law, under a milder penalty, is well worthy to be adopted.

t By a statute made in the reign of Edward IV. now repealed, playing at several games therein mentioned, was punished by two years imprisonment, and the forfeiture of 101, and the master of the house was to be imprisoned for three

years, and to forfeit 201. A great sum in those days!

Provided that servants may play at any times with their masters, or by their licence; and all ' persons who have IOOl. per annum, freehold, ' may give their servants, or others, resorting to their houses, a licence to play within the pre-' cinct of their houses, gardens, or orchard.'

By this statute likewise, 'No person whatever, by himself, factor, deputy, servant, or other person, shall, for gain, keep, &c. any common ' house, alley, or place of bowling, coyting, clash-' coyls, half-bowl, tennis, dicing table, or carding, or any other manner of game, prohibited by any ' statute heretofore made, or any unlawful game 'invented or made, or any other new unlawful 'game hereafter to be invented or made: the penalty is 40s. per day, for keeping the house, &c. and 6s. 8d. for every person haunting and playing at such house, These penalties to be recovered, &c. as above.

'And all leases of gaming-houses, alleys, &c.

are made void at the election of the lessee." Farther, by the said statute, ' Power is given to

all justices of peace, mayors, or other head-'officers, in every city, &c. to enter suspected 'houses and places, and to commit the keepers of the said houses, and the persons there haunting, 'resorting, and playing, to prison; and to keep them in prison, till the keepers have found sureties 'to enter into a recognizance to the king's use, 'no longer to keep such house, &c. and the per-'sons there found to be bound by themselves, or ' with sureties, &c. at the discretion of the justice, '&c. no more to haunt the said places, or play at 'any of the said games.'

And now, by the statute of George II. this last clause is enforced, by giving the justice the same power on the information of two persons, as he had before on view; and, by a more explicit power, to take sureties or not of the party at his discretion.

Lastly, the statute of Henry VIII. enjoins the justices, &c. to make due search weekly, or once per month at the farthest, under the penalty of forfeiting 40s, for every month during their neglect.

Thus stands the law; by which it may appear, that the magistrate is armed with sufficient authority to destroy all gaming among the inferior people; and that, without his neglect or connivance, no such nuisance can possibly exist.

And yet, perhaps, the fault may not so totally lie at his door; for the recognizance is a mere bugbear, unless the party who breaks it should be sued thereon; which, as it is attended with great expence, is never done; so that, though many have forfeited it, not a single example of an estreat hath been made within my remembrance.

Again, it were to be wished, that the statute of George II. had required no more than one witness to the information; for even one witness, as I have found by experience, is very difficult to be

procured.

However, as the law now is, seeing that the general bent of the people opposes itself to this vice, it is certainly in a great measure within the magistrate's power to suppress it, and so to harass such as propose to find their account in it, that these would soon be discouraged from the undertaking; nor can I conclude without observing, that this hath been lately executed with great vigour within the liberty of Westminster.

There are, besides, several other provisions in our statute books against this destructive vice. By the statute of queen Anne\* whoever cheats at

<sup>9</sup> Annæ, chap. xiv. by which the statute of 16 C. II, is enlarged, and made more severe,

play forfeits five times the sum won by such cheating, shall be deemed infamous, and suffer such corporal punishment as in case of perjury. And whoever wins above 10*l*. at any one sitting shall likewise forfeit five times the sum won. Going shares with the winner, and betting on his side, are, in both instances, within the act.

By the same act all securities for money won at play are made void; and if a mortgage be made on such account the mortgage doth not only lose all benefit of it, but the mortgage immediately

enures to the use of the next heir \*.

By this law persons who have lost above 10l. and have actually paid it may recover the same by action within three months; and if they do not sue for it within that time any other person may †. And the defendant shall be liable to answer a bill for discovering such sum lost, upon oath.

By 18 George II.‡ whoever wins or loses 10l. at play, or by betting at any one time, or 20l. within twenty-four hours, is liable to be indicted, and shall be fined five times the value of the mo-

ney lost.

By 12 George II. § the games of Pharoah, the Ace of Hearts, Basset, and Hazard, are declared to be lotteries; and all persons who set up, maintain, and keep them, forfeit 200l. and all who play at them forfeit 50l. The conviction to be before one justice of peace, by the oath of one witness, or confession of the party. And the justice neglecting his duty forfeits 10l. Note, The prosecution against the keeper, &c. may be for a lottery, on the 8 George I. where the penalty is 500l.

The act of 18 George II. includes the game of Roly Poly, or other prohibited game at cards or

<sup>9</sup> Annæ, chap. xiv. sect. 1.

<sup>†</sup> Ibid. sect 2. § Chap. xxviii.

dice, within the penalties of the above-mentioned. I have given this short sketch of these several acts partly for the use and encouragement of informers, and partly to insinuate to certain persons with what decency they can openly offend against such plain, such solemn laws, the severest of which many of themselves have, perhaps, been the makers of. How can they seriously answer, either to their honour or conscience, giving the pernicious example of a vice, from which, as the legislature justly says in the preamble to the 16th of Charles II. 'Many mischiefs and inconveniences do arise, and are daily found, in the encouraging of sundry idle and disorderly persons in their dishonest, lewd, and dissolute course of ' life; and to the circumventing, deceiving, cozening, and debauching of many of the younger sort, both of the nobility and gentry, and others, to the loss of their precious time, and the utter ruin of their estates and fortunes, and withdrawing them from noble and laudable employments ' and exercises!' Will a nobleman, I ask, confess that he can employ his time in no better amusement; or will he frankly own that he plays with any other view than that of amusement? Lastly, what can a man who sins in open defiance of the laws of his country answer to the vir bonus est quis? Can he say,

Qui consulta patrum, qui leges juraque servat?

Or can he apply that celebrated line,

Oderunt peccare boni virtutis honore,

to himself, who owes to his greatness, and not to his innocence, that he is not deterred from such vices—Formidine pænæ?

## SECT. IV.

## Of the Laws that relate to the Provision for the Poor.

Having now run through the several immediate consequences of a general luxury among the lower people, all which, as they tend to promote their distresses, may be reasonably supposed to put many of them, of the bolder kind, upon unlawful and violent means of relieving the mischief which such vices have brought upon them, I come now to a second cause of the evil, in the improper regulation of what is called the poor in this kingdom, arising, I think, partly from the abuse of some laws, and partly from the total neglect of others; and (if I may presume to say it) somewhat perhaps from a defect in the laws themselves.

It must be matter of astonishment to any man to reflect, that in a country where the poor are, beyond all comparison, more liberally provided for than in any other part of the habitable globe, there should be found more beggars, more distressed and miserable objects, than are to be seen

throughout all the states of Europe.

And yet, undoubted as this fact is, I am far from agreeing with Mr. Shaw †, who says, 'There 'are few, if any, nations or countries where the 'poor are more neglected, or are in a more scandalous nasty condition, than in England. Whether,' says he, 'this is owing to that natural interest bred cruelty for which Englishmen are so much 'noted among foreigners, or to that medley of 'religions which are so plentifully sown, and so

carefully cherished among us; who think it enough to take care of themselves, and take a secret pride and pleasure in the poverty and distresses of those of another persuasion,' &c.

That the poor are in a very nasty and scandalous condition is, perhaps, too true; but sure the general charge against the people of England, as well as the invidious aspersion on particular bodies of them, is highly unjust and groundless. Nor do I know that any nation bath ventured to fix this character of cruelty on us. Indeed, our inhospitality to foreigners hath been sometimes remarked; but that we are cruel to one another is not, I believe, the common, I am sure it is not the true opinion. Can a general neglect of the poor be justly charged on a nation in which the poor are provided for by a tax, frequently equal to what is called the land-tax, and where there are such numerous instances of private donations, such numbers of hospitals, alms-houses, and charitable provisions of all kinds?

Nor can any such neglect be charged on the legislature; under whose inspection this branch of polity hath been almost continually, from the days of queen Elizabeth to the present time. Insomuch, that Mr. Shaw himself enumerates no less than thirteen acts of parliament relating to

the indigent and helpless poor.

If therefore, there be still any deficiency in this respect, it must, I think, arise from one of the three causes above-mentioned; that is, from some defect in the laws themselves, or from the perversion of these laws; or, lastly, from the neglect in their execution.

I will consider all these with some attention.

The 43d of Eliz\* enacts;

<sup>+</sup> Chap. iii.

First, that the churchwardens of every parish, and two substantial householders, at least, shall be

yearly appointed to be overseers of the poor.

Secondly, that these overseers shall, with the consent of two justices of the peace, put out apprentices the children of poor people. And all married or unmarried persons, who have no means or trade to maintain themselves shall be put to work.

Thirdly, that they shall raise by a parochial tax, a convenient stock of flax, hemp, wool, thread, iron, and other ware and stuff, to set the poor to

work.

Fourthly, that they shall, from the same tax, provide towards the necessary relief of the lame, impotent, old, blind, and others, being poor and not able to work.

Fifthly, that they shall, out of the same tax,

put the children of poor persons apprentices.

That these provisions may all be executed, that act vested the overseers with the following powers; and enforced the executing them by the following

penalties.

I. The overseers are appointed to meet once at least every month in the church after divine service; there, says the act, to consider of some good course to be taken, and some meet order to be set down in the premises. And to do this they are enjoined by a penalty; for every one absenting bimself from such meeting, without a just excuse to be allowed by two justices of the peace, or being negligent in his office, or in the execution of the orders aforesaid, forfeits 20s.

And after the end of their year, and after other overseers nominated, they are, within four days, to make and yield up to two justices of the peace, a true and perfect account of all sums of money

by them received or assessed, and of such stores as shall be in their hands, or in the hands of the poor, to work, and of all other things concerning their office, &c. And if the churchwardens and overseers refuse to account, they are to be committed by two justices till they shall have made a true account.

II. The overseers and churchwardens, both present and subsequent, are empowered, by warrant from two justices, to levy all the monies assessed, and all arrearages of those who refuse to pay, by distress and sale of the refusers goods; and the subsequent overseers may, in the same manner, levy the money and stock in the hands of the precedent; and for want of distress the party is to be committed by two justices, without bail, till the same be paid.

III. They have a power to compel the poor to work; and such as refuse or neglect, the justice may commit to the house of correction or common

gaol.

IV. The overseers may compel children to be apprentices, and may bind them where they shall see convenient; till the man-child shall attain the age of twenty-four, and the woman-child the age of twenty-one, or till the time of her marriage; the indenture to be as effectual to all purposes as the covenant of one of full age.

V. They have a power to contract with the lord of the manor\*, and, on any parcel of ground on the waste, to erect, at the general charge of the parish, convenient houses of dwelling for the impotent poor; and to place several inmates in the same cottage, notwithstanding the statute; of

cottages.

\*. This must be done by consent and order of sessions.

<sup>†</sup> These cottages are never after to be applied to any other use.

VI. They can compel the father and grand-father, mother and grandmother, and children of every poor, old, blind, and impotent person, or of any other person not being able to work (provided such father, &c. be of sufficient ability) at their own charges, to relieve and maintain such poor person, in such manner, and after such rate, as shall be assessed by the sessions, under the penalty of 20 s. for every month's omission.

VII. If no overseers be named, every justice

within the division forfeits 5 l.

So far this statute of Elizabeth, by which the legislature may seem very fully to have provided, First, For the absolute relief of such poor, as are by age or infirmity rendered unable to work; and, Secondly, For the employment of such as are able.

'The former of these,' says lord Hale in his discourse on the subject, 'seems to be a charity of more immediate exigence; but the latter (viz. the employment of the poor) is a charity of greater extent, and of very great and important consequence to the public wealth and peace of the kingdom, as also to the benefit and advantage of the poor.' And this, as Mr. Shaw observes, would prevent the children of our poor being 'brought up in laziness and beggary, whereby beggary is entailed from generation to generation: This is certainly the greatest charity; for though he who gives to any in want, does well, yet he who employs and educates the poor, so as to render them useful to the public, does better; for that would be many hundred thousand ' pounds per ann. benefit to this kingdom.'

Now the former of these provisions hath, perhaps, though in a very slovenly and inadequate manner, being partly carried into execution; but the latter, I am afraid I may too boldly assert, hath been utterly neglected and disregarded. Surely this is a most scandalous perversion of the design of the legislature, which through the whole statute seems to have had the employment of the able poor chiefly under their consideration; for to this purpose only almost every power in it is established, and every clause very manifestly directed. To say the truth, as this law hath been perverted in the execution, it were, perhaps, to be wished it had never been made. Not because it is not our duty to relieve real objects of distress; but because it is so much the duty of every man, and I may add, so much the inclination of most Englishmen, that it might have been safely left to private charity; or a public provision might surely have been made for it in a much cheaper and more effectual manner.

To prove the abuse of this law, my lord Hale appeals to all the populous parishes in England (he might, I believe, have included some which are not over populous). 'Indeed,' says he, 'there are rates made for the relief of the impotent poor; and, it may be, the same relief is also ' given in a narrow measure unto some others that have great families, and upon this they live miserably, and at best from hand to mouth; and 'if they cannot get work to make out their livelihood, they and their children set up a trade of begging at best; but it is rare to see any provision of a stock in any parish for the relief of the 'poor; and the reasons are principally these: 1. The generality of people that are able, are yet 'unwilling, to exceed the present necessary charge; they do choose to live for an hour rather than ' project for the future; and although possibly trebling their exhibition in one gross sum at the

beginning of the year, to raise a stock, might in 'all probability render their future yearly pay-' ments, for seven years together, less by half, or ' two thirds, than what must be without it; yet they had rather continue on their yearly pays ' ments, year after year, though it exhaust them in 'time, and make the poor nothing the better at 'the year's end. 2. Because those places, where there are most poor, consist for the most part of 'tradesmen, whose estates lie principally in their ' stocks, which they will not endure to be searched 'into, to make them contributory to raise any considerable stock for the poor, nor indeed so much 'as to the ordinary contributions; but they lay 'f all the rates to the poor upon the rents of lands and houses, which alone, without the help of the 'stocks, are not able to raise a stock for the poor, although it is very plain that stocks are as well by law rateable as lands, both to the relief and raising a stock for the poor. 3. Because the churchwardens and overseers, to whom this power is given, are inhabitants of the same parish; and are either unwilling to charge themselves, or to displease their neighbours in charging more than they needs must towards the poor; and although it were to be wished and hoped that the Justices of the peace would be forward to enforce ' them if they might, though it may concern them also in point of present profit; yet if they would do any thing herein, they are not empowered to compel the churchwardens and overseers to do it, who, most certainly, will never go about it, to burden, as they think, themselves, and displease ' their neighbours, unless some compulsory power 'were not only lodged by law, but also executed by some that may have a power over them to enforce it; or to do it, if they do it either partially or too sparingly. 4. Because people do not consider the inconvenience that will in time grow

to themselves by this neglect, and the benefit that would in a little time accrue to them by

\* that would in a fittle time accrue to them by putting it in practice, if they would have but a

· little patience.

To these I will add a fifth reason; because the churchwardens and overseers are too apt to consider their office as a matter of private emolument. To waste part of the money raised for the use of the poor in feasting and riot, and too often to pervert the power given them by the statute to foreign, and sometimes to the very worst of purposes.

The above considerations bring my lord Hale to complain of several defects in the law itself; 'in 'which,' says he, 'there is no power from the 'justices of the peace, nor any superintendent 'power, to compel the raising of a stock where

the churchwardens and overseers neglect it.

'The act chargeth every parish apart, where it may be they are liable to do little towards it; neither would it be so effectual as if three, four, five, or more contiguous parishes did contribute towards the raising of a stock proportionally to their poor respectively.

'There is no power for hiring or erecting a common house, or place, for their common workhouse; which may be, in some respects, and

upon some occasions, useful and necessary.'

As to the first of these, I do not find any alteration bath been made, nor if there was, might it possibly produce any desired effect. The consequence, as it appears, would be only making churchwardens of the justices of peace, which many of them are already, not highly to the satisfaction of their parishes; too much power vested in one man being too apt perhaps to beget envy.

The second and third do pretty near amount to one and the same defect; and this, I think, is at present totally removed. Indeed, in my lord Hale's own time, though probably after he had written this treatise, a workhouse was erected in London under the powers given by the statute made in the 13 and 14 of Charles II.\*, and I believe with very good success.

Since that time other corporations have followed the example, as the city of Bristol in the reign of king William<sup>+</sup>, and that of Worcester in the reign of Queen Anne<sup>+</sup>, and in other places.

And now by a late statute, made in the reign of king George I.§, the power of erecting work-

houses is made general over the kingdom.

Now either this method proposed by lord Hale, is inadequate to the purpose; or this act of parliament hath been grossly perverted; for certain it is that the evil is not removed, if indeed it be lessened, by the erection of workhouses. Perhaps, indeed, one objection which my lord Hale makes to the statute of Eliz. may here recur, seeing that there is nothing compulsory, but all left to the will

and direction of the inhabitants.

But in truth the method itself will never produce the desired effect, as the excellent Sir Josiah Child well observes ||,—' It may be objected,' says he, 'that this work (the provision for the poor) may 'as well be done in distinct parishes, if all parishes were obliged to build workhouses, and employ 'their poor therein, as Dorchester and some others have done with good success.' I answer, 'That such attempts have been made in many places, to my knowledge, with very good intents and

<sup>\*</sup> Chap. xii. † 8 and 9 W. III. c. xxx. § 9 George I. c. i.

Essay on Trade, c. ü.

strenuous endeavours; but all that I ever heard of proved vain and ineffectual, For the truth of which, I believe, we may appeal to common experience.

