

They had a regular gradation of official power, heads of tens, of fifties, of hundreds, and of thousands, besides the provincial governors, who were ancient heads of houses or tribes; these altogether formed one great band of allegiance, uniting the whole community together for action and defence, as one man, with one mind; viz., by the free resolutions of the majority, the smaller divisions being regularly included and controlled in the larger, and the individuals of all the divisions being mutually bound to each other by the reciprocal ties or allegiance of Frankpledge, which our Saxon ancestors, and many other, even savage and heathen nations,* have in some degree maintained, probably from the patriarchal times; for all men, having the knowledge of good and evil, are capable of this form of government, if it is once properly explained to them and established; and there is no mode of defending, restraining, and keeping in order a promiscuous body of men, so cheap, so easy, or so certainly effectual for every profitable purpose, as that of mutual government by the principles and maxims of right, in such equal proportioned congregations; each of which is a constituent part or member of a more powerful congregation in the great unity or commonwealth, wherein every individual, however violent or morose in himself, is prevented from injuring others, by having his person and his property rendered answerable for all damages, which he either occasions by his own rapacious violence or caprice, or which he does not endeavour to prevent in others, as a member of the tithing wherein any violence or offence is committed; for, according to the law of Frankpledge, no man is entitled to liberty† that is not duly pledged by his nearest neighbours for the mutual conservation of peace and right.

Under this form of government, all public works, as entrenchments, or earthworks and fortifications, to secure the towns and strengthen the country; canals and highways, for public passage; sewers and drains, for the general health of the country, &c., may be formed and maintained by a rotation of service, in which the value of daily attendance must be estimated, that defaulters may bear their share, or rather a double share, of the burthen; and the expense of watch and ward, or military service, must be defrayed in the same manner; by which means no debt will be incurred for the defence of the state. Rich funds may also be obtained to support the credit of a public exchequer, without laying any perceptible burden on the community, by a general agreement to punish, by fines and mulcts, in due proportion to the wealth and possessions of delinquents: increasing, likewise, by repetition, for all offences, as well as of omission (or neglect of public duty) as of commission; except for murder, rapes, and unnatural crimes, which, by the laws of God, are unpardonable by any community. The people themselves to be judges, people of the vicinage, unexceptionably disinterested; liable, besides, to the challenge of the parties, and duly sworn (according to the known laws of English juries) to do right, in the presence of the ordinary judges and officers elected to preside and keep order in the assemblies.

Several years ago I made some memorandums of "a method of forming frontier settlements," which I copied from the second edition of a book first printed at Philadelphia, but reprinted at London in 1766, and intitled, "An Historical Account of the Expedition against the Ohio Indians, in the year 1764, under the command of Henry Bouquet, Esq.; to which are annexed, Military Papers, containing Reflections on the War with the Savages, a method of forming frontier settlements," &c. My reference for the last mentioned subject is to page 51 of the said book; but, as I have not the book itself at present, I cannot pretend to be perfectly accurate in my quotations from it, neither do I remember whether the author recommended a government by tithing and hundred courts, with their proper officers, according to the Anglo-Saxon model, but only that his proposed settlements were (happily for my present purpose) laid out in equal divisions of one hundred lots each, for the maintenance of one hundred families; so that, of course, the constitutional regulations for hundreds, recommended in the preceding tracts, will not be less suitable and beneficial to his scheme than his certainly is to mine.

"Let us suppose a settlement," says he, "to be formed for one hundred families, composed of five persons each upon an average.

"Lay out upon a river or creek, a square of 1760 yards; or a mile for each side.

"That square will contain 640 acres.

"Allowance for streets and public uses, 40 }
 "To half an acre for every house..... 50 } 640 acres.
 "To 100 lots at 5½ acres..... 550 }

"The four sides of the square measure 7040 yards, which gives to each house about 70 yards in front to stockade; and the ground allowed for building will be 210 feet front and about 100 feet deep.

"An acre of ground will produce at least thirty bushels of Indian corn; therefore two acres are sufficient to supply five persons, at the rate of twelve bushels each person; two other acres will be for cows and sheep, another for hay, or to be sown with red clover, the

* The Romans had their decuriones and centuriones, not only in their military, but also in their civil government; and, consequently, they must have had the popular divisions of tithings and hundreds much in the same manner as those established by King Alfred in England, in imitation of the Israelitish commonwealth; and even the Chinese and Japanese (it is said) have tithings to this day.

