

*This Act being but temporary, but of general and publick concern, if any future Parliament shall think fit to continue it, it were good these following matters were also provided for, and so the Queres here made, thereby removed.* S. 32.

1. *A Maid-servant or Man-servant being single, and at service in one Parish by the year, do contract for a year with a Master in another Parish, and are there settled; whether upon complaint they may be removed by this Act. This hath been made a doubt, but yet, it seemeth, such servant is not within the meaning of the Act: First, For that the Act instanceth in a persons coming to settle in a Tenement under 10 l. per annum; and so aimeth at persons keeping house, and having a family. Secondly, For that it is not likely such persons can give the Security intended by the Act; so likewise of Apprentices.*

2. *A Man dwelling in A. and having a family, purchaseth bona fide Lands in B. under 10 l. per annum, and cometh to live in it with his family: whether he be removable by this Act. And it seemeth he is not: For that such a one cannot well be adjudged likely to be chargeable; nor can it be thought the mind of the Parliament to prevent such settlements.*

3. *As there is a time limited for complaint, and no time limited for the removal. Quære, within what time that must be procured. But it seems reasonable it should be before the next Sessions after the complaint; otherwise a Parish having complained, may let the person continue with them, and take his labor, and keep him under apprehensions of removal, which would discourage Industry.*

*Which Cases and Queries are obvious, as many more are; but I put them not, because I cannot resolve them; and it is well worthy consideration of wise Law-makers to consider, whether notwithstanding the specious allegations in the said Acts preamble, it be not prejudicial to the Commonwealth. For that, 1. by the words likely to be chargeable, too great a scope is given to any person, although never so just and prudent, to inspect and to determine of another Mans livelihood and condition. 2. A Man without his offence, is debarred of his Natural liberty, upon a possibility remote enough, be made a Begger and a Prisoner, at the same time deprived of the company of Friends and Relations, choice of air and place of Trade. 3. It tends to discouragement of Ingenuity and Industry; for why should any one learn or endeavour to be excellent in any Handicraft, which he is likely to make small use, and smaller benefit of? 4. Places and persons are deprived of the labor and industry of others. 5. It tends to depopulation, which is the greatest inconvenience an Island can undergo.*

*As to the Authority of these Resolutions, it is not great; for some Countrey Gentlemen coming to Sir Robert Heath, when Chief Justice in the Circuits, put to him these several Queries, to which he subscribed his own opinion, that brought the same into Sergeants-Inn-Hall, and proposed the same to the rest of the Judges; but they differing in opinion from him in many things, they never came to a resolution, and so were no more than his private opinion; which some Clerk getting, hath published the same, as Master Justice Twilden declared in the Court of Kings Bench, in Easter Term, 28 Car. 2. as I heard and observed: And afterwards in Michaelmas Term, 28 Car. 2. a Gentleman of the Bar using these Resolutions to the third, fourth, and eighth Questions touching putting out Apprentices, as an Authority to his purpose, Justice Twilden said, Why do you use that as an Authority, which all the Judges disclaimed?* S. 33.