And perhaps, no less ineffectual would be the scheme proposed by this worthy gentleman, though it seems to promise fairer than that of the learned chief justice; yet neither of them seem to strike at the root of the evil. Before I deliver any sentiments of my own, I shall briefly take a view of the many subsequent provisions with which the legislature have, from time to time, enforced and strengthened the foregoing statute of Elizabeth.

The power of putting out children \* apprentices is enforced by the third of † Charles I. which enacts, 'That all persons to whom the overseers' shall bind children by virtue of the statute of Eliz. may receive and keep them as apprentices.' But there yet wanted, as lord Hale says, a sufficient compulsory for persons to take them; wherefore it is enacted, by 8 and 9 ‡ Will. III. 'That' all persons to whom apprentices are appointed to be bound by the overseers, with the consent of the justices, shall receive them and execute the other part of the indenture, under the penalty of 10l. for refusing, to be recovered before two justices, on the oath of one of the churchwardens or overseers.'

The power of setting the poor to work is enlarged by § 3 Charles I. This act gives the churchwardens and overseers of the poor a power, with the

<sup>\*</sup> See 7 Jac. I. c. iii. which directs the manner of putting out apprentices, in persuance of any gifts made to corporations; &c. for that purpose.

t Chap, iv, sect. 22, p.8; the same clause is in 21 Jac. c, xxviii, par. 33.

t Chap. xxx. sect. 6. 6 Chap, iv. sect. 22. ubi supra.

consent of two justices, or of one, if no more justices shall be within their limits, to set up and occupy any trade for the setting the poor to work.

The power of relieving the impotent poor (i. e. of distributing the public money) the only one which hath much exercised the mind of the parish officers, the legislature seems to think rather wanted restraining than enlarging; accordingly, in the reign of king † William they made an act to limit the power of the officers in this respect. As the act contains the sense of parliament of the horrid abuse of the statute of Elizabeth, I will transcribe part of a paragraph from it verbatim.

'And whereas many inconveniences do daily 'arise in cities, towns corporate, and parishes, 'where the inhabitants are very numerous, by ' reason of the unlimited power of the churchwardens and overseers of the poor, who do frequently, upon frivolous pretences (but chiefly for their 'own private ends); give relief to what persons and number they think fit, and such persons being entered into the collection bill, do become after that a great charge to the parish, notwith-'standing the occasion or pretence of their collection oftentimes ceases, by which means the frates for the poor are daily increased, contrary to the true intent of a statute made in the 43d year of the reign of her majesty queen 'Elizabeth, intituled, An Act for the relief of 'the poor; for remedying of which, the statute enacts, that, for the future, a book shall be pro-'vided and kept in every parish (at the charge of the same parish) wherein the names of all persons receiving collection, &c. shall be registered, with the day and year of their first receiving it. This

book to be yearly, or oftener, viewed by the parishioners, and the names of the persons who receive collection shall be called over, and the reason of the receiving it examined, and a new 'list made; and no other person is allowed to receive collection but by order of a justice of peace, 8c. except in case of pestilential diseases or smallpox \*.'

The 8th and 9th of the same king, reciting the fear of the legislature, That the money raised only for the relief of such as are as well impotent as poor, should be misapplied and consumed by the idle, sturdy, and disorderly beggars, 'Enacts, that every person, his wife, children, &c. who shall receive relief from the parish, shall wear a badge marked with the letter P, &c. in default of which, a justice of peace, may order the relief of such persons to be abridged, suspended, or withdrawn, or may commit them for twenty-one days to the house of correction, there to be kept to hard labour. And every churchwarden or overseer, who relieves any one without a badge, being convicted before one justice, forfeits 20s.

Whether the justices made an ill use of the power given them by the statute of the 3d and 4th of king William, I will not determine; but the parliament thought proper afterwards to abridge it; for by the 9th of George I.+ the justices are forbidden, 'To make any order for the relief of a ' poor person, till oath is first made of a reasonable ' cause; and that application hath been made to the parishioners at the vestry, or to two officers, and that relief hath been refused. Nor can the

+ Chap. xxx. sect. 2.

<sup>\*</sup> The same statute in another part charges the overseers, &c. with applying the poor's money to their own use,

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justice then give his order, till he hath summoned the overseers to shew the cause why relief should

f not be given.'

By the same statute, 'Those persons to whom 'the justices order relief, are to be registered in the 'parish books, as long only as the cause of the re- 'lief continues. Nor shall any parish officer be 'allowed any money given to the unregistered 'poor, unless on the most urgent occasion. The 'penalty for charging such money to the parish account is 51. The conviction is to be before

'two justices.'

Lastly, That the parish may in all possible cases be relieved from the burden of the poor, whereas the statute of Elizabeth obliges the father, mother, &c. and children, if able, to relieve their poor children and parents; so, by the 5th of George I.+, it is provided, 'That where any wife or child shall be left by the husband or parents a ' charge to any parish, the churchwardens or overseers may, by the order of two justices, seize so much of the goods and chattels, and receive so much of the annual rents and profits of the lands and tenements of such husband or parent, as the 'justices shall order towards the discharge of the parish; and the sessions may empower the churchwardens and overseers, to dispose thereof, for the providing for the wife, and bringing up the children &c.

Such is the law that relates immediately to the maintenance of the impotent poor; a law so very ample in its provision, so strongly fortified with enforcing powers, and so cautiously limited with all proper restraints, that, at first sight, it appears sufficiently adequate to every purpose for which it

was intended, but experience hath convinced us of

the contrary.

And here I am well aware of the delicate dilemma, to which I may seem reduced; since how shall I presume to suppose any defects in a law, which the legislature seems to have laboured with such incessant diligence? but I am not absolutely driven to this disagreeable necessity, as the fault may so fairly be imputed to the non-execution of the law; and, indeed, to the ill-execution of the statute of Elizabeth, my lord chief justice Hale chiefly imputes the imperfect provision for the poor in his time.

Sir Josiah Child, it is true, speaks more boldly, and charges the defects on the laws themselves: One general position, however, which he lays down, That there never was a good law made, that was not well executed, is surely very questionable. So therefore must be his opinion, if founded on that maxim; and this opinion, perhaps, he would have changed, had he lived to see the latter

constitutions on this head.

But whatever defects there may be in the laws, or in the execution of them, I much doubt whether either of these great men hath found the means of curing them. And this I am the more forward to say, as the legislature, by a total neglect of bath their schemes, seems to give sufficient countenance

to my assertion.

In a matter then of so much difficulty, as well as so great importance, how shall I venture to deliver my own opinion? Such, indeed, is the difficulty and importance of this question, that Sir Josiah Child thinks, If a whole session of parliament were employed on this single concern, it would be time spent as much to the glory of God,

and good of this nation, as in any thing that noble and worthy patriots of their country can be

engaged in.

However, under the protection of the candid, and with deference to the learned reader, I will enter on this subject, in which, I think, I may with modesty say, I have had some experience; and in which I can with truth declare, I have employed no little time. If any gentleman, who hath had more experience, hath more duly considered the matter, or whose superior abilities enable him to form a better judgment, shall think proper to improve my endeavours, he hath my ready consent. Provided the end be effected, I shall be contented with the honour of my share (however inconsiderable) in the means. Nay, should my labours be attended only with neglect and contempt, I think I have learned (for I am a pretty good historian) to bear such misfortunes without much repining.

By THE FOOR, then, I understand such persons as have no estate of their own to support them, without industry; nor any profession or trade, by which, with industry, they may be capable of

gaining a comfortable subsistence.

This class of the people may be considered under

these three divisions:

First, Such poor as are unable to work. 2dly, Such as are able and willing to work.

3dly, Such as are able to work, but not willing.

As to the first of these, they are but few. An utter incapacity to work must arise from some defect, occasioned either by nature or accident. Natural incapacities are greatly the most (perhaps the only) considerable ones; for as to accidental mains, how very rarely do they happen, and, I must add, how very nobly are they provided for,

when they do happen! Again, as to natural incapacities, they are but few unless those two general circumstances, one of which must, and the other may befal all men; I mean, the extremes of youth and age; for, besides these, the number of persons who really labour under an utter incapacity of work, will, on a just inspection, be found so trifling, that two of the London hospitals might contain them all. The reader will be pleased to observe, I say of those who really labour, &c. for he is much deceived, who computes the number of objects in the nation, from the great number which he daily sees in the streets of London. Among whom I myself have discovered some notorious cheats, and my good friend, Mr. Welch, the worthy high constable of Holborn division, many more. Nothing, as I have been well informed, is more common among these wretches, than for the lame, when provoked, to use their crutches as weapons instead of supporters; and for the blind, if they should hear the beadle at their heels, to outrun the dogs which guided them before. As to diseases, to which human nature is universally liable, they sometimes (though very rarely, for health is the happy portion of poverty) befal the poor; and at all such times they are certainly objects of charity, and entitled, by the law of God, to relief from the rich.

Upon the whole, this first class of the poor is so truly inconsiderable in number, and to provide for them in the most ample and liberal manner would be so very easy to the public; to support and cherish them, and to relieve their wants, is a duty so positively commanded by our Saviour, and is withal so agreeable and delightful in itself, affording the most desirable object to the strong passion of pity; nay, and in the opinion of some to pride

and vanity also; that I am firmly persuaded it might be safely left to voluntary charity, unenforced by any compulsive law. And if any man will profess so little knowledge of human nature, and so mean and unjust an opinion of the christianity, I might say, the humanity, of his country, as to affect a contrary opinion, notwithstanding all I have said, let him answer the following instance, which may be called an argument à posteriori, for for the truth of my assertion. Such, I think, is the present bounty to beggars; for, at a time when every man knows the vast tax which is raised for the support of the poor, and when all men of property must feel their contributions to this tax, mankind are so forward to relieve the appearance of distress in their fellow-creatures, that every beggar, who can but moderately well personate misery, is sure to find relief and encouragement; and this, though the giver must have great reason to doubt the reality of the distress, and when he can scarce be ignorant that his bounty is illegal, + and that he is encouraging a nuisance. then must be the case, when there should be no such tax, nor any such contribution; and when, by relieving a known and certain object of charity, every good man must be assured, that he is not only doing an act which the law allows, but which christianity and humanity too exact of him?

However, if there be any person who is yet unwilling to trust the poor to voluntary charity, or if it should be objected, that there is no reason to lay the whole burden on the worthier part of mankind, and to excuse the covetous rich;

<sup>†</sup> This was forbidden by many statutes, and by the act of 27 Henry VIII. every person giving any money in alms, but to the common boxes and common gatherings in every parish, forfeits twelve times as much as he gives.

and that a tax is therefore necessary to force open the purses of these latter; let there be a tax then, and a very inconsiderable one would effectually

supply the purpose †.

I come now to consider the second class. These are in reason, though not in fact, equally objects of the regard of the compassionate man, and much more worthy the care of the politician; and yet, without his care, they will be in a much worse condition than the others; for they have none of those incitements of pity which fill the pockets of the artful beggar, and procure relief for the blind, the lame, and other visible objects of compassion; such therefore, without a law, and without an honest and sensible execution of that law, must languish under, and often perish with want. A melancholy and dreadful reflection! and the more so, as they are capable of being made not only happy in themselves, but highly useful to the service of the community.

To provide for these, seems, as I have said, to have been the chief design of the statute of Elizabeth, as well as of several laws enacted since; and that this design hath hitherto failed, may possibly have arisen from one single mistake, but a mistake, which must be fatal, as it is an error in the first concoction. The mistake I point at is, that the legislature have left the whole work to the overseers. They have rather told them what they are to do (viz. to employ the industrious poor) than how they shall do it. It is true, the original act directs them, by a parochial tax, to raise a convenient stock of flax, hemp, wool, thread, iron,

<sup>†</sup> The reader is desired to consider the author here as speaking only of the impotent poor, and as hoping that some effectual means may be found out of procuring work, and consequently maintenance, for the able and industrious.

and other ware and stuff to set the poor to work: A direction so general and imperfect, that it can be no wonder, considering what sort of men the overseers of the poor have been, that it should never have been carried into execution.

To say the truth, this affair of finding an universal employment for the industrious poor, is of great difficulty, and requires talents not very bountifully scattered by Nature among the whole human species. And yet, difficult as it is, it is not, I hope, impracticable, seeing that it is of such infinite concern to the good of the community. Hands for the work are already supposed, and surely trade and manufactures are not come to so low an ebb, that we should not be able to find work for the hands. The method of adapting only seems to be wanting. And though this may not be easy to discover, it is a task surely not above the reach of the British parliament, when they shall think proper to apply themselves to it.

Nor will it, I hope, be construed presumption in me to say, that I have myself thought of a plan for this purpose, which I am ready to produce, when I shall have any reason to see the least glimpse of hope, that my labour in drawing it out at length would not be absolutely and certainly

thrown away.

The last and much the most numerous class of poor, are those who are able to work and not willing. This likewise hath fallen under the eye of the legislature, and provisions have been made concerning it; which, if in themselves efficacious, have at least failed of producing any good effect, from a total neglect in the execution.

By the 43 Eliz. the churchwardens and overseers, or greater part of them, with the consent of two justices, shall take order for the setting to work

the children of all such parents as they shall think not able to maintain them; as also, all such married or unmarried persons, as shall have no means to maintain themselves, nor any ordinary trade or

calling whereby to get their living.

Besides this power of compelling the poor to work, the legislature hath likewise compelled them to become, 1. Apprentices; and, 2. Servants. We have already seen the power of the overseers, with the assistance of the justices, to put poor children apprentices; and likewise to oblige their masters to receive them. And long before, a compulsion was enacted \* on poor persons to become apprentices; so that any householder, having and using half a plough-land in tillage, may compel any poor person under twenty-one, and unmarried, to serve as an apprentice in husbandry, or in any other kind of art, mystery, or science (before expressed in the act +); and if such person, being so required, refuse to become an apprentice, one justice of peace, may compel him, or commit him to prison, there to remain till he will be bound.

2dly, The poor are obliged to become servants.

By the fifth of Eliz, ‡ it is enacted, 'That every 'person being unmarried, and every other person 'under the age of thirty, who hath been brought

up in any of the sciences, &c. of clothiers,

woollen, cloth weavers, tuckers, fullers, cloth-

workers, shearmen, dyers, hosiers, tailors, shee-

' makers, tanners, pewterers, bakers, brewers, ' glovers, cutlers, smiths, farriers, curriers, sadlers,

'spurriers, tanners, tappers, hat-makers or felt-

' makers, butchers, cooks, or millers, or who hath

exercised any of these trades by the space of three years or more; and not having in lands,

\* 5 Fliz r iv sect 35 + Vir Frent trade then used

<sup>\* 5</sup> Eliz. c. iv. sect. 35. † Viz. Every trade then used. ‡ Chap. iv. sect. 4.

rents, &c. an estate of 40s. clear yearly value, ' freehold, nor being worth in goods 101. and so ' allowed by two justices of the county, where he ' hath most commonly inhabited, or by the mayor, &c. nor being retained with any person in husbandry, nor retained in any of the above sciences, or in any other art or science; nor lawfully reretained in household, or in any office, with any ' nobleman, gentleman, or others; nor having a ' convenient farm, or other holding in tillage, whereupon he may lawfully employ his labour, ' during the time that he shall continue unmarried, or under the age of thirty, upon request made by any person using the art or mystery, wherein the ' person so required hath been exercised as afore-' said, shall be retained.

And every person between the age of twelve and sixty, not being lawfully retained in the several services mentioned in the statute \*, nor being a gentleman born, or a scholar in either university, or in any school, nor having an estate of freehold of 40s. per annum value, nor being worth in goods 10l. nor being heir to 10l. per annum, or 40l. in goods; nor being a necessary or convenient servant lawfully retained; nor having a convenient farm, or holding, nor otherwise lawfully retained, shall be compelled to be retained to serve in husbandry, by the year, with any person using husbandry within the same shire.

'Every such person refusing to serve upon request, or covenanting to serve, and not serving; or departing from his service before the end of his term, unless for some reasonable cause to be allowed before a justice of the peace, mayor, &c. or departing at the end of his term without a

<sup>\*</sup> Chap. iv. sect. 7.

'quarter's warning given before two witnesses, may be committed by two justices of the peace

to prison, there to remain without bail or main-

' prize, till he shall become bound to his master,

&c. to serve, &c.\*

'Nor shall any master in any of the arts and sciences aforesaid, retain a servant for less than a ' year +; nor shall any master put away a servant retained by this act within his term, nor at the end of the term without a quarter's warning,

' under the penalty of 40s. t

'Artificers, &c. are compellable by a justice of the peace, or the constable or other head officer of a township, to serve in the time of hay or corn harvest. The penalty of disobedience is ' imprisonment in the stocks by the space of two ' days and one night §.

Women between the age of twelve and forty, 'may be obliged, by two justices, to enter into service by the year, week, or day; or may be

committed quousque ||.'

The legislature having thus appointed what persons shall serve, have gone farther, and have directed a method of ascertaining how they shall serve; for which use principally is that excellent constitution of 5 Elizabeth T, That the justices of the peace, with the sheriff of the county, if ' he conveniently may, the mayor, &c. in towns, corporate, shall yearly, within six weeks of · Easter, assemble together, and with the assistance of such discreet persons as they shall think proper to call to them, and respecting the plenty or scarcity of the time, and other circumstances, shall, within the limits of their commission, rate

<sup>\*</sup> Chap. iv. sect. 5, 6, 9. ‡ Ib. sect. 5, 6, 8.

<sup>6</sup> Ib. sect. 28.

<sup>|</sup> Ib. sect. 24.

<sup>¶</sup> Ib. sect. 15.