† "Omnis homo, qui voluerit se teneri pro libero, sit in plegio, ut plegius eum habeat ad justitiam si quid offenderit," &c.—See Lombard's Archionomia, p. 125, b.

remaining half acre may be laid out for a garden." Thus far the author's plan may be applicable to lands even in England, especially if laid out in less divisions of tithings instead of hundreds, preserving the same due proportion of land in lots for each family. The ten families, with their habitations, would form a compact little village, under the government of a tithing-man, annually elected from among themselves, whereby all would be rendered mutually responsible for each other for the common peace, and to make good every damage that might be occasioned by the ill behaviour of any individual among them. An estate laid out in small farms, with such a tithing village in the centre of it, for a constant supply of labourers, might be made to maintain a much greater number of people than land generally does in the ordinary way of farming; and would, consequently, be much more beneficial both to the landlords, and to the nation at large. Commons and waste forests or chases might thus be laid out and occupied by the labouring poor, to the great reduction of parish rates, as well as of the price of labour; for free and useful labourers would never be wanting if such a regular provision, under their own management, could be found for their families; but the possession of such parish lots should be limited to those persons who occupy no other land, and should be delivered up to the parish or community, for the use of other unprovided families, as soon as any possessor obtains more land, either as a farm or in fee, (as recommended in a former tract,) to prevent the monopoly of land, and the entire deprivation of the poor from any share in it, as at present.

The remainder of the author's scheme is suitable only to unoccupied countries, like many parts of Africa and America, where the people are few and the lands of small value, viz.—"Round the town," says he, "are the commons of three miles square, containing, exclusive of the lots above mentioned, 5120 acres. On three sides of the town five other squares will be laid out, of three square miles, containing 5760 acres each; one of which is reserved for wood for the use of the settlement, the other four to be divided into twenty five out-lots, or plantations, of about 230 acres each, so that in the four squares there will be a hundred such plantations for the hundred families. Another township may be laid out joining this upon the same plan, and as many more as you please upon the same line, without losing any ground."

The banks of the river, as in ancient times, should be deemed common or public, as the river itself, under the conservation of the community; and should be reserved for future improvements, as for the accommodation, not only of fishermen, but also of manufacturers, traders, and of all industrious strangers; and docks or navigable cuts, whenever the level of the country will permit, should be made from the river, as far back, at least, as the centre between every two townships.

The spaces between the squares are left for roads and common communications between the several lots; and the roads which divide two distinct townships should be still more spacious for the common use of all the inhabitants, the cartage of their produce and other traffic, the driving of cattle, &c.; and a spacious road, to be formed lengthways throughout the whole settlement, ought, in forming the lots, to be reserved through the centre of each township; the central lots, which will thereby be diminished in size, will find ample compensation in value by their situation on the great central road.

I would likewise deviate from the original plan of the author, with respect to the situation of the 5760 acres of woodland for each township, which, I conceive, had better be reserved in one of the most distant squares, at an angular situation from each town, instead of being in the opposite square, according to his proposal; for the towns will not only be more healthy, by having the uncleared lands more distant from them, but also the inhabitants, when on watch and ward duty, will be better enabled to discover the approach of any lurking savages or other enemies in time of war.

GRANVILLE SHARP.

Old Jewry, August 1, 1783.

APPENDIX.

A short, yet very comprehensive and well-stated account of this ancient mode of government was published in the year 1780, on the spur of an occasion which too clearly demonstrated the lamentable want of this excellent institution: I mean the dangerous riots in that year, which could not have proceeded to such an alarming excess, had not this institution been long disused, for otherwise "the civil power," as the sensible author remarks, "would have fully guarded us from its outrages," p. 45. "I ascribe," says he, in Letter II., p. 27, "the complete formation of those general outlines, by which we have ever defined the English constitution, to Alfred, on the authority of historians, who specify the particular regulations which rendered his government so happy as well as glorious, which have been, in some degree, preserved amidst violent and numerous revolutions, to which every Englishman has an unconquerable partiality; and the restoration of which to their proper vigour and effect would secure our persons and property, and preserve that peace and order which are so essential to the happiness of the community.

"Keeping in view those general, those beautiful outlines, which were formed by the institutions of our early ancestors, over which the people sighed when broken and deformed by the Norman conquest, by the bloody contests of the houses of Lancaster and York,