Portugal, to whom he preſented ſeveral elegant plans and models. The prince of Wales, too, father to the preſent king, engaged him in his ſervice ; but the death of that prince prevented the execution of the designs which had been projected. He presided at the mag­nificent *ſete* given at Vienna on account of the marriage of the archduke Joſeph and the Infanta of Parma. But it would be endleſs to attempt an enumeration of all his performances and exhibitions.

SERVANT, a term of relation, ſignifying a perſon who owes and pays obedience for a certain time to another in quality of a maſter.

As to the ſeveral sorts of ſervants : It was obſerved, under the article Liberty, that pure and proper ſlavery does not, nay cannot, ſubſiſt in Britain : ſuch we mean whereby an abſolute and unlimited power is given to the maſter over the life and fortune of the ſlave. And indeed it is repugnant to reaſon, and the principles of natural law, that ſuch a ſtate ſhould ſubſiſt anywhere. See Slavery.

The law of England therefore abhors, and will not endure, the exiſtence of ſlavery within this nation : ſo that when an attempt was made to introduce it, by statute I Edw. VI. c. 3. which ordained, that all idle vagabonds ſhould be made ſlaves, and fed upon bread, water, or ſmall drink, and refuſe-meat ; ſhould wear a ring of iron round their necks, arms, or legs ; and ſhould be compelled, by beating, chaining, or otherwiſe, to perform the work aſſigned them, were it ever ſo vile ; the ſpirit of the nation could not brook this condition, even in the moſt abandoned rogues ; and therefore this statute was repealed in two years afterwards. And now it is laid down, that a ſlave or negro, the inſtant he lands in Britain, becomes a freeman ; that is, the law will protect him in the enjoyment of his perſon and his property. Yet, with regard to any right which the maſter may have lawfully acquired to the perpetual ſervice of John or Thomas, this will remain exactly in the ſame ſtate as before : for this is no more than the ſame ſtate of ſubjection for life which every apprentice ſubmits to for the ſpace of ſeven years, or ſometimes for a longer term. Hence, too, it follows, that the infamous and unchriſtian practice of withhold­ing baptiſm from negro-ſervants, lest they ſhould there­by gain their liberty, is totally without foundation, as well as without excufe. The law of England acts upon general and extensive principles : it gives liberty, rightly underſtood, that is, protection, to a Jew, a Turk, or a Heathen, as well as to thoſe who proſeſs the true religion of Chriſt ; and it will not diſſolve a civil obligation between maſter and ſervant, on account of the alteration of faith in either of the parties ; but the ſlave is entitled to the ſame protection in England be­fore as after baptiſm ; and, whatever ſervice the Heathen negro owed of right to his American maſter, by general, not bv local law, the firme (whatever it be) is he bound to render when brought to England and made a Chriſtian.

I. The firſt fort of ſervants, therefore, acknowledged by the laws of England, are *menial ſervants ;* ſo called from being *intra maenia,* or domeſtics. The contract between them and their maſters ariſes upon the hiring. If the hiring be general, without any particular time limited, the law conſtrues it to be a hiring for a year; upon a principle of natural equity, that the ſervant ſhall serve and the maſter maintain him, throughout all the

revolutions of the reſpective ſeaſons ; as well when there is work to be done, as when there is not : but the con­tract may be made for any larger or ſmaller term. All ſingle men between 12 years old and 60, and married ones under 30 years of age, and all ſingle women between 12 and 40, not having any viſible livelihood, are com­pellable by two juſtices to go out to ſervice in huſbandry or certain ſpecific trades, for the promotion of honeſt induſtry ; and no maſter can put away his ſer­vant, or ſervant leave his maſter, after being ſo retained, either before or at the end of his term, without a quar­ter’s warning ; unleſs upon reaſonable cauſe, to be allowed by a juſtice of the peace : but they may part by con­sent, or make a ſpecial bargain.

2. Another ſpecies of ſervants are called *apprentices,* (from *apprendre,* to learn) ; and are uſually bound for a term of years, by deed indented or indentures, to ſerve their maſters, and be maintained and inſtructed by them. This is uſually done to perſons of trade, in order to learn their art and myſtery ; and ſometimes very large ſums are given with them as a premium for ſuch their inſtruction : but it may be done to huſband- men, nay, to gentlemen and others. And children of poor perſons may be apprenticed out by the overſeers, with conſent of two juſtices, till 24 years of age, to ſuch perſons as are thought fitting ; who are also com­pellable to take them ; and it is held, that gentlemen of fortune, and clergymen, are equally liable with others to ſuch compulſion : for which purpoſes our ſtatutes have made the indentures obligatory, even though ſuch pariſh-apprentice be a minor. Apprentices to trades may be diſcharged on reaſonable cauſe, either at the requeſt of themſelves or maſters, at the quarter- ſeſſions, or by one juſtice, with appeal to the ſeſſions ;who may, by the equity of the statute, if they think it reaſonable, direct reſtitution of a rateable ſhare of the money given with the apprentice : and pariſh-apprentices may be diſcharged in the ſame manner by two juſtices. But if an apprentice, with whom leſs than 10 pounds hath been given, runs away from his maſter, he is compellable to ſerve out his time of abſence, or make ſatisfaction for the ſame, at any time within ſeven years after the expiration of his original contract. See Ap­prentice and Apprenticeship.

3. A third ſpecies of ſervants are *labourers,* who are only hired by the day or the week, and do not live *intra maenia,* as part of the family ; concerning whom the ſtatutes before-cited have made many very good re­gulations ; 1. Directing that all perſons who have no viſible effects may be compelled to work ; 2. Defining how long they must continue at work in ſummer and in winter: 3. Puniſhing ſuch as leave or deſert their work : 4. Empowering the juſtices at ſeſſions, or the ſheriff of the county, to settle their wages : and, 5. In­flicting penalties on ſuch as either give or exact more wages than are ſo ſettled.

4 There is yet a fourth ſpecies of ſervants, if they may be ſo called, being rather in a ſuperior, a ministerial, capacity ; ſuch as stewards*, factors,* and *bailiffs ;* whom, however, the law conſiders as ſervants. *pro tempore,* with regard to ſuch of their acts as affect them maſter’s or employer’s property.

As to the manner in which this relation affects the maſter, the ſervant himſelf, or third parties, see the ar­ticle MASTER *and Servant.*