'and appoint the wages of artificers, labourers, '&c. by the year, month, week, or day, with or 'without meat and drink.' Then the statute enumerates several particulars, in the most explicit manner, and concludes with these general words: 'And for any other kind of reasonable 'labour and service.'

'These rates are appointed to be engrossed in 'parchment, and certified into chancery, before the twelfth day us July; and before the first 'day of September, several printed proclamations, containing the rates, and a command to all persons to observe them, are to be sent to the sheriff and justices, and to the mayor, &c. These proclamations are to be entered on record with the clerk of the peace, to be fixed up in the market-towns, and to be publicly proclaimed in 'all the markets till Michaelmas \*.

And if any person, after the said proclamations shall be so sent down and published, shall, by any secret ways or means, directly or indirectly retain or keep any servant, workman, or labourer, or shall give any greater wages, or other commodity, contrary to the true intent of the statute, or contrary to the rates assessed, he shall forfeit 5 l. and be imprisoned by the space of ten days to

And every person who is retained, or takes any wages contrary to the statute, shall be imprisoned twenty-one days ‡. And every such retainer, promise, gift and payment, or writing and bond for that purpose, are made absolutely void.

Every justice of peace, or chief officer, who shall be absent at the rating of wages, unless the justices shall allow the reasonable cause of his absence, forfeits 10 l. §.'

<sup>\*</sup> Chap. iv. sect. 16.

<sup>†</sup> Ib, sect. 18. § Ib, sect. 17.

<sup>‡</sup> Ib. sect. 19, 20.

That this statute may, from time to time, be carefully and diligently put in execution, 'the justices are appointed to meet twice a year, to make a special and diligent enquiry of the branches and articles of this statute, and of the good execution of the same, and severely to correct and punish any defaults; for which service they are allowed 5s. per day \*.' No inconsiderable allowed as that time!

lowance at that time! But all this care of the legislature proved, it seems, ineffectual; for forty years after the making this statute, we find the parliament complaining, 'That the said act had not, according to the true ' meaning thereof, been duly put in execution; ' and that the rates of wages for poor artificers, 'labourers, and other persons, had not been rated ' and proportioned according the politic intention of the said act +.' A neglect which seems to have been occasioned by some doubts raised in Westminster-hall, concerning the persons who were the subjects of this law. For the clearing therefore any such doubt, this subsequent statute gives the justices an express power 'to rate the wages of any labourers, weavers, spinsters, and workmen or workwomen whatsoever, either working by the day, week, month, year, or ' taking any work at any person's hands whatsoever, to be done by the great, or otherwise ‡.

And to render the execution of this law the more easy, the statute of James I. enacts, 1. 'That' in all counties where general sessions are kept' in several divisions, the rating wages at such' respective general sessions shall be as effectual within the division, as if they had been rated at the grand general session §.'

<sup>\*</sup> Chap. iv. sect. 37, 38. † Preamble to 1 Jac. c, vi. † Ib, sect. 3, 6 Ib, sect. 5.

2. The method of certifying the rates in chancery, appearing, I apprehend, too troublesome and tedious, 'such certificate is made no longer 'necessary, but the rates being assessed and engrossed in parchment, under the hands and seals 'of the justices, the sheriff, or chief officer, of 'towns corporate, may immediately proclaim the 'same \*

And whereas wool is the great staple commodity of this kingdom, and the woollen trade its principal manufacture, the parliament have given particular attention to the wages of artificers in this

trade.

For, 1. By the statute of James I. +, 'No clo-'thier, being a justice of peace in any precinct 'or liberty, shall be a rater of wages for any 'artizan depending upon the making of cloth.'

2. Clothiers not paying so much wages to their workmen or workwomen, as are rated by the justices, forfeit 10s. for every offence ‡.

3. By a late statute §, 'All persons anywise 'concerned in employing any labourers in the 'woollen manufactory, are required to pay the full wages or price agreed on, in money, and 'not in goods, truck, or otherwise; nor shall 'they make any deduction from such wages or 'price, on account of any goods sold or delivered 'previous to such agreement. And all such wages 'are to be levied, on conviction, before two justices, by distress; and for want of distress, the 'party is to be committed for six months, or until 'full satisfaction is made to the party complaining.' Besides which the clothier forfeits the sum of '1001. ||.'

Preamble to 1 Jac. c, vi. sect. 6. † Ib. sect. 7.

<sup>‡</sup> Ib. sect. 7. § 12 Geo, I, c. xxxiv, sect. 3.

<sup>| 1</sup>b. sect. 4.

4. By the same statute, 'All contracts, byelaws, &c. made in unlawful clubs, by persons
brought up in, or exercising the art of, a woolcomber or weaver, for regulating the said trade,
settling the prices of goods, advancing wages,
or lessening the hours of work, are declared to
be illegal and void; and any person concerned
in the woollen manufactures, who shall knowingly be concerned in such contract, byelaw,
&c. or shall attempt to put it in execution, shall,
upon conviction before two justices, suffer three
months imprisonment \*.'

But long before this act, a general law was made †, to punish all conspiracies for raising wages, limiting hours of work, &c. among artificers, workmen, and labourers; and if such conspiracy was to extend to a general advance of wages all over the kingdom, any insurrection of a number of persons, in consequence of it, would be

an overt act of high treason.

From this cursory view it appears, I think, that no blame lies at the door of the legislature, which hath not only given the magistrate, but even private persons, with his assistance, a power of compelling the poor to work; and, 2dly, hath allotted the fullest power, and prescribed the most effectual means for ascertaining and limiting the price of their labour.

But so very faulty and remiss hath been the execution of these laws, that an incredulous reader may almost doubt whether there are really any such existing. Particularly as to that which relates to the rating the wages of labourers; a law which at first, it seems, was too carelessly executed, and which hath since grown into utter neglect and disuse.

<sup>\* 12</sup> Geo. I. c. xxxiv. sect. 1.

Hath this total disuse arisen, in common with the neglect of other wholesome provisions, for want of due attention to the public good? or is the execution of this law attended with any extraordinary difficulty? or, lastly, are we really grown, as Sir Josiah Child says, wiser than our forefathers, and have discovered any fault in the constitution itself; and that to retrench the price of labour by a law is an error in policy?

This last, seems to me I own, to be very strange doctrine, and somewhat of a paradox in politics; however, as it is the sentiment of a truly wise and great man, it deserves a fair discussion. Such I will endeavour to give it; since no man is more inclined to respect the opinions of such persons, and as the revival of the law which he opposes, is, I think, absolutely necessary to the purpose I am

contending for.

I will give the passage from Sir Josiah at length. It is in answer to this position, That the dearness of wages spoils the English trade. Here, says he, 'the author propounds the making a law to retrench the hire of poor men's labour (an honest charitable project, and well becoming an usurer!) the answer to this is easy. First, I affirm and can prove, he is mistaken in fact; for the Dutch, with whom we principally contend in trade, give generally more wages to all their manufacturers, by at least two-pence in the shilling, than the English. Secondly, Wherever wages are high, universally throughout the whole world, it is an infallible evidence of the riches of that country; and wherever wages for labour run low, it is a ' proof of the poverty of that place. Thirdly, It is multitudes of people, and good laws, such as cause an increase of people, which principally enrich any country; and if we retrench by law VOL. XII.

' the labour of our people, we drive them from us ' to other countries that give better rates; and so 'the Dutch have drained us of our seamen and woollen manufacturers, and we the French of their artificers and silk manufacturers; and many ' more we should, if our laws otherwise gave them fitting encouragement; of which more in due ' place. Fourthly, If any particular trades exact ' more here than in Holland, they are only such as do it by virtue of incorporations, privileges, and charters, of which the cure is easy, by an act of naturalization, and without compulsory laws. 'It is true our great grandfathers did exercise such ' policy, of endeavouring to retrench the price of ' labour by a law (although they could never ef-'fect it); but that was before trade was introduced ' into this kingdom; we are since, with the rest of the trading world, grown wiser in this matter, ' and I hope shall so continue \*.'

To this I reply, 1. That the making such a law is not only an honest, but a charitable project; as it proposes, by retrenching the price of poor men's labour, to provide labour, and consequently hire for all the poor who are capable of labour. In all manufactures whatever, the lower the price of labour is, the cheaper will be the price to the consumer; and the cheaper this price is, the greater will be the consumption, and consequently the more hands employed. This is likewise a very charitable law to the poor farmer, and never more necessary than at this day, when the rents of lands are rated to the highest degree. The great hopes which the farmer hath (indeed his common relief from ruin) is of an exportation of corn. This exportation cannot be by law, unless where the corn is under such a particular price. How necessary then is it to him that the price of labour should be

<sup>\*</sup> Preface to his Discourse on Trade.

confined within moderate bounds, that the exportation of corn, which is of such general advantage to the kingdom, should turn, in any considerable manner, to his private profit? and what reason is there to imagine that this power of limiting wages should be executed in any dishonest or uncharitable manner? Is it not a power entrusted to all the justices of the county or division, and to the sheriff, with the assistance of grave, sober, and substantial persons, who must be sufficient judges of the matter, and who are directed to have regard to the plenty and scarcity of the times? Is it to be suspected that many persons of this kind should unite in a cruel and flagitious act, by which they would be liable to the condemnation of their own consciences, to the curses of the poor, and to be reproached by the example of all their neighbouring counties? Are not much grosser exorbitances to be feared on the other side, when the lowest artificers, husbandmen, and labourers, are made judges in their own cause; and when it is left to their own discretion to exact what price they please for their labour of the poor farmer or clothier; of whom if they cannot exact an extravagant price they will fly to that alternative, which idleness often prefers, of begging or stealing? Lastly, such a restraint is very wholesome to the poor labourers themselves; of whom Sir Josiah observes +, 'That they live better in the dearest countries for provisions 'than in the cheapest, and better in a dear year 'than in a cheap, especially in relation to the pub-'lic good; for in a cheap year they will not work 'above two days in a week; their humour being 'such that they will not provide for a hard time, but just work so much, and no more, as may

<sup>†</sup> Discourse on Trade.

'maintain them in that mean condition to which 'they have been accustomed.' Is it not therefore, upon this concession, demonstrable, that the poor man himself will live much better (his family certainly will,) by these means? Again, many of the poor, and those the more honest and industrious, will probably gain by such a law; for, at the same time that the impudent and idle, if left to themselves, will certainly exact on their masters; the modest, the humble, and truly laborious, may often (and so I doubt not but the case is) be oppressed by them, and forced to accept a lower price for their labour than the liberality of gen-

tlemen would allow them.

2dly. The two assertions contained in the next paragraph both seem to me suspicious. First, that the Dutch and other nations have done all that in them lies to draw from us our seamen, and some of our manufacturers, is certainly true; and this they would do at any price; but that the Dutch do in general give more wages to their manufacturers than the English, is, I believe, not the fact. Of the manufacturers of Holland, the only considerable article which we ourselves take of them, except linen, are toys; and to this we are induced, not because the Dutch are superior to our workmen in genius and dexterity (points in which they are not greatly celebrated), but because they work much cheaper. Nor is, 2dly, the immediate transition from trade to manufacture altogether so fair. The Dutch, it is true, are principally our rivals in trade in general, and chiefly as carriers; but not so in manufacture, particularly in the woollen manufacture. Here our chief rivals are the French, amongst whom the price of labour is known to be considerably lower than with us. To this, among other causes (for I know there are

others, and some very scandalous ones) they owe their success over us in the Levant. It is, indeed, a truth which needs no comment nor proof, that where goods are of equal value, the man who sells cheapest will have the most custom; and it is as certainly true, that he who makes up his goods

in the cheapest manner can sell them so.

3dly, Sir Josiah asserts, 'That wherever wages 'are high, universally throughout the world, 'tis 'an infallible evidence of the riches of that country; and wherever wages for labour run low, it 'is a proof of the poverty of that place.'—If this be true the concession will do him no service; for it will not prove, that to give high wages is the way to grow rich! since it is much more probable that riches should cause the advance of wages than that high wages should produce riches. This latter, I am sure, would appear a high solecism in private life, and I believe it is no less so in public.

4thly, His next assertion, That to retrench by law the labour of our people is to drive them from us, hath partly received an answer already. To give this argument any force our wages must be reduced at least below the standard of other countries; which is, I think, very little to be apprehended; but, on the contrary, if the labourer should carry his demands ever so little higher, as may be reasonably expected, the consumption of many manufacturers will not only be confined to our own people but to a very few of those people.

Thus, I hope, I have given a full answer to this great man, whom I cannot dismiss without observing a manifest mistake of the question, which runs through all his arguments; all that he advances concluding, indeed, only to the quantum of wages which shall be given for labour. He seems rather to argue against giving too little than against

regulating what is to be given; so that his arguments are more proper for the consideration of the justices at their meeting for settling the rates of wages than for the consideration of the legislature in a debate concerning the expediency of the above law. To evince the expediency of which I appeal to the concurrent sense of parliament in so many different ages; for this is not only testified expressly in the above statute of Elizabeth and James, but may be fairly implied from those of Edward VI.

and George I. above recited.

I have moreover, I think, demonstrated, 1. The equity of this law; and that it is as much for the service of the labourer as of his master. 2. The utility of it to trade: I shall only add the necessity of it, in order to execute the intention of the legislature, in compelling the idle to work; for is it not the same thing to have the liberty of working or not at your own pleasure, and to have the absolute nomination of the price at which you will work? the idleness of the common people in this town is, indeed, greatly to be attributed to this liberty; most of these, if they cannot exact an exorbitant price for their labour, will remain idle. The habit of exacting on their superiors is grown universal, and the very porters expect to receive more for their work than the salaries of above half the officers of the army amount to.

I conclude then that this law is necessary to be revived (perhaps with some enlargements), and that still upon one account more; which is, to enable the magistrate clearly to distinguish the corrigible from the incorrigible in idleness; for when the price of labour is once established, all those poor who shall refuse to labour at that price, even at the command of a magistrate, may properly be

deemed incorrigibly idle.

For these the legislature have, by several acts of parliament, provided a punishment, by commitment to Bridewell either for more or less time; and a very severe punishment this is, if being confirmed in habits of idleness, and in every other vi-

cious habit, may be esteemed so.

These houses are commonly called houses of correction, and the legislature intended them certainly for places of correction of idleness at least; for in many acts, where persons are ordered to be committed to Bridewell, it is added there to be kept to hard labour; nay, in the statute of Jac. I.\* these houses of correction are directed 'to be built ' with a convenient backside adjoining, together with mills, turns, cards, and such like necessary 'implements to set rogues and other idle people 'on work.' Again, in the same statute, authority is given to the master or governor, 'To set to 'work such rogues, vagabonds, idle and disorderly ' persons, as shall be brought or sent unto the said 'house (being able) while they shall continue in the said house, and to punish them, by putting fetters on them, and by whipping; nor are the 'said rogues, &c. to have any other provision than 'what they shall carn by their labour.'

The erection of these houses, as is usual with new institutions, did at first greatly answer the good purposes for which they were designed, insomuch that my lord Coke observes, 'That upon 'the making of the statute 39 Eliz. for the 'erection of houses of correction, and a good space after, whilst justices of peace and other officers

<sup>\*</sup> Chap. iv. These houses were first begun to be erected ann. 13 Eliz. the prison for idleness being, before that time, the stocks. In the 11th year of Henry VII. vagabonds, begars, &c. are ordered to be set three days and three nights in the stocks.

were diligent and industrious, there was not a rogue to be seen in any part of England.' And again he prophesies, that ' from the erection of these houses we shall have neither beggar nor ' idle person in the commonwealth \*.'

But this great man was a much better lawyer than he was a prophet; for whatever these houses were designed to be, or whatever they at first were, the fact is, that they are at present, in general, no other than schools of vice, seminaries of idleness, and common-sewers of nastiness and disease. As to the power of whipping, which the act of James I. vests in the governor, that, I believe, is very seldom used, and perhaps when it is, not properly applied. And the justice in very few instances (in none of idleness) hath any power of

ordering such punishment +.

And with regard to work, the intention of the law is, I apprehend, as totally frustrated. Insomuch, that they must be very lazy persons indeed who can esteem the labour imposed in any of these houses as a punishment. In some, I am told, there is not any provision made for work. In that of Middlesex in particular the governor bath confessed to me, that he hath had no work to employ his prisoners, and hath urged as a reason, that having generally great numbers of most desperate felons under his charge, who, notwithstanding his utmost care, will sometimes get access to his other prisoners, he dares not trust those who are committed to hard labour with any heavy or sharp instruments of work, lest they should be converted into weapons by the felons.

<sup>\* 2</sup> Inst. 729.

<sup>†</sup> By the last vagabond act, which repeals all the former, rogues and vagabonds are to be whipt, or sent to the house of correction.

What good consequence then can arise from sending idle and disorderly persons to a place where they are neither to be corrected nor employed; and where, with the conversation of many as bad, and sometimes worse than themselves, they are sure to be improved in the knowledge, and confirmed in the practice of iniquity? Can it be conceived that such persons will not come out of these houses much more idle and disorderly than they went in? The truth of this I have often experienced in the behaviour of the wretches brought before me; the most impudent and flagitious of whom have always been such as have been before acquainted with the discipline of Bridewell; a commitment to which place, though it often causes great horror and lamentation in the novice, is usually treated with ridicule and contempt by those who have already been there.

For this reason, I believe, many of the worthiest magistrates have, to the utmost of their power, declined a rigorous execution of the laws for the punishment of idleness, thinking that a severe reprimand might more probably work the conversion of such persons than the committing them to Bridewell. This I am sure may with great certainty be concluded, that the milder method is less liable to render what is bad worse, and to

complete the destruction of the offender.

But this is a way of acting, however worthy be the motive, which is sometimes more justifiable to a man's own conscience than it would be in the court of King's Bench, which requires the magistrate to execute the laws entrusted to his care, and in the manner which those laws prescribe. And besides the indecency of shewing a disregard to the laws in being, nothing surely can be more improper than to suffer the idleness of the poor, the cause of so much evil to the society, to go entirely un punished.

And yet, should the magistrate do his duty as he is required, will the intent and purpose of the legislature be answered? The parliament was, indeed, too wise to punish idleness barely by confinement. Labour is the true and proper punishment of idleness, for the same reason which the excellent Dr. Swift gives why death is the proper punishment of cowardice. Where then is the remedy? Is it to enforce the execution of the law as it now stands, and to reform the present conduct of the several Bridewells? This would, I believe, be as difficult a work as the cleansing the Augean stables of old; and would require as extraordinary a degree of political as that did of natural strength to accomplish it. In truth the case here is the same as with the overseers before; the trust is too great for the persons on whom it devolves; and though these houses are in some measure under the inspection of the justices of peace, yet this in the statute is recommended in too general a manner to their care, to expect any good fruits from it. As ' to the true and faithful account which they are to yield to the justices, at ' the sessions, of the persons in their custody,' this is at present little more than matter of form; nor can it be expected to be any other in the hurry of a public sessions, and when the stench arising from the prisoners is so intolerable that it is difficult to get any gentleman to attend the court at that time. In the last vagrant act indeed two justices are appointed twice, or oftener, every year to examine into the state and nature of hous. of correction, &c. yet, as it gives them no power but of reporting to the sessions, I believe it hath not produced any good effect; for the business

of the sessions is so complicated and various that thappens, as in all cases where men have too nuch to do, that they do little or nothing effectually. Perhaps, indeed, if two or more justices of the peace were appointed to meet once every month at some convenient place, as near as possible to the Bridewell, there to summon the governor before them, to examine the accounts of his stock and implements for work, and to make such orders (under what restrictions the parliament shall think proper) as to such justices shall seem requisite; this might afford a palliative at least. In short, the great cure for idleness is labour; and this is its only proper punishment; nor should it ever be in the power of the idle person to

commute this punishment for any other.

In the reign of Edward VI. + a most severe law indeed was made for the punishment of idleness.— 'If any person,' says the statute, 'shall bring to "two justices of peace any runagate servant, or any other, which liveth idly and loiteringly by the 'space of three days, the said justices shall cause The said idle and loitering servant or vagabond to be marked with an hot iron on the breast with the letter V. and adjudge him to be slave to the 'same person that brought and presented him, to have to him, his executors and assigns, for two years, who shall take the said slave, and give him bread, water, or small drink, and refuse meat, and cause him to work by beating, chaining, or otherwise, in such work and labour as he shall put him; be it never so vile. And if such slave absent himself from his master within rie term, by the space of fourteen days, he shall be adjudged by two justices of the peace to be marked on the the forehead, or the ball of the

cheek, with an hot iron, with the sign of an \$ and shall be adjudged to be slave to his said

master for ever; and, if the said slave shall

run away a second time he shall be adjudged

a felon.

This statute lived no longer than two years, indeed it deserved no longer a date, for it was cruel, unconstitutional, and rather resembling the cruel temper of a Draco than the mild spirit of the English law. But, est modus; there is a difference between making men slaves and felons and compelling them to be subjects; in short, between throwing the reins on the neck of idleness and riding it with spurs of iron.

Thus have I endeavoured to give the reader a general idea of the laws which relate to this single point of employing the poor; and, as well as I am able to discern, of their defects, and the reasons of those defects. I have likewise given some hints for the cure, and have presumed to offer a plan, which, in my humble opinion, would effectually

answer every purpose desired.

But till this plan shall be produced; or (which is more to be expected) till some man of greater abilities, as well as of greater authority, shall offer some new regulation for this purpose; something at least ought to be done to strengthen the laws already made, and to enforce their execution. The matter is of the highest concern, and imports us not only as we are good men and good Christians, but as we are good Englishmen; since not only preserving the poor from the highest degrees of wretchedness, but the making them useful subjects, is the thing proposed; A work, says Sir Josiah Child; which would redound some hundreds of thousands per annum to the public advantage. Lastly, it is of the

utmost importance to that point which is the subject matter of this treatise, for which reason I have thought myself obliged to give it a full consideration. 'The want of a due provision,' says lord Hale \*, 'for education and relief of the poor in a 'way of industry, is that which fills the gaols with malefactors, and fills the kingdom with idle and unprofitable persons that consume the stock of the kingdom without improving it, and that will daily increase, even to a desolation in time. And this error in the first concoction is never re-

'mediable but by gibbets and whipping.'

In serious truth, if proper care should be taken to provide for the present poor, and to prevent their increase by laying some effectual restraints on the extravagance of the lower sort of people, the remaining part of this treatise would be rendered of little consequence; since few persons, I believe, have made their exit at Tyburn who have not owed their fate to some of the causes before mentioned. But as I am not too sanguine in my expectations on this head, I shall now proceed to consider of some methods to obviate the frequency of robberies, which, if less efficacious, are, perhaps, much easier than those already proposed. And if we will not remove the temptation, at least we ought to take awayall encouragement to robbery.

## SECT. V.

Of the Punishment of Receivers of stolen Goods.

Now one great encouragement to theft of all kinds is the ease and safety with which stolen goods may be disposed of. It is a very old and vulgar,

<sup>\*</sup>At the end of his discourse touching the relief of the poor, Vol. XII.

but a very true saying, 'That if there were no receivers, there would be no thieves.' Indeed could not the thief find a market for his goods, there would be an absolute end of several kinds of theft; such as shop-lifting, burglary, &c. the objects of which are generally goods and not money. Nay, robberies on the highway would so seldom answer the purpose of the adventurer, that very few would think it worth their while to risque so much with such small expectations.

But at present, instead of meeting with any such discouragement, the thief disposes of his goods with almost as much safety as the honestest tradesman: for first, if he bath made a booty of any value, he is almost sure of seeing it advertised within a day or two, directing him to bring the goods to a certain place where he is to receive a reward (sometimes the full value of the booty) and no questions asked. This method of recovering stolen goods by the owner, a very learned judge formerly declared to have been, in his opinion, a composition of felony. And surely if this be proved to be carried into execution, I think it must amount to a full conviction of that crime. But, indeed, such advertisements are in themselves so very scandalous, and of such pernicious consequence, that if men are not ashamed to own they prefer an old watch or a diamond ring to the good of the society, it is pity some effectual law was not contrived to prevent their giving this public countenance to robbery for the future.

But if the person robbed should prove either too honest, or too obstinate, to take this method of recovering his goods, the thief is under no difficulty in turning them into money. Among the great number of brokers and pawnbrokers several are to be found, who are always ready to receive a gold watch at an easy rate, and where no questions are asked, or at least, where no answer is expected but such as the thief can very

readily make.

Besides, the clandestine dealers this way, who satisfy their consciences with telling a ragged fellow, or wench, that they hope they came honestly by silver, and gold, and diamonds; there are others who scorn such pitiful subterfuges, who engage openly with the thieves, and who have warehouses filled with stolen goods only. Among the Jews, who live in a certain place in the city, there have been, and perhaps still are, some notable dealers this way, who, in an almost public manner, have carried on a trade for many years with Rotterdam, where they have their warehouses and factors, and whither they export their goods with prodigious profit, and as prodigious impunity. And all this appeared very plainly last winter in the examination of one Cadosa, a Jew, in the presence of the late excellent duke of Richmond, and many other noblemen and magistrates.

What then shall we say? is not this mischief worthy of some remedy, or is it not capable of it? the noble duke (one of the worthiest of magistrates, as well as of the best of men) thought otherwise, as would have appeared, had his valuable life, for the

good of mankind, been prolonged.

Certain it is, that the law, as it now stands, is ineffectual to cure the evil. Let us see therefore,

if possible, where the defect lies.

At the common law, any one might lawfully (says lord Hale) have received his own goods from the felon who stole them \*. But, if he had received them upon agreement not to prosecute, or

<sup>\*</sup> Hist, P. C. vol. I. p. 546, 619. ib.

to prosecute faintly, this would have been theftbote, punishable by imprisonment and ransom.

But in neither of the foregoing cases would the receiver of the goods have become an accessary to the felon. So if one man had bought another's goods of the thief, though he had known them to be stolen, if he had given the just value for them, he would not have become an accessary \*. But if he had bought them at an undervalue, this, Sir Richard Hyde held, would have made him an accessary. My lord Hale differs from his opinion, and his reason to some readers may seem a pleasant one; For if there he any odds (says he) he that gives more, benefits the felon more than he that gives less than value. However, this, his lordship thinks, may be a misdemeanor punishable by fine and imprisonment; but that the bare receiving of goods, knowing them to be stolen, makes not an accessary.

So says the great lord Hale, and so indeed was the law; though the judges seem not to have been unanimous in their opinion. In the book of Assizes +, Scrope is said to have held otherwise; and though Shard there quashed an appeal of felony for receiving stolen goods only, yet I cannot help observing, that the reporter of the case hath left a note of astonishment at the judgment of the court. 'This,' says he, 'was wonderful!' and wonderful surely it is, if he who receives, relieves, comforts, or assists a felon, shall be an accessary, that he shall not be so, who knowingly buys the goods of the felon; which is generally, I believe, the strongest relief, comfort, and assistance which can be given him, and without the hope and expectation of which, he would never have committed the theft or robbery.

<sup>\*</sup> Hist. P. C. ubi supra. + 27 Assiz. 69.

It is unnecessary, however, to enter farther into this controversy; since it is now expressly declared by statute \*, 'That the receivers of stolen goods, 'knowing them to be stolen, shall be deemed ac-'cessaries after the fact.'

But this statute, though it removed the former absurdity of the law, was not sufficient to remedy the evil; there yet remaining many difficulties in bringing these pernicious miscreants to justice, con-

sistent with legal rules. For,

1. As the offence of the accessary is dependent on that of the principal, he could not be tried or outlawed, till after the conviction or attainder of the principal; so that however strong evidence there might be against the receiver, he was still safe, unless the thief could be apprehended.

2. If the thief on his trial should be acquitted, as often happens through some defect of evidence in the most notorious cases, the receiver, being only an accessary, though he hath confessed his crime, or though the most undeniable evidence could be brought against him, must be acquitted

likewise.

3. In petit larceny there can be no such accessary †: for though the statute says, that a receiver of stolen goods, knowing, &c. shall be an accessary after the fact, that is legally understood to mean only in cases where such accessary may be by law; and that is confined to such felonies as are to receive judgment of death, or to have the benefit of clergy. Now, for petit larceny, which is the stealing goods of less value than a shilling, the punishment at common law is whipping; and this was properly enough considered as too trifling an offence to extend the guilt to criminals in a

<sup>\* 3</sup> and 4 W. and M. c. ix. † Cro. Eliz. 750. Hale's Ilist. vol. I. p. 530, 618.

second degree. But since juries have taken upon them to consider the value of goods as immaterial, and to find upon their oaths, that what is proved to be worth several shillings, and sometimes several pounds, is of the value of ten-pence, this is become a matter of more consequence. For instance, if a pickpocket steal several handkerchiefs, or other things to the value of twenty shillings, and the receiver of these, knowing them to be stolen, is discovered, and both are indicted, the one as principal, the other as accessary, as they must be; if the jury convict the principal, and find the goods to be of as high value as a shilling, he must receive judgment of death; whereas, by finding the goods (which they do upon their oaths) to be of the value of ten-pence, the thief is ordinarily sentenced to be whipped, and returns immediately to his trade of picking pockets, and the accessary is of course discharged, and of course returns to his trade of receiving the booty. Thus the jury are perjured, the public highly injured, and two excellent acts of parliament defeated, that two miscreants may laugh at their prosecutors, and at the law.

The two former of these defects are indeed remedied by a later statute \*, which enacts, 'That 'the buyers and receivers of stolen goods, knowing them to be stolen, may be prosecuted for a 'misdemeanor, and punished by fine and imprisonment, though the principal felon, be not before 'convicted of felony.'

This last statute is again repeated in the 5th of Queen Anne †; and there the power of the court to punish in the case of the misdemeanor, is farther increased to any other corporal punishment, which the court shall think fit to inflict, instead

<sup>\* 3</sup> and 4 W. and M. c. ix.

of fine and imprisonment; and, in the case of the felony, the accessary is to receive judgment of death; but the benefit of clergy is not taken away. Lastly, By the statute of George II. \* the receivers of stolen goods, knowing, &c. are to be transported for fourteen years. And by the same statute, every person taking money or reward, directly or indirectly, under pretence or upon account of helping any to stolen goods, unless such person apprehend and bring to his trial the felon, and give evidence against him, is made guilty of felony without benefit of clergy.

And thus stands the law at this day; which, notwithstanding the repeated endeavours of the legislature, experience shews us, is incapable of removing

this deplorable evil from the society.

The principal defect seems, to me, to lie in the extreme difficulty of convicting the offender; for,

1. Where the thief can be taken, you are not at

liberty to prosecute for the misdemeanor.

The thief himself, who must be convicted before the accessary is to be tried, cannot be a witness.

3. Without such evidence it is very difficult to convict of the knowledge, that the goods were stolen; which, in this case, can appear from circumstances only. Such are principally, 1st, Buying goods of value, of persons very unlikely to be the lawful proprietors. 2dly, Buying them for much less than their real value. 3dly, Buying them, or selling them again, in a clandestine manner, concealing them, &c. None of these are commonly liable to be proved; and I have known a man acquitted where most of these circumstances have appeared against him.

What then is to be done, to extirpate this stubborn mischief? To prove the pernicious consequence of which, I need, I think, only appeal to the sense of parliament, testified in so many repeated acts, and very strongly expressed in their preambles.

First, Might it not be proper to put an effectual stop to the present scandalous method of compounding felony, by public advertisements in the newspapers? Might not the inserting such advertisements be rendered highly criminal in the authors of them, and in the printers themselves, unless they discover such authors?

2dly, Is it impossible to find any means of regulating brokers and pawnbrokers? if so, what arguments are there against extirpating entirely a set of miscreants, which, like other vermin, harbour only about the poor, and grow fat by sucking their blood?

3dly, Why should not the receiving stolen goods, knowing them to be stolen, be made an original offence? by which means the thief, who is often a paltry offender in comparison of the receiver, and sometimes his pupil might, in little felonies, be made a witness against him; for thus the trial of the receiver would in no case depend on the trial or conviction of the thief.

4thly, Why may not the bare buying or taking to pawn stolen goods, above a certain value, be made evidence of receiving with knowledge, &c. unless the goods were bought in market overt (no broker's or pawnbroker's shop to be reputed such market overt) or unless the defendant could prove, by a credible witness to the transaction, that he had good cause to regard the seller or pawner of the goods to be the real owner. If 20s. was the value limited, it would answer all the purposes contended

for; and would in nowise interfere with the honest trade (if indeed it ever be so) between the pawn-

broker and the poor.

If none of these methods be thought possible or proper, I hope better will be found out. Something ought to be done, to put an end to the present practice, of which I daily see the most pernicious consequences; many of the younger thieves appearing plainly to be taught, encouraged, and employed by the receivers.

## SECT. VI.

## Of Laws relating to Vagatonds.

THE other great encouragement to robbery, beside the certain means of finding a market for the booty, is the probability of escaping punishment.

First, then, The robber hath great hopes of being undiscovered; and this is one principal reason, why robberies are more frequent in this town, and in its neighbourhood, than in the remoter parts of the

kingdom.

Whoever indeed considers the cities of London and Westminster, with the late vast addition of their suburbs, the great irregularity of their buildings, the immense number of lanes, alleys, courts, and bye-places; must think, that, had they been intended for the very purpose of concealment, they could scarce have been better contrived. Upon such a view the whole appears as a vast wood or forest, in which a thief may harbour with as great security, as wild beasts do in the deserts of Africa or Arabia; for, by wandering from one

part to another, and often shifting his quarters, he may almost avoid the possibility of being discovered.

Here, according to the method I have hitherto pursued, I will consider, what remedy our laws have applied to this evil, namely the wandering of the poor, and whether, and wherein these remedies appear defective.

There is no part of our ancient constitution more admirable than that which was calculated to prevent the concealment of thieves and robbers. The original of this institution is given to Alfred, at the end of his wars with the Danes, when the English were very much debauched by the example of those barbarians, and betook themselves to all manner of licentiousness and rapine. These evils were encouraged, as the historians say, by the vagabond state of the offenders, who, having no settled place of abode, upon committing any offence, shifted their quarters, and went where it was difficult to discover them. To remedy this mischief therefore, Alfred having limited the shires or counties in a better manner than before, divided them into hundreds, and these again into tithings, decennaries, or ten families \*.

Over every one of these tithings, or decennaries, there was a chief, called the tithingman or burghholder, who had a power to call a court, and to try

manors could not be here meant.

<sup>\*</sup> By these ten families (says the annotator to Rapin) we are not to understand ten housekeepers, but ten lords of manors, with all their vassals, tenants, labourers and slaves; who, though they did not live under their lord's roof, were all counted part of his family. As there were no little free-holders in those times, nor for long after, ten such families nust occupy a large space of ground, and night well constitute a rural fithing. But this rural tithing would be larger than the hundred itself; and the very name and office of a fithingman, continued in parishes to this day, shews that lords of

small offences; the greater being referred to that court, which was in like manner established over every hundred.

Every one of these heads of families were pledges to each other for the behaviour of all their family; and were likewise reciprocally pledges for each other to the hundred.

If any person was suspected of a crime, he was obliged to find security for his good behaviour out of the same hundred and tithing. This if he could not find, he had reason to apprehend being treated with great severity; and if any accused person, either before or after his finding bail, had fled from justice, the whole tithing and hundred should pay a

fine to the king.

In case of the default of appearance in a decenner, his nine pledges had one-and-thirty days to bring the delinquent forth to justice. If this failed, then the chief of those decenners, by the vote of that and the neighbour decennaries, was to purge himself both of the guilt of the fact, and of being parties to the flight of the delinquent. And if they could not do this, then they were, by their own oaths, to acquit themselves, and to bind themselves, to bring the delinquent to justice as soon as they could; and, in the mean time, to pay the damage out of the estate of the delinquent; and, if that were not sufficient, then out of their own estate \*.

Every subject in the kingdom was registered in some tithing; only persons of the first rank had the privilege (says Mr. Rapin †) that their single family should make a tithing for which they were responsible. All archbishops, bishops, earls, barons, and all (says Bracton) who have soc and

\* Bacon's Histor. Disc. p. 43.

<sup>†</sup> Dissertation on the Government of the Anglo-Suxons.

'sac, tol and team, and these kinds of liberties. ought to have under their FRIDBURGH, all their

' knights, servants, esquires; and, if any of them

· prove delinquent, the lord shall bring him to jus-

' tice, or pay his fine \*.'

The master of the family was answerable for all who fed at his board and were of his livery, and for all his servants of every kind, even for those who served him for their food only, without wages. These were said to be of his manupast: so were his guests; and if a man abode at any house but two nights, the master of that house was answerable for him +.

In a word, says Bracton, every man, as well freemen as others, ought to belong to some frankpledge (i.e. to some decenna) unless he be a traveller, or belong to the manupast of some other; or unless he give some countervailing security to the public, as dignity (viz. nobility) order (knighthood, or of the clergy) or estate (viz. either freehold in land, or personal effects, res immobiles) if he be a citizen.

By the laws of Edward the Confessor, every person, of the age of twelve years, ought to be sworn in a view of frankpledge, That he will neither become a thief himself, nor be any wise acces-

sary to theft.

This court, Britton t tells us, was to be holden twice a year, which was afterwards reduced to once a year by Magna Charta; and no man, says the Mirror, was by an ancient ordinance, suffered to remain in the kingdom, who was not enrolled in decenna, and had freemen for his pledges §.

Such was this excellent constitution, which even in Alfred's time, when it was in its infancy, wrought so admirable an effect, that Ingulphus

<sup>\*</sup> Bract, I, iii. De Corona, cap, x, + Bract, ubi sup. Brit, 19. b. \$ Brit. 36. b. & Mirr. chap. i. sect. 17. and chap. v. sect. 1.

says, a traveller might have openly left a sum of money safely in the fields and highways, and have found it safe and untouched a month afterwards\*. Nay, William of Malmesbury tells us the king ordered bracelets of gold to be hung up in the crossways, as a proof of the honesty of his people, none ever offering to meddle with them †.

But this constitution would have been deficient, if it had only provided for the incorporating the subjects, unless it had confined them to the places

where they were thus incorporated.

And therefore by the laws of Alured, or Canute, it was rendered unlawful for any of the decenners to depart from their dwelling, without the consent of their fellow-pledges; nor were they at liberty to leave the country, without the licence of the sheriff or governor of the same ‡.

And if a person, who fled from one tithing, was received in another, the tithing receiving him should answer for his deed (i. e. by amercement)

if he was there found §.

Before this order was established,' says Rapin, the meaner sort of people might shift their quarters, by reason of their obscurity, which prevented them from being taken notice of. But it, was impossible for them to change their habitation, after they were obliged to bring a testimonial from their tithing, to enable them to settle and be registered in another ||.'

Whilst this ancient constitution remained entire, such peace, says lord Coke, was preserved within the realm, as no injuries, homicides, robberies, thefts, riots, tumults, or other offences, were committed; so as a man, with a white

<sup>\*</sup> Script. post. Bedam, p. 870. ; Bacon, p. 44.

Rapin, ubi sup.

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<sup>†</sup> Tb. p. 44.

<sup>§</sup> Brit. ubi supra.

wand, might safely have ridden, before the conquest, with much money about him, without any weapon, through England \*? Nay, even in the tumultuous times of William the Conqueror, the historians tell us, there was scarce a robber to be found in the kingdom.

This view of frankpledge remained long after the conquest: for we find it twice repeated in one chapter of Magna Charta; and there particularly it is said, Fiat autem visus de frankpleg' sic videlicet QUOD PAX NOSTRA TENEATUR. Nay, Bracton, who wrote after that time, and Fleta after him, speak of frankpledge as then subsisting.

The statute of Marlborough likewise, which was made the 52d of Henry III. mentions the same court; as doth Britton, who wrote still later, in many places. And in the 17th of Edward II. an act was made, called The statute for the view of Frankpledge ‡.

Nay, in the reign of Henry IV. we find an amercement for not coming to a view of frank-pledge; and there the whole court of king's bench were of opinion, that every man, as well masters as servants, were obliged to repair to this court \(\xi\); and though then possibly it was degenerated, and become little more than form.

But in process of time, this institution dwindled to nothing; so that lord Coke might truly say, Quod vera institutio illius curiæ evanuit, et velut umbra ejusdem adhuc remanet; and a little after, speaking of the frankpledge, the Decennarii, and the Decenna, he says, 'They are names continued only as shadows of antiquity ||.' Nay, this great

<sup>\* 2</sup> Instit. 73. † Chap. xxxiii.

<sup>‡</sup> But this matter was before that transferred from the decenary court to the leets and sheriff's tourn.

<sup>9</sup> Hill, 3 H. IV. Pl. 19. | 2 Inst. 72, 73,

man himself (if, after a most careful and painful perusal of all he hath writ, as well here as in his 4th Institute, and other places on the subject, I may be allowed to say so) seems to have no very clear idea concerning them; and might have fairly owned, of the original of the leet and frankpledge, what one of the sages doth of an hundred, in the book of Henry VII, 'That a hundred had 'existed above an hundred years; and therefore, 'as to the true definition of a hundred, and whether it was composed of a hundred towns, or a 'hundred lordships, and whether it had anciently more or less jurisdiction, he frankly owned that 'he knew nothing of the matter.\*'

The statute of Marlborough † had perhaps given a fatal blow to the true and ancient use of the view of frankpledge; of which, as lord Coke says ‡, the sheriffs had made an ill use; for, in the 3d year of the succeeding king §, we find the legislature providing against notorious felons, and such as be openly of evil fame, that they shall not be admitted to bail; and, in the 13th, the statute of Winchester entirely altered the law, and gave us a

new constitution on this head.

1. By this act the whole hundred is made an-

swerable in case of robberies.

2. In order to prevent the concealment of robbers in towns, it is enacted, 1. That the gates of all walled towns shall be shut from sun-setting to sun-rising. 2. A watch is appointed, who are to arrest all strangers. 3. No person is to lodge in the suburbs, nor in any place out of the town, un-

<sup>\* 8</sup> H. VII. 3 b.

thap, xxiv. By which justices in eyre are forbidden to anierce townships, because all of twelve years old were not sworn.

<sup>‡ 2</sup> Instit. 147.

<sup>§</sup> Westminster, 1, chap, xv.

less his host will answer for him. 4. The bailiffs of towns, shall make enquiry once within fifteen days at the fartbest, of all persons lodged in the suburbs, &c. and of those who have received any

suspicious persons.

3. To prevent the concealment of robbers without the towns, it is enacted, that the highways leading from one market-town to another, shall be enlarged, and no bushes, woods, or dykes, in which felons may be concealed, shall be suffered therein.

4. Felons are to be pursued by hue and cry.

This statute, says lord Coke, was made against a gang of rogues then called Roberdsmen, that took their denomination of one Robin Hood, who lived in Yorkshire in the reign of Richard I. and who, with his companions, harbouring in woods and deserts, committed a great number of robberies and other outrages on the subject. From this arch-thief a great number of idle and dissolute fellows, who were called Drawlatches, Ribauds, and Roberdsmen, took their rise, and infested this kingdom for above a century, notwithstanding the many endeavours of the legislature from time to time to suppress them.

In all these laws, the principal aim visibly was, to prevent idle persons wandering from place to place, which, as we have before seen, was one

great point of the decennary constitution.

Thus, by a law made in the 34th year of Edward III. a labourer departing from his service into another county was to be burned in the forehead with the letter F. And, by the same statute, if a labourer or servant do fly into a city or borough, the chief officer, on request, was to deliver him up.

Again, in the 7th year of Richard II. the jus-

tices of peace are ordered to examine vagabonds; and, if they have no sureties for their good beha-

viour, to commit them to prison.

In the 11th year of Henry VII. it was enacted, that vagabonds and idle persons should be set on the stocks three days and three nights, and have no other sustenance but bread and water, and then shall be put out of the town, and whosoever gave such idle persons relief forfeited 12d.

By 22 Henry VIII. persons calling themselves Egyptions, shall not come into the realm, under penalty of forfeiting their goods; and, if they do not depart within fifteen days after they are com-

manded, shall be imprisoned.

By the 1 and 2 Philip and Mary \*, Egyptians coming into the kingdom, and remaining here a month, are made guilty of felony without benefit of clergy.

And those who bring them into the realm forfeit

401.

By the 5 Eliz. the crime of felony without clergy is extended to all who are found in the company of Egyptians, or who shall counterfeit, transform, or disguise themselves as such.

By 22 Henry VIII. a vagabond taken begging shall be whipped, and then sworn to return to the place of his birth, or last abode for three years,

there to put himself to labour.

By 27 Henry VIII. a valiant beggar or sturdy vagabond shall be whipped for the first offence, and sent to the place of his birth, &c. for the second, the upper part of the gristle of his right ear cut off; and if after that he be taken wandering in idleness, &c. he shall be adjudged and executed as a felon.

I shall mention no more acts (for several were

made) between this and the 39th Elizabeth, when the former acts concerning vagabonds were all repealed, and the several provisions against them were reduced to one law.

This act, which contained many wholesome provisions, remained in force a long time, but at length was totally repealed by the 12th of Queen Anne; as this was again by the 13th George II. which last-mentioned statute stands now repealed by another, made about six years ago \*.

I have taken this short view of these repealed laws, in order to enforce two considerations. First, that the removal of an evil which the legislature have so often endeavoured to redress is of great importance to the society. 2dly, That an evil which so many subsequent laws have failed of removing is of a very stubborn nature, and extremely difficult to be cured

Here I hope to be forgiven when I suggest, that the law hath probably failed in this instance from want of sufficient direction to a single point. As on a former head the disease seems to be no other than taleness, so here wandering is the cause of the mischief, and that alone to which the remedy should be applied. This, one would imagine, should be the chief, if not sole intent, of all laws against vagabonds, which might, in a synonimous phrase, be called laws against wanderers. But as the word itself hath obtained by vulgar use a more complex signification, so have the laws on this head had a more general view than to extirpate this mischief; and by that means, perhaps, have failed of producing such an effect.

I will therefore confine myself, as I have intherto done on this head, to the single point of preventing the poor from wandering, one principal cause of the increase of robbers; as it is the chief means of preserving them from the pursuit of justice. It being impossible for any thief to carry on his trade long with impunity among his neighbours, and where not only his person, but his way of life, must be well known.

Now to obviate this evil the law, as it now stands, hath provided in a twofold manner. 1. By way of prevention; and, 2. By way of remedy.

As to the first, the statute of Elizabeth declares \*, that no person retained in husbandry, or in any art or science in the act mentioned †, after the time of his retainer is expired, shall depart out of any city, parish, &c. nor out of the county, &c. to serve in any other, unless he have a testimonial under the seal of the city or town corporate, or of the constable or other head officer, and two other honest householders of the city, town, or parish, where he last served, declaring his lawful departure, and the name of the shire and place where he served last. This certificate is to be delivered to the servant, and registered by the parson, for 2d. and the form of it is given in the act.

And no person is to be retained in any other service, without shewing such testimonial to the chief officer of the town corporate, and in every other place to the constable, curate, &c. on pain of imprisonment, till he procure a testimonial; and, if he cannot procure such testimonial within twenty-one days he shall be whipped, and treated like avagabond; so shall he be if found with a forged testimonial. And those who receive him without shewing such testimonial as aforesaid forfeit 51.

As to the 2d, the law hath been extremely liberal in its provisions. These are of two sorts, 1. Simply compulsory; and, 2. Compulsory with

† i. e. In almost every trade.

<sup>\* 5</sup> Eliz. c. iv. sect. 10, in force, though not in use.

punishment. Under the former head may be ranged the several acts of parliament relating to the settlement, or rather removal of the poor.

As these statutes, though very imperfectly executed, are pretty generally known (the nation having paid some millions to Westminster-hall for the knowledge of them), I shall mention them

very slightly in this place.

The statute of Elizabeth, together with the wise execution of it, having made the poor an intolerable burden to the public, disputes began to arise between parishes to whose lot it fell to provide for certain individuals; for the laws for confining the poor to their own homes being totally disregarded, these used to ramble wherever whim or conveniency invited them. The overseers of one parish were perhaps more liberal of the parochial fund than in another; or sometimes, probably, the overseer of the parish A, was a friend or relation of a poor person of the parish of B, who did not choose to work. From some such reason the poor of one parish began to bring a charge on another.

To remedy such inconveniences, immediately after the restoration \*, a statute was made, by which if any poor man likely to be chargeable came to inhabit in a foreign parish, unless in a tenement of 10l. a year, the overseers might complain to one justice within forty days, and then two justices were to remove the poor person to the

place of his last legal settlement.

By a second act †, the forty days are to be reckoned after notice given in writing to the churchwarden or overseer by the poor person, containing the place of his abode, number of his family, &c.

But by the same statute, the executing a public an-

<sup>\* 13</sup> and 14 Car. II. c. xii.

<sup>† 3</sup> and 4 W. and M. c. xi. See 1 Jac. II. c. xvii.

nual office during a year, or being charged with and paying to the public taxes, &c. or (it unmarried and not having a child) being lawfully hired into any parish, and serving for one year, or being bound apprentice by indenture, and inhabiting, &c. are all made good settlements without notice.

By a third statute \*, persons bringing a certificate signed by the overseers, &c. and allowed by two justices, cannot be removed till they become

chargeable.

By a fourth †, no such certificate person shall gain a settlement by any other act than by lona fide taking a lease of a tenement of 10l. per annum, or by executing an annual office.

By a fifth ‡, no apprentice or hired servant of certificate person shall, by such service or appren-

ticeship, gain any settlement.

By a sixth §, no person by any purchase of which the consideration doth not *lona fide* amount to 30*l*. shall gain any settlement longer than while he dwells on such purchase.

So much for these laws of removal, concerning which there are several other acts of parliament,

and law cases innumerable.

And yet the law itself is, as I have said, very imperfectly executed at this day, and that for

several reasons.

1. It is attended with great trouble; for as the act of Ch. II. very wisely requires two justices, and the Court of King's Bench requires them both to be present together (though they seldom are so), the order of removal is sometimes difficult to be obtained, and more difficult to be executed; for the parish to which the party is to be removed (perhaps with a family) is often in a distant

<sup>\* 8</sup> and 9 W. III. c. xxx.

<sup>† 9</sup> and 10 W. III. c. xi.

<sup># 12</sup> Anne, c. xviii.

<sup>&</sup>amp; Geo. I. c. vii.

county; nay, sometimes they are to be carried from one end of the kingdom to another.

- 2. It is often attended with great expence, as well for the reason aforesaid as because the parish removing is liable to an appeal from the parish to which the poor is removed. This appeal is sometimes brought by a wealthy and litigious parish against a poor one, without any colour of right whatever.
- 3. The removal is often ineffectual; for, as the appeal is almost certain to be brought if an attorney lives in the neighbourhood; so is it almost as sure to succeed if a justice lives in the parish. And as for relief in the King's Bench, if the justices of peace will allow you to go thither (for that they will not always do) the delay, as well as the cost, is such, that the remedy is often worse than the disease.

For these reasons it can be no wonder that parishes are not very forward to put this law in execution. Indeed, in all cases of removal, the good of the parish, and not of the public, is consulted; nay, sometimes the good of an individual only; and therefore the poor man who is capable of getting his livelihood by his dexterity at any handicraft, and likely to do it by his industry, is sure to be removed with his family; especially if the overseer, or any of his relations, should be of the same occupation; but the idle poor, who threaten to rival no man in his business, are never taken any notice of, till they become actually chargeable; and if, by begging or robbing they avoid this, as it is no man's interest, so no man thinks it his duty to apprehend them.

It cannot therefore be expected, that any good of the kind I am contending for should be effected by this branch of the law; let us therefore, in the

second place, take a view of that which is expressly levelled at vagrants, and calculated, as it appears, for the very purpose of suppressing wanderers.

To survey this branch will be easy, as all the laws concerning vagrants are now reduced into one act of parliament; and it is the easier still, as this act is very clearly penned, and (which is not always the case) reduced to a regular and intelligible method.

By this act then three degrees of offences are con-

stituted.

First, Persons become idle and disorderly within the act, by, 1. Threatening to run away and to leave their wives or children to the parish. 2. Unlawfully returning to the place from whence they have been legally removed by the order of two justices, without bringing a certificate, &c. 3. Living idle without employment, and refusing to work for usual and common wages. 4. By beg-

ging in their own parishes.

Secondly, persons by, 1. Going about as patentgatherers, or gatherers of alms under pretence of loss by fire, or other casualty; or, 2. Going about as collectors for prisons, gaols, or hospitals. 3. Being fencers and bearwards. 4. Or common players of interludes, &c. 5. Or minstrels, jugglers. 6. Pretending to be gypsies, or wandering in such habit. 7. Pretending to physiognomy, or like crafty science, &c. 8. Using any subtile craft to deceive and impose on any of his Majesty's subjects. 9. Playing or sitting at any unlawful games. 10. Running away, and leaving wives or children, whereby they become chargeable to any parish. 11. Wandering abroad as petty chapmen or pedlars, not authorised by law. 12. Wandering abroad and lodging in alchouses, barns, outhouses, or in the open air, not giving a good account of themselves. 13. Wandering abroad and begging, pretending to be soldiers, mariners, seafaring men, or pretending to go to work at harvest. 14. Wandering abroad and begging, are to be

deemed rogues and vagabonds.

Thirdly, 1. End-gatherers offending against the 13 George I. intituled, An Act for the better Regulation of the Woollen Manufactures, &c. being convicted of such offence; 2. Persons apprehended as rogues and vagabonds escaping; or, 3. Refusing to go before a justice; or, 4. Refusing to be examined on oath; or, 5. Refusing to be conveyed by a pass; or, 6. On examination giving a false account of themselves, after warning of the punishment. 7. Rogues and vagabonds escaping out of the house of correction, &c. or, 8. those who have been punished as rogues and vagabonds, shall offend again as such, are made incorrigible rogues.

Now as to the first of these three divisions, it were to be wished, that persons who are found in alehouses, nighthouses, &c. after a certain hour at night, had been included; for many such, though of very suspicious characters, taken up at privy searches, fall not under any of the above descriptions. Some of these I have known discharged, against whom capital complaints have appeared when it hath been too late. Why might not the justice be entrusted with a power of detaining any suspicious person who could produce no known housekeeper, or one of credit, to his character, for three days, within which time he might, by means of an advertisement, be viewed by numbers who have been lately robbed? some such have been, I know, confined upon an old statute, as persons of evil fame, with great emolument to the public.

But I come to the second head, namely, of vagabonds; and here I must observe, that wandering is of itself made no offence: so that unless such wanderer be either a petty chapman, or a beggar or lodger in alchouses, &c. he is not within

the act of parliament.

Now, however useful this excellent law may be in the country, it will by no means serve the purpose in this town; for, though most of the rogues who infest the public roads and streets, indeed almost all the thieves in general, are vagabonds in the true sense of the word, being wanderers from their lawful place of abode, very few of them will be proved vagabonds within the words of this act of parliament. These vagabonds do indeed, get their livelihood by thieving, and not as petty beggars or petty chapmen; and have their lodging not in alehouses, &c. but in private houses, where many of them resort together, and unite in gangs, paying each 2d. per night for their beds.

The following account I have had from Mr. Welch the high constable of Holborn; and noue who know that gentleman, will want any con-

firmation of the truth of it.

That in the parish of St. Giles's there are great numbers of houses set apart for the reception of idle persons and vagabonds, who have their lodgings there for two pence a night; that in the above parish, and in St. George, Bloomsbury, one woman alone occupies seven of these houses, all properly accommodated with miserable beds from the cellar to the garret, for such two-penny lodgers; that in these beds, several of which are in the same room, men and women, often strangers to each other, lie promiscuously; the price of a double bed being no more than three-pence, as an encouragement to them to lie to-

egether; but as these places are thus adapted to whoredom, so are they no less provided for drunkenness, gin being sold in them all at a penny 'a quartern; so that the smallest sum of money serves for intoxication; that in the execution of search-warrants Mr. Welch rarely finds less than 'twenty of these houses open for the receipt of 'all comers at the latest hours; that in one of 'these houses, and that not a large one, he hath ' numbered fifty-eight persons of both sexes, the ' stench of whom was so intolerable that it com-' pelled him in a very short time to quit the place.' Nay, I can add, what I myself once saw in the parish of Shoreditch, where two little houses were emptied of near seventy men and women; amongst whom was one of the prettiest girls I had ever seen, who had been carried off by an Irishman, to consummate her marriage on her weddingnight in a room where several others were in bed at the same time.

If one considers the destruction of all morality, decency, and modesty; the swearing, whoredom, and drunkenness, which is eternally carrying on in these houses on the one hand, and the excessive poverty and misery of most of the inhabitants on the other, it seems doubtful whether they are more the objects of detestation or compassion; for such is the poverty of these wretches, that, upon searching all the above number, the money found upon all of them (except the bride, who, as I afterwards heard, had robbed her mistress) did not amount to one shilling; and I have been eredibly informed, that a single loaf hath supplied a whole family with their provisions for a week. Lastly, if any of these miserable creatures fall sick (and it is almost a miracle that stench, vermin, and want, should ever suffer them to be

well) they are turned out in the streets by their merciless host or hostess, where, unless some parish officer of extraordinary charity relieves them, they are sure miserably to perish, with the ad-

dition of hunger and cold to their disease.

This picture, which is taken from the life, will appear strange to many; for the evil here described is, I am confident, very little known, especially to those of the better sort. Indeed this is the only excuse, and I believe the only reason, that it hath been so long tolerated; for when we consider the number of these wretches, which, in the outskirts of the town, amounts to a great many thousands \*, it is a nuisance which will appear to be big with every moral and political mischief. Of these the excessive misery of the wretches themselves, oppressed with want, and sunk in every species of debauchery, and the loss of so many lives to the public, are obvious and immediate consequences. There are some more remote, which, however, need not be mentioned to the discerning.

Among other mischiefs attending this wretched nuisance, the great increase of thieves must necessarily be one. The wonder in fact is that we have not a thousand more robbers than we have; indeed, that all these wretches are not thieves must give us either a very high idea of their honesty, or a very mean one of their capacity and courage.

Where then is the redress? Is it not to hinder the poor from wandering, and this by compelling the parish and peace officers, to apprehend such wanderers or vagabonds, and by empowering the

<sup>\*</sup> Most of these are Irish, against the importation of whom a severe law was made in the reign of Henry VI, and many of the repealed vagrant acts contained a clause for the same purpose,

magisfrate effectually to punish and send them to their habitations? Thus if we cannot discover, or will not encourage any cure for idleness, we shall at least compel the poor to starve or beg at home; for there it will be impossible for them to steal or rob without being presently hanged or transported out of the way.

#### SECT. VII.

Of apprehending the Persons of Felons.

I come now to a third encouragement which the thief flatters himself with; viz. in his hopes of

escaping from being apprehended.

Nor is this hope without foundation: how long have we known highwaymen reign in this kingdom after they have been publicly known for such? Have not some of these committed robberies in open day-light, in the sight of many people, and have afterward rode solemnly and triumphantly through the neighbouring towns without any danger or molestation? This happens to every rogue who is become eminent for his audaciousness, and is thought to be desperate; and is, in a more particular manner, the case of great and numerous gangs, many of which have, for a long time, committed the most open outrages in defiance of the law. Officers of justice have owned to me, that they have passed by such with warrants in their pockets against them without daring to apprehend them; and, indeed, they could not be blamed for not exposing themselves to sure destruction; for it is a melancholy truth, that, at this very day, a rogue no sooner gives the alarm, within certain purlieus, than twenty or thirty armed villains are

found ready to come to his assistance.

On this head the law may seem not to have been very defective in its cautions; First, by vesting not only the officers of justice, but every private man, with authority for securing these miscreants, of which authority it may be of service to the officers, as well as to the public in general, to

be more particularly informed.

First, by \* Westminster I. Persons of evil fame are to be imprisoned without bail. By the statute of Winchester + suspicious night-walkers are to be arrested and detained by the watch. A statute made in ‡ 5 Edw. III. reciting that many manslaughters, felonies, and robberies, had been done in times past, enacts, that if any person have an evil suspicion of such offenders, they shall be incontinently arrested by the constable, and shall be delivered to the bailiff of the franchise, or to the sheriff, to be kept in prison till the coming of the justices. The 34 § Edw. III. gives power to the justices of peace, inter alia, to enquire of wanderers, and such as will not labour, and to arrest and imprison suspicious persons, and to take sureties of the good behaviour of persons of evil fame, ' to be intent,' says the statute, ' that the people be not by such rioters, &c. troubled nor enda-'maged nor the peace blemished, nor merchants nor others passing by the highways of the realm disturbed, nor put in peril by such offenders.

Secondly, by the common law every person who hath committed a felony may be arrested and secured by any private man present at the said fact, though he hath no general nor particular authority, i. e. though he be no officer of justice, nor

<sup>\*</sup> Westm, I. chap. xv.

<sup>†</sup> Winton, chap. iv.

<sup>\$ 5</sup> Edw, III. chap. xiv. § 34 Edw. III. c. i.

have any writ or warrant for so doing; and such private man may either deliver the felon to the constable, secure him in a gaol, or carry him before a magistrate \*. And if he refuses to yield, those who arrest may justify beating † him; or, in case of absolute necessity, killing him ‡.

Nor is this arrest merely allowed; it is enjoined by law, and the omission, without some good excuse, is a misdemeanour punishable by amerce-

ment or fine and imprisonment &.

Again, every private man may arrest another on suspicion of felony, though he was not present at the fact ||. But then, if the party arrested should prove innocent, two circumstances are necessary to justify the arrest 1st, a felony must be actually committed; and, 2dly, there must be a reasonabe cause of suspicion ¶; and common fame hath

been adjudged to be such cause \*\*.

But in this latter case my lord Hale advises the private person, if possible, to have recourse to the magistrate and obtain his warrant, and the assistance of the †† constable for this arrest is not required by law, nor is the party punishable for neglecting it; and should the person arrested, or endeavoured to be arrested, prove innocent, the party arresting him, &c. will, in a great measure, be answerable for the ill consequence; which, if it be the death of the innocent person occasioned by force or resistance, this will at least, be manslaughter; and if the other should be killed in the attempt, this likewise will amount to man-slaughter only ‡‡.

<sup>\*</sup> Hale's Hist, P. C. vol. I, 587, vol. II, 77. † Pult. 10, a. † Hale's Hist, vol. I, 588. § Hale, vol. I, 588, vol. II, 76, 77. † Lamb, I, ii, c, 3, Dalt, 403, Hale, vol. I, 588, 3 Hen. VII, c, i. ¶ Hale's Hist, vol. II, 80. \*\* Dalt, 407, 5 H. VII, 4, 5. † Hale's Hist, vol. ii, 76. † Hale's Hist, vol. II, 82—3—4.

Again, any private person may justify arresting a felon pursued by hue and cry. This, as the word imports, is a public alarm raised all over the country, in which the constable is first to search his own vill or division, and then to raise all the neighbouring vills about, who are to pursue the felon with horse and \* foot. And this hue and cry may either be after a person certain, or on a robbery committed where the person is not known; and in the latter case those who pursue it may take such persons as they have probable cause to suspect †, vagrants, &c.

This method of pursuit lies at the common law, and is mentioned by Bracton; and it is enforced by many statutes, as by § Westm. 1. 'All are to 'be ready at the summons of the sheriff, and at the 'cry of the county, to arrest felons as well within 'franchises as without.' By 4 Edw. I. 'Hue and 'cry is ordered to be levied for all murders, burglaries, men slain, or in peril to be slain, and all 'are to follow it.' And, lastly, the statute of

Winton enacts as we have seen before.

And this pursuit may be raised, 1. By a private person. 2. By the country without an officer. 3. By an officer without a warrant. 4. By the warrant of a magistrate. And this last, if it can be obtained, is the safest way; for then all who assist are enabled by the statutes 7 and 21 Jac. to plead the general issue ||

The common law so strictly enjoined this pursuit, that if any defect in raising it lay in the lord of the franchise, the franchise should be seized into the king's hands; and, if the neglect lay in the bailiff, he should have a heavy fine, and a year's imprison-

ment, or suffer two years' imprisonment without a fine \*. And now, by a very late † statute, 'If 'any constable, headborough, &c. of the hundred 'where any robberies shall happen, shall refuse or 'neglect to make hue and cry after the felons with 'the utmost expedition, as soon as he shall receive 'notice thereof, he shall, for every such refusal and 'neglect, forfeit 5l. half to the king and half to the 'informer.'

Now hue and cry is of three different kinds: 1. Against a person certain by name. 2. Against a person certain by description. 3. On a robbery, burglary, &c. where the person is neither known

nor capable of being described.

When a hue and cry is raised, every private man is not only justified in pursuing, but may be obliged, by command of the constable, to pursue the felon, and is punishable, if he disobey, by fine and imprisonment ‡. And in this case, whether a felony was committed or not, or whether the person arrested (provided he be the person named or described by the hue and cry) be guilty or innocent, or of evil or good fame, the arrest is lawful and justifiable, and he who raised the hue and cry is alone to answer for the justice of it §.

In this pursuit likewise the constable may search suspected houses, if the doors be open; but breaking the door will not be justifiable, unless the felon be actually in the house: nor even then, unless admittance hath been first demanded and denied ||. And what the constable may do himself will be justifiable by any other in his assistance, at least, by his command ¶. Indeed a private person may

<sup>\*</sup> Fleta, l. i. c. 24. ad Init. † 8 Geo. II. c. 16.

t Hale's Hist. vol. I. 58. vol. II. 104.

<sup>6 29</sup>Ed.III. 39. 35 Hen, IV. Pl. 24. Hale's Hist, vol. II. 101, 2. ¶ Ib. 102, 103. ¶ Hale's Hist, vol. II. 104.

justify the arrest of an offender by the command of a peace officer; for he is bound to be aiding and assisting to such officer, is punishable for his refusal, and is consequently under the protection of the law \*.

Lastly, a private person may arrest a felon by virtue of a warrant directed to him; for though he is not bound to execute such warrant, yet if he

doth, it is good and justifiable +.

Thirdly, officers of public justice may justify the arrest of a felon by virtue of their office, without any warrant. Whatever therefore a private person may do as above will certainly be justifiable in them.

And, as the arresting felons, &c. is more particularly their duty, and their fine will be heavier for the neglect, so will their protection by the law be the greater; for if, in arresting those that are probably suspected, the constable should be killed, it is murder; on the other hand, if persons pursued by these officers for felony, or justifiable suspicion thereof, shall resist or fly from them; on being apprehended shall rescue themselves, resist, or fly; so that they cannot otherwise be apprehended or re-apprehended, and are of necessity slain, it is no felony in the officers, or in their assistants, though possibly the parties killed are innocent; for, by resisting the king's authority in his officers, they draw their own blood out themselves ‡.

Again, to take a felon or suspected felon, the constable without any warrant may break open the door. But to justify this he must shew; 1. That the felon, &c. was in the house. 2. That his entry

<sup>\*</sup> Pult. 6, 15, Hale's Hist, vol. II. 86.

<sup>†</sup> Dalt. 408. Hale's Hist. vol. II. 86.

<sup>†</sup> Dalr. 409, 13 Edw. IV. 4, and 9, 5 to 92. Hale's Hist, vol. II, 86, 90, 91.

was denied. 3. That it was denied after demand

and notice that he was constable \*.

Lastly, a felon may be apprehended by virtue of a warrant issuing from a magistrate lawfully authorised; in the execution of which, the officer hath the same power, and will, at least, have the same protection by law as in the arrest virtute officit. And this warrant, if it be specially directed to him, the constable may execute in any part within the jurisdiction of the magistrate; but he is only obliged to execute it within the division for which he is constable. &c.

In the execution of a warrant for felony the officer may break open the doors of the felon, or of any person where he is concealed; and the breaking the doors of the felon is lawful at all events, but in breaking those of a stranger the officer acts at his peril; for he will be a trespasser if the felon

should not be there +.

Such are the powers which the law gives for the apprehending felons (for as to the particular power of sheriffs and coroners, and the process of superior courts, they may well be passed by in this place). Again, these powers we see are enforced with penalties; so that not only every officer of justice, but every private person is obliged to arrest a known felon, and may be punished for the omission.

Nor doth the law stop here. The apprehending such felons is not only authorised and enjoined, but even encouraged with impunity to persons guilty themselves of felony, and with regard to others.

By 3 and 4 of # William and Mary, persons

\$ Chap. viii.

<sup>\*</sup> Ib. vol. I. 581. vol. II. 110.

<sup>†</sup> Hale's Hist, vol. I. 582, vol. II, 117, 5 Co. 91, b.

guilty of robbery in the highway, fields, &c. who, being out of prison, shall discover any two offenders to be convicted of such robbery, are entitled to his majesty's pardon of such robberies, &c. as they shall have then committed.

By 10 and 11 of \* William III. this is extended to burglary, and such felonies as are mentioned in

the act.

By the same act all persons who shall apprehend a felon for privately stealing goods to the value of 5s. out of shop, warehouse, coach-house, or stable, by night or by day (provided the felon be convicted thereof) shall be entitled to a certificate which may be assigned once, discharging such apprehender or his assignee from all parochial offices in the parish or ward where such felony was committed. This certificate is to be enrolled by the clerk of the peace, and cannot be assigned after it hath been used.

If any man be killed by such housebreaker, &c. in the attempt to apprehend him, his executors or administrators shall be entitled to such certificate.

By the 3 and 4 of † W. and M. whoever shall apprehend and prosecute to conviction any robber on the highway, shall receive of the sheriff 401. within a month after the conviction, for every offender; and in case of the death or removal of the sheriff, the money to be paid by the succeeding sheriff within a month after the demand and certificate brought. The sheriff on default forfeits double his sum, to be recovered of him by the party, his executors, &c.

And if the person be killed in this attempt by any such robber, the executors of such person, &c. are entitled to the reward, under the like penalty.

Again, by the same act, the horse, furniture, arms, money, or other goods, taken with such

<sup>\*</sup> Chap, xxiii. † Chap, viii. ubi supra,

highwaymen, are given to the apprehender who shall prosecute to conviction, notwithstanding the right or title of his majesty, any body politic or lord of franchise, or of those who lent or let the same to hire to such robber, with a saving only of the right of such persons from whom such horses, &c. were feloniously taken.

By a statute of queen Anne the 40l. reward is

extended to burglary and housebreaking.

But though the law seems to have been sufficiently provident on this head, there is still great difficulty in carrying its purpose into execution,

arising from the following causes:

1st, With regard to private persons, there is no country, I believe, in the world where that vulgar maxim so generally prevails, that what is the business of every man is the business of no man; and for this plain reason, that there is no country in which less honour is gained by serving the public. He therefore who commits no crime against the public is very well satisfied with his own virtue; far from thinking himself obliged to undergo any labour, expend any money, or encounter any danger, on such account.

2dly, The people are not entirely without excuse from their ignorance of the law; for so far is the power of apprehending felons, which I have above set forth, from being universally known, that many of the peace-officers themselves do not know that they have any such power, and often, from ignorance, refuse to arrest a known felon till they are authorised by a warrant from a justice of peace. Much less then can the compulsory part to the private persons carry any terror of penalty of which the generality of mankind are totally ignorant; and of inflicting which they see no example.

3dly, So far are men from being animated with

the hopes of public praise to apprehend a felon, that they are even discouraged by the fear of shame. The person of the informer is in fact more odious than that of the felon himself; and the thief-catcher is in danger of worse treatment from the po-

pulace than the thief.

Lastly, as to the reward, I am afraid that the intention of the legislature is very little answered. For, not to mention that the prosecutor's title to it is too often defeated by the foolish lenity of juries, who, by acquitting the prisoner of the burglary, and finding him guilty of the simple felony only, or by finding the goods to be less than the value of 5s. both often directly contrary to evidence, take the case entirely out of the act of parliament; and sometimes even when the felon is properly convicted, I have been told that the money does not come so easily and fully to the pockets of those who are entitled to it as it ought.

With regard to the first and fourth of these objections I choose to be silent: to prescribe any cure for the former I must enter into disquisitions very foreign to my present purpose; and for the cure of the latter, when I consider in whose power it is to remedy it, a bare hint will I doubt

not suffice.

The second objection, namely, the excuse of ignorance, I have here endeavoured to remove, by

setting forth the law at large.

The third therefore only remains, and to that I shall speak more fully, as the opinion on which it is founded is of the most pernicious consequence to the society; for what avail the best of laws if it be a matter of infamy to contribute towards their execution? The force of this opinion may be seen in the following instance: we have a law

by which every person who drives more than six horses in a waggon forfeits as many horses as are found to exceed that number. This law is broken every day, and generally with impunity; for, though many men yearly venture and lose their lives by stealing horses, yet there are very few who dare seize a horse where the law allows and encourages it, when by such seizure he is to acquire the name of an informer; so much worse is this appellation in the opinion of the vulgar than that of thief; and so much more prevalent is the fear of popular shame than of death.

This absurd opinion seems to have first arisen from the statute of 18 \* Eliz. entitled, An Act to redress Disorders in common Informers. By this statute it appears, that very wicked uses had been made of penal statutes by these informers, who my lord Coke calls turbidum hominum genus +; and says, 'That they converted many penal laws 'which were obsolete, and in time grown impossible or inconvenient to be performed, into snares

" to vex and intangle the subject."

By the statute itself it appears, that it was usual at that time among these persons to extort money of ignorant and fearful people by the terror of some penal law; for the breach of which the informer either instituted a process, or pretended to institute a process, and then brought the timorous party to a composition.

This offence therefore was by this act made a high misdemeanour, and punished with the pil-

lory.

Now who, that knows any thing of the nature or history of mankind, doth not easily perceive here a sufficient foundation for that odium to all

<sup>\*</sup> Chap. v.

informers which hath since become so general; for what is more common than from the abuse of any thing to argue against the use of it, or to extend the obloquy from particulars to universals?

For this the common aptitude of men to scandal will sufficiently account; but there is still another and stronger motive in this case, and that is the interest of all those who have broken or who intend to break the laws. Thus the general cry being once raised against prosecutors on penal laws, the thieves themselves have had the art and impudence to join it, and have put their prosecutors on the footing of all others; nay, I must question whether, in the acceptation of the vulgar, a thief-catcher be not a more odious and contemptible name than even that of informer.

Nothing, I am sensible, is more vain than to encounter popular opinion with reason; nor more liable to ridicule than to oppose general contempt, and yet I will venture to say, that if to do good to society be laudable, so is the office of a thief-catcher; and if to do this good at the extreme hazard of your life be honourable, then is this office honourable. True, it may be said, but he doth this with a view to a reward. And doth not the soldier and the sailor venture his life with the same view? for who, as a great man lately said, serves the public for nothing?

I know what is to be my fate in this place, or what would happen to one who should endeavour to prove that the hangman was a great and an honourable employment. And yet I have read, in Tournefort, of an island in the Archipelago where the hangman is the first and highest officer in the state. Nay, in this kingdom the sheriff himself (who was one of the most considerable persons in

his county) is in law the hangman, and Mr. Ketch

is only his deputy.

If to bring thieves to justice be a scandalous office, what becomes of all those who are concerned in this business, some of whom are rightly thought to be amongst the most honourable officers in government? If on the contrary this be, as it surely is, very truly honourable, why should the post of danger in this warfare alone be excluded from all share of honour.

To conclude a matter in which, though serious, I will not be too tedious, what was the great Pompey in the piratic war \*? what were Hercules, Theseus, and the other heroes of old, *Deorum in templa recepti*—Where they not the most eminent

of thief-catchers?

#### SECT. VIII.

### Of the Difficulties which attend Prosecutions.

I now come to a fourth encouragement which greatly holds up the spirits of robbers, and which they often find to afford no deceitful consolation; and this is drawn from the remissness of prosecutors, who are often,

1. Fearful, and to be intimidated by the threats

of the gang; or,

Delicate, and cannot appear in a public court;

<sup>\*</sup> Cicero, in his Oration pro Lege Manilia, calls this, if I remember rightly, Belium Turpe; but speaks of the extirpation of these robbers as of the greatest of all Pompey's exploits.

3. Indolent, and will not give themselves the

trouble of a prosecution; or,

4. Avaricious, and will not undergo the expence of it; nay, perhaps, find their account in compounding the matter; or,

5. Tender-hearted, and cannot take away the

life of a man; or,

Lastly, Necessitous, and cannot really afford the cost, however small, together with the loss of time which attends it.

The first and second of these are too absurd, and the third and fourth too infamous, to be reasoned with. But the two last deserve more particular notice, as the fifth is an error springing originally out of a good principle in the mind, and the sixth is a fault in the constitution very easily to be re-

medied.

With regard to the former of these, it is certain that a tender-hearted and compassionate disposition, which inclines men to pity and feel the misfortunes of others, and which is, even for its own sake, incapable of involving any man in ruin and misery, is of all tempers of mind the most amiable; and though it seldom receives much honour, is worthy of the highest. The natural energies of this temper are indeed the very virtues principally inculcated in our excellent religion; and those who, because they are natural, have denied them the name of virtues, seem not, I think, to be aware of the direct and impious tendency of a doctrine that denies all merit to a mind which is naturally, I may say necessarily, good.

Indeed the passion of love or benevolence, whence this admirable disposition arises, seems to be the only human passion that is in itself simply and absolutely good; and in Plato's commonwealth, or (which is more) in a society acting up

to the rules of *Christianity*, no danger could arise from the highest excess of this virtue; nay, the more liberally it was indulged, and the more extensively it was expanded, the more would it contribute to the honour of the individual, and to the

happiness of the whole.

But, as it hath pleased God to permit human societies to be constituted in a different manner, and knaves to form a part (a very considerable one I am afraid) of every community, who are ever laying in wait to destroy and ensnare the honest part of mankind, and to betray them by means of their own goodness, it becomes the good-natured and tender-hearted man to be watchful over his own temper; to restrain the impetuosity of his benevolence, carefully to select the objects of this passion, and not by too unbounded and indiscriminate an indulgence to give the reins to a courser which will infallibly carry him into the ambuscade of the enemy.

Our Saviour himself inculcates this prudence among his disciples, telling them, that he sent them forth like sheep among wolves: Ve ye therefore, says, he, wise as serpents, but innocent as

doves.

For want of this wisdom a benevolent and tender-hearted temper very often betrays men into errors not only hurtful to themselves but highly prejudicial to the society. Hence men of invincible courage, and incorruptible integrity, have sometimes falsified their trust; and those whom no other temptation could sway have paid too little regard to the sanction of an oath from this inducement alone. Hence likewise the mischief which I here endeavour to obviate hath often arisen; and notorious robbers have lived to perpetrate future acts of violence, through the ill-judging

tenderness and compassion of those who could and ought to have prosecuted them.

To such a person I would suggest these consider-

ations:

First, As he is a good man, he should consider, that the principal duty which every man owes is to his country, for the safety and good of which all laws are established, and therefore his country requires of him to contribute all that in him lies to the due execution of those laws. Robbery is an offence not only against the party robbed but against the public, who are therefore entitled to prosecution; and he who prevents or stifles such the prosecution is no longer an innocent man, but guilty of a high offence against the public

good.

Secondly, As he is a good-natured man, he will behold all injuries done by one man to another with indignation. What Cicero says of a pirate is as true of a robber, that he is hostis humani generis; and if so, I am sure every good-natured man must be an enemy to him. To desire to save these wolves in society may arise from benevolence, but it must be the benevolence of a child or a fool, who, from want of sufficient reason, mistakes the true objects of his passion, as a child doth when a bugbear appears to him to be the object of fear. Such tender-heartedness is indeed barbarity, and resembles the meek spirit of him who would not assist in blowing up his neighbour's house to save a whole city from the flames. 'It is true,' said a learned chief-justice \*, in a trial for treason, ' here is the life of a man in the case, but then ' you (speaking to the jury) must consider likewise the misery and desolation, the blood and

<sup>\*</sup> Lord chief-justice Pratt.

confussion, that must have happened had this ' taken effect; and put one against the other, I believe that consideration which is on behalf of ' the king will be much the stronger.' Here likewise is the life of a man concerned; but of what man? Why, of one who, being too lazy to get his bread by labour, or too voluptuous to content himself with the produce of that labour, declares war against the properties, and often against the persons, of his fellow-subjects; who deprives his countrymen of the pleasure of travelling with safety, and of the liberty of carrying their money or their ordinary conveniences with them; by whom the innocent are put in terror, affronted and alarmed with threats and execrations, endangered with loaded pistols, beat with bludgeons, and hacked with cutlasses, of which the loss of health, of limbs, and often of life, is the consequence; and all this without any respect to age, or dignity, or sex. Let the good-natured man, who hath any understanding, place this picture before his eyes, and then see what figure in it will be the object of his compassion.

I come now to the last difficulty which obstructs the prosecution of offenders; namely, the extreme poverty of the prosecutor. This I have known to be so absolutely the case, that the poor wretch who hath been bound to prosecute was under more concern than the prisoner himself. It is true that the necessary cost on these occasions is extremely small; two shillings, which are appointed by act of parliament for drawing the indictment, being, I think, the whole which the law requires; but when the expence of attendance, generally with several witnesses, sometimes during several days together, and often at a great distance from the prosecutor's home; I say, when these articles are

summed up, and the loss of time added to the account, the whole amounts to an expence which a very poor person, already plundered by the thief, must look on with such horror (if he should not be absolutely incapable of the expence) that he must be a miracle of public spirit if he doth not rather choose to conceal the felony, and sit down satisfied with his present loss; but what shall we say when (as is very common in this town) he may not only receive his own again, but be farther rewarded, if he will agree to compound it?

Now, how very inconsiderable would be the whole cost of this suit, either to the county or the nation, if the public, to whom the justice of peace gives his whole labour on this head gratis, was to defray the cost of such trial (by a kind of formal pauperis admission) the sum would be so trivial that nothing would be felt but the good conse-

quences arising from such a regulation.

I shall conclude this head with the words of my lord Hale: 'It is,' says he, 'a great defect in the 'law, to give courts of justice no power to allow 'witnesses against criminals their charges; whereby,' says he, 'many poor persons grow weary of their attendance, or bear their own charges therein, to their great hindrance and loss.'

The same and the

# SECT. IX.

Of the Trial and Conviction of Felons.

But if, notwithstanding all the rubs which we have seen to lie in the way, the indictment is

found, and the thief brought to his trial, still he hath sufficient hopes of escaping, either from the caution of the prosecutor's evidence or from the hardiness of his own.

In street-robberies the difficulty of convicting a criminal is extremely great. The method of discovering these is generally by means of one of the gang, who, being taken up perhaps for some other offence, and thinking himself in danger of punishment, chooses to make his peace at the expence of

his companions.

But when, by means of this information, you are made acquainted with the whole gang, and have, with great trouble, and often with great danger, apprehended them, how are you to bring them to justice? for though the evidence of the accomplice be ever so positive and explicit, nay, even so connected and probable, still, unless it be corroborated by some other evidence, it is not sufficient.

Now how is this corroborating evidence to be obtained in this case? Street-robberies are generally committed in the dark, the persons on whom they are committed are often in chairs and coaches, and if on foot the attack is usually begun by knocking the party down, and for the time depriving him of his senses. But if the thief should be less barbarous he is seldom so incautious as to omit taking every method to prevent his being known, by flapping the party's hat over his face, and by every other method which he can invent to avoid discovery.

But indeed any such methods are hardly necessary; for when we consider the circumstance of darkness, mentioned before, the extreme hurry of the action, and the terror and consternation in which most persons are in at such a time, how

shall we imagine it possible that they should afterwards be able, with any (the least) degree of certainty, to swear to the identity of the thief, whose countenance is perhaps, not a little altered by his subsequent situation, and who takes care as much as possible he can, by every alteration of dress,

and otherwise, to disguise himself?

And if the evidence of the accomplice be so unlikely to be confirmed by the oath of the prosecutor, what other means of confirmation can be found? for as to his character, if he himself doth not call witnesses to support it (which in this instance is not incumbent on him to do), you are not at liberty to impeach it: the greatest and most known villain in England, standing at the bar equally rectus in curia with the man of highest estimation, if they should be both accused of the same crime.

Unless therefore the robbers should be so unfortunate as to be apprehended in the fact (a circumstance which their numbers, arms, &c. renders ordinarily impossible) no such corroboration can possibly be had; but the evidence of the accomplice standing alone and unsupported, the villain, contrary to the opinion, and almost direct knowledge of all present, is triumphantly acquitted, laughs at the court, scorns the law, vows revenge against his prosecutors, and returns to his trade with a great increase of confidence, and commonly of cruelty.

In a matter therefore of so much concern to the public I shall be forgiven if I venture to offer my

sentiments.

The words of my lord Hale are these: 'Though' a particeps criminis be admissible as a witness in 'law, yet the credibility of his testimony is to be 'left to the jury; and truly it would be hard to

take away the life of any person upon such a

witness that swears to save his own, and yet confesseth himself guilty of so great a crime, un-

'less there be also very considerable circum-

stances, which may give the greater credit to

" what he swears \*."

Here I must observe, that this great man seems rather to complain of the hardship of the law, in taking away the life of a criminal on the testimony of an accomplice, than to deny that the law was so. This indeed he could not well do; for not only the case of an approver, as he himself seems to acknowledge, but many later resolutions would have contradicted that opinion.

2dly, He allows that the credibility of his testimony is to be left to the jury; and so is the credibility of all other testimonies. They are absolute judges of the fact; and God forbid that they should in all cases be tied down by positive evidence against a prisoner, though it was not delivered by an ac-

complice.

But surely, if the evidence of an accomplice be not sufficient to put the prisoner on his defence, but the jury are directed to acquit him, though he can produce no evidence on his behalf, either to prove an alibi or to his character, the credibility of such testimony cannot well be said to be left to a jury. This is virtually to reject the competency of the witness; for to say the law allows him to be sworn, and yet gives no weight to his evidence, is, I apprehend, a mere play of words, and conveys no idea.

In the third place, this great man asserts the hardship of such conviction.—Now if the evidence of a supposed accomplice should convict a man of

<sup>\*</sup> Hale's Hist. vol. I. 305,

fair and honest character; it would, I confess, be hard; and it is a hardship of which, I believe, no experience can produce any instance. But if, on the other hand, the testimony of an accomplice with every circumstance of probability attending it against a vagabond of the vilest character, and who can produce no single person to his reputation, is to be absolutely rejected, because there is no positive proof to support it; this, I think, is in the highest degree hard (I think I have proved how hard) to the society.

I shall not enter here into a disquisition concerning the nature of evidence in general; this being much too large a field; nor shall I examine the utility of those rules which our law prescribes on this head. Some of these rules might perhaps be opened a little wider than they are without either mischief or inconvenience; and I am the bolder in the assertion as I know a very learned judge who concurs with this opinion. There is no branch of the law more bulky, more full of confusion and contradiction, I had almost said of absurdity, than

the law of evidence as it now stands.

One rule of this law is, that no man interested shall be sworn as a witness. By this is meant pecuniary interest; but are mankind governed by no other passion than avarice? Is not revenge the sweetest morsel, as a divine calls it, which the devil ever dropt into the mouth of a sinner? Are not pride, hatred, and the other passions, as powerful tyrants in the mind of man; and is not the interest which these passions propose to themselves by the enjoyment of their object, as prevalent a motive to evil as the hope of any pecuniary interest whatever?

But, to keep more closely to the point—Why shall not any credit be given to the evidence of an

accomplice ?- My lord Hale tell us, that he bath been guilty of a great crime; and yet, if he had been convicted and burnt in the hand, all the authorities tell us, that his credit had been restored; a more miraculous power of fire than any which the Royal Society can produce. The same

happens if he be pardoned.

Again, says lord Hale, he swears to save his own life. This is not altogether so; for when once a felon hath impeached his companions, and is admitted an evidence against them, whatever be the fate of his evidence, the impeacher always goes free. To this, it is true, he hath no positive title, no more hath he, if a single felon be convicted on his oath. But the practice is as I mention, and I do not remember any instance to the contrary.

But what inducement hath the accomplice to perjure himself; or what reason can be assigned why he should be suspected of it? That he himself was one of the robbers appears to a demonstration; that he had accomplices in the robbery is as certain. Why then should he be induced to impeach A and B, who are innocent, and not C and D, who are guilty? Must he not think that he hath a better chance of convicting the guilty than the innocent? Is he not liable if he gives a false information to be detected in it? One of his companions may be discovered and give a true information, what will then become of him and his evidence? And why should he do this? From a motive of friendship? Do the worst of men carry this passion so much higher than is common with the best? But he must not only run the risque of his life but of his soul too. The very mention of this latter risque may appear ridiculous when it is considered of what sort of persons I am talking. But even these persons can scarce be thought so very void of understanding as to lose their souls for nothing, and to commit the horrid sins of perjury and murder without any temptation, or prospect of interest, nay, even against their interest. Such characters are not to be found in history, nor do they exist any where but in distempered brains, and are always rejected as monsters when they are produced in works of fiction: for surely we spoil the verse rather than the sense by saying, nemo gratis fuit turpissimus. Under such circumstances, and under the caution of a good judge, and the tenderness of an English jury, it will be the highest improbability that any man should be wrongfully convicted; and utterly impossible to convict an honest man: for I intend no more than that such evidence shall put the prisoner on his defence, and oblige him either to controvert the fact by proving an alibi, or by some other circumstance; or to produce some reputable person to his character. And this brings me to consider the second fortress of the criminal, in the hardiness of his own evidence.

The usual defence of a thief, especially at the Old Bailey, is an alibi\*: to prove this by perjury is a common act of Newgate friendship; and there seldom is any difficulty in procuring such witnesses. I remember a felon within this twelvementh to have been proved to be in Ireland at the time when the robbery was sworn to have been done in London, and acquitted; but he was scarce gone from the bar, when the witness was himself arrested for a robbery committed in London, at that very time when he swore both he and his friend were in Dublin; for which robbery, I think, he was tried and executed. This kind of

<sup>\*</sup> i. e. That he was at another place at the time.

defence was in a great measure defeated by the late baron Thompson, when he was recorder of London, whose memory deserves great honour for the services he did the public in that post. These witnesses should always be examined with the utmost care and strictness, by which means the truth (especially if there be more witnesses than one to the pretended fact) will generally be found out. And as to character, though I allow it to have great weight, if opposed to the single evidence of an accomplice, it should surely have but little where there is good and strong proof of the fact; and none at all unless it comes from the mouths of persons who have themselves some reputation and credit.

#### SECT. X.

Of the Encouragement given to Robbers by frequent Pardons.

I come now to the sixth encouragement to felons, from the hopes of a pardou, at least with the

condition of transportation.

This I am aware is too tender a subject to speak to. To pardon all crimes where the prosecution is in his name, is an undoubted prerogative of the king, I may add, it is his most amiable prerogative, and that which, as Livy observes \*, renders kingly government most dear to the people: for in a republic there is no such power. I may add farther, that it seems to our excellent sovereign to

<sup>\*</sup> Dec. 1. l. ii, cap. 3. Esse gratiae locum, esse beneficio: et irasci et ignoscere posse (Regem scilicet); inter amicum atque inimicum discrimen nosse: leges, rem surdam, inexorabilem esse, &c,

be the most favourite part of his prerogative, as it is the only one which hath been carried to its

utmost extent in the present reign.

Here therefore I beg to direct myself only to those persons who are within the reach of his majesty's sacred ear. Such persons will, I hope, weigh well what I have said already on the subject of false compassion, all which is applicable on the present occasion: and since our king (as was with less truth said of another \*) is of all men the truest image of his Maker in mercy; I hope too much good-nature will transport no nobleman so far as it once did a clergyman in Scotland, who, in the fervour of his benevolence, prayed to God that he would graciously be pleased to pardon the poor devil.

To speak out fairly and honestly †, though mercy may appear more amiable in a magistrate, severity is a more wholesome virtue; nay, severity to an individual may, perhaps, be in the end the greatest mercy, not only to the public in general, for the reason given above, but to many individuals for the reasons to be presently

assigned.

To consider a human being in the dread of a sudden and violent death: to consider that his life or death depend on your will; to reject the arguments which a good mind will officiously advance to itself: that violent temptations, necessity, youth, inadvertency, have hurried him to the commission of a crime which hath been attended with no inhumanity; to resist the importunities, cries, and tears of a tender wife, and affectionate children, who, though innocent, are to be reduced to misery and ruin by a strict adherence to justice:—these altogether form an

<sup>\*</sup> By Dryden of Charles I. + Disc. 1, iii. c. S.

object which whoever can look upon without emotion must have a very bad mind; and-whoever, by the force of reason, can conquer that

emotion must have a very strong one.

And what can reason suggest on this occasion? First, that by saving this individual I shall bring many others into the same dreadful situation. That the passions of the man are to give way to the principles of the magistrate. Those may lament the criminal, but these must condemn him. It was nobly said by Bias to one who admired at his shedding tears while he passed sentence of death, 'Nature exacts my tenderness, but the law my rigour.' The elder Brutus \* is a worthy pattern of this maxim; an example, says Machiavel, most worthy of being transmitted to posterity. And Dionysius Halicarnasseus + calls it a great and wonderful action, of which the Romans were proud in the most extraordinary degree. Whoever derives it therefore from the want of humane and paternal affections is unjust: no instances of his inhumanity are recorded. ' But the severity,' says Machiavel, ' was not only profitable, but necessary:' and why? Because a single pardon granted ex mera gratia et favore, is a link broken in the chain of justice, and takes away the concatenation and strength of the whole. The danger and certainty of destruction are very different objects, and strike the mind with different degrees of force. It is of the very nature of hope to be sanguine, and it will derive more

† Page 272, Edit, Hudson.

<sup>\*</sup> He put his two sons to death for conspiring with Tarquin. Neither Livy nor Dionysius give any character of cruelty to Brutus; indeed the latter tells us, that he was superior to all those passions which disturb human reason.
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encouragement from one pardon than diffidence from twenty executions.

It is finely observed by Thucidides \*, 'That 'though civil societies have allotted the punish- 'ment of death to many crimes, and to some of 'the inferior sort, yet hope inspires men to face 'the danger; and no man ever came to a dread- 'ful end who had not a lively expectation of sur- 'viving his wicked machinations.'—Nothing certainly can more contribute to the raising of this hope than repeated examples of ill-grounded clemency; for, as Seneca says, ex clementid omnes

idem sperant +. Now what is the principal end of all punishment? is it not, as lord Hale ; expresses it, 'To deter men from the breach of laws, so that they ' may not offend, and so not suffer at all? And is ont the inflicting of punishment more for exam-' ple, and to prevent evil, than to punish?' And therefore, says be, presently afterwards. 'Death 'itself is necessary to be annexed to laws in many cases by the prudence of lawgivers, though pos-'sibly beyond the single merit of the offence 'simply considered.' No man indeed of common humanity or common sense can think the life of a man and a few shillings to be of an equal consideration, or that the law in punishing theft with death proceeds (as perhaps a private person sometimes may) with any view to vengeance. The terror of the example is the only thing proposed, and one man is sacrificed to the preservation of thousands.

If therefore the terror of this example is removed (as it certainly is by frequent pardons) the design of the law is rendered totally ineffectual;

<sup>\*</sup> P. 174. Edit. Hudson. † De Clementia, lib. i. c. 1

<sup>‡</sup> Hale's Hist. vol. I. p. 13.

the lives of the persons executed are thrown away, and sacrificed rather to the vengeance than to the good of the public, which receives no other advantage than by getting rid of a thief, whose place will immediately be supplied by another. Here then we may cry out with the poet \*:

# Parcendi Rabies——

This I am confident may be asserted, that pardons have brought many more men to the gallows than they have saved from it. So true is that sentiment of Machiavel, that examples of justice are more merciful than the unbounded exercise of pity †.

#### SECT. XI.

## Of the Manner of Execution.

But if every hope which I have mentioned fails the thief; if he should be discovered, apprehended, prosecuted, convicted, and refused a pardon; what is his situation then? Surely most gloomy and dreadful, without any hope, and without any comfort. This is, perhaps, the case with the less practised, less spirited, and less dangerous rogues; but with those of a different constitution it is far otherwise. No hero sees death as the alternative which may attend his undertaking with less terror, nor meets it in the field with more imaginary glory. Pride, which is commonly the uppermost passion in both, is in both treated with

<sup>\*</sup> Claudian,

equal satisfaction. The day appointed by law for the thief's shame is the day of glory in his own opinion. His procession to Tyburn, and his last moments there, are all triumphant; attended with the compassion of the meek and tender-hearted, and with the applause, admiration, and envy, of all the bold and hardened. His behaviour in his present condition, not the crimes, how atrocious soever, which brought him to it, are the subject of contemplation. And if he hath sense enough to temper his boldness with any degree of decency, his death is spoken of by many with honeur, by most with pity, and by all with approbation.

How far such an example is from being an object of terror, especially to those for whose use it is principally intended, I leave to the consideration of every rational man; whether such examples as I have described are proper to be exhibited

must be submitted to our superiors.

The great cause of this evil is the frequency of executions: the knowledge of human nature will prove this from reason; and the different effects which executions produce in the minds of the spectators in the country, where they are rare, and in London, where they are common, will convince us by experience. The thief who is hanged to-day hath learned his intrepidity from the example of his hanged predecessors, as others are now taught to despise death, and to bear it hereafter with boldness, from what they see to-day.

One way of preventing the frequency of executions is by removing the evil I am complaining of: for this effect in time becomes a cause; and greatly increases that very evil from which it first arose. The design of those who first appointed executions to be public was to add the punishment of shame to that of death; in order to make the

example an object of greater terror. But experience has shewn us that the event is directly contrary to this intention. Indeed, a competent knowledge of human nature might have foreseen the consequence. To unite the ideas of death and shame is not so easy as may be imagined; all ideas of the latter being absorbed by the former. To prove this, I will appeal to any man who hath seen an execution, or a procession to an execution; let him tell me, when he hath beheld a poor wretch, bound in a cart, just on the verge of eternity, all pale and trembling with his approaching fate, whether the idea of shame hath ever intruded on his mind? Much less will the bold daring rogue, who glories in his present condition, inspire the beholder with any such sensation.

The difficulty here will be easily explained, if we have recourse to the poets (for the good poet and the good politician do not differ so much as some who know nothing of either art, affirm, nor would Homer or Milton have made the worst legislators of their times) the great business is to raise terror; and the poet will tell you that admiration or pity, or both, are very apt to attend whatever is the object of terror in the human mind. That is very useful to the poet, but very hurtful on the present occasion to the politician, whose art is to be here employed to raise an object of terror, and at the same time, as much as possible, to strip it of all pity and all admiration.

To effect this, it seems that the execution should be as soon as possible after the commission and conviction of the crime; for if this be of an atrocious kind, the resentment of mankind being warm, would pursue the criminal to his last end, and all pity for the offender would be lost in detestation of the offence. Whereas, when execu-

tions are delayed so long as they sometimes are, the punishment and not the crime is considered; and no good mind can avoid compassionating a set of wretches who are put to death we know not why, unless, as it almost appears, to make a

holiday for, and to entertain, the mob.

Secondly, It should be in some degree private. And here the poets will again assist us. Foreigners have found fault with the cruelty of the English drama, in representing frequent murders upon the stage. In fact, this is not only cruel, but highly injudicious: a murder behind the scenes, if the poet knows how to manage it, will affect the audience with greater terror than if it was acted before their eyes. Of this we have an instance in the murder of the king in Macbeth, at which, when Garrick acts the part, it is scarce an hyperbole to say I have seen the hair of an audience stand an end. Terror hath, I believe. been carried higher by this single instance than by all the blood which hath been spilt on the stage.-To the poets I may add the priests, whose politics have never been doubted. Those of Egypt in particular, where the sacred mysteries were first devised, well knew the use of hiding from the eyes of the vulgar what they intended should inspire them with the greatest awe and dread. The mind of man is so much more capable of magnifying than his eye, that I question whether every object is not lessened by being looked upon; and this more especially when the passions are concerned: for these are ever apt to fancy much more satisfaction in those objects which they affect, and much more of mischief in those which they abhor, than are really to be found in either.

If executions therefore were so contrived that few could be present at them, they would be much more shocking and terrible to the crowd without doors than at present, as well as much more dreadful to the criminals themselves, who would thus die in the presence only of their enemies; and where the boldest of them would find no cordial to keep up his spirits, nor any breath to flatter his ambition.

3dly, The execution should be in the highest degree solemn. It is not the essence of the thing itself, but the dress and apparatus of it, which make an impression on the mind, especially on the minds of the multitude, to whom beauty in rags is never desirable, nor deformity in embroi-

dery a disagreeable object.

Montaigne, who of all men, except only Aristotle, seems best to have understood human nasure, enquiring into the causes why death appears more terrible to the better sort of people than to the meaner, expresses himself thus: 'I do verily' ' believe, that it is those terrible ceremonies and pre-· parations wherewith we set it out that more ' terrify us than the thing itself; a new and con-' trary way of living, the cries of mothers, wives, and children, the visits of astonished and afflicted friends, the attendance of pale and blubbered ' servants, a dark room set round with burning ' tapers, our beds environed with physicians and ' divines, in fine, nothing but ghastliness and horror round about us, render it so formidable that a 'man almost fancies himself dead and buried 'already \*.'

'If the image of death,' says the same author, was to appear thus dreadful to an army they would be an army of whining milksops; and where is the difference but in the apparatus?

Montaigne, Essay 19.

Thus in the field (I may add at the gallows) what is encountered with gaiety and unconcern, in a sick bed becomes the most dreadful of all

In Holland the executions (which are very rare) are incredibly solemn. They are performed in the area before the stadthouse, and attended by all the magistrates. The effect of this solemnity is inconceivable to those who have observed it in others, or felt it in themselves; and to this perhaps, more than to any other cause, the rareness of executions in that country is owing.

Now the following method which I shall venture to prescribe, as it would include all the three particulars of celerity, privacy, and solemnity, so would it, I think, effectually remove all the evils complained of, and which at present attend the

manner of inflicting capital punishment.

Suppose then that the court at the Old Bailey was, at the end of the trials, to be adjourned during four days; that against the adjournment day a gallows was erected in the area before the court; that the criminals were all brought down on that day to receive sentence; and that this was executed the very moment after it was pronounced, in the sight and presence of the judges.

Nothing can, I think, be imagined (not even torture, which I am an enemy to the very thought of admitting) more terrible than such an execution; and I leave it to any man to resolve himself upon reflection, whether such a day at the Old Bailey or a holiday at Tyburn would make the strongest impression on the minds of every one.

Thus I have, as well as I am able, finished the task which I proposed; have endeavoured to trace the evil from the very fountain-head, and to shew whence it originally springs; as well as all the supplies it receives, till it becomes a torrent, which at present threatens to bear down all before it.

And here I must again observe, that if the former part of this treatise should raise any attention in the legislature, so as effectually to put a stop to the luxury of the lower people, to force the poor to industry, and to provide for them when industrious, the latter part of my labour would be of very little use; and indeed all the pains which can be taken in this latter part, and all the remedies which can be devised, without applying a cure to the former, will be only of the palliative kind, which may patch up the disease, and lessen the bad effects, but never can totally remove it.

Nor, in plain truth, will the utmost severity to offenders be justifiable unless we take every possible method of preventing the offence. Nemo ad supplicia exigenda provenit, nisi qui remedia consumpsit, says Seneca\*, where he represents the governors of kingdoms in the amiable light of parents. The subject as well as the child should be left without excuse before he is punished; for in that case alone the rod becomes the hand either of

the parent or the magistrate.

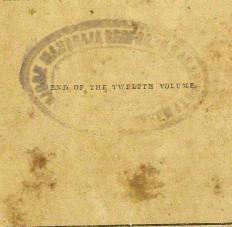
All temptations therefore are to be carefully moved out of the way; much less is the plea of necessity to be left in the mouth of any. This plea of necessity is never admitted in our law; but the reason of this is, says lord Hale, because it is so difficult to discover the truth. Indeed that it is not always certainly false is a sufficient scandal to our polity; for what can be more shocking than to see an industrious poor creature, who is able and willing to labour, forced by mere want into

<sup>\*</sup> De Clementia, lib. ü. Fragin.

dishonesty, and that in a nation of such trade and

opulence.

Upon the whole, something should be, nay, must be done, or much worse consequences than have hitherto happened are very soon to be apprehended. Nay, as the matter now stands, not only care for the public safety, but common humanity, exacts our concern on this occasion; for that many cart-loads of our fellow creatures are once in six weeks carried to slaughter is a dreadful consideration; and this is greatly heightened by reflecting, that, with proper care and proper regulations, much the greater part of these wretches might have been made not only happ in themselves, but very useful members of the society, which they now so greatly dishonour in the sight of all Christendom,



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