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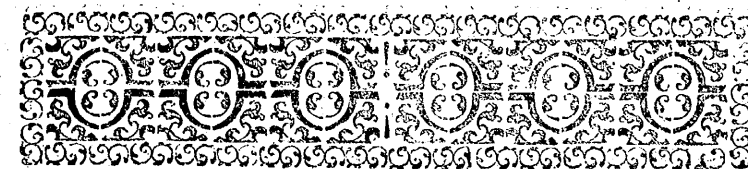
THOUGHTS  
ON  
TRADE,  
AND A  
PUBLIC SPIRIT.

Consider'd under the  
Following HEADS,  
• VIZ.

- |                        |                         |
|------------------------|-------------------------|
| I. Companies in Trade. | IV. Corruptions in the  |
| II. Stock-jobbers.     | Law and Public Offices. |
| III. Projectors.       | V. Of a Public Spirit.  |

*Humbly Dedicated to all Lovers of their  
Country.*

5 LONDON:  
Printed for the Author. 1716.



T H E  
P R E F A C E.



Having a passionate Love for my Country, a Zeal for Honesty, Vertue, and Religion, and a Detestation for Knaves of all Kinds, I cou'd not help communicating the following Thoughts; but yet having as mean an Opinion of my own Performance as any body, and never before venturing to appear after this Manner in the World, I first gave a sight of the Manuscript to several Friends, who perswaded me to print it, as a Treatise which might be of Service to the Publick; yet not depending on their Judgment alone, I apply'd my self to a famous Author, a Member of Parliament, that

*The PREFACE.*

of late Years has made himself very Remarkable by his Writings, who after a mature Consideration, the Book (at his earnest Request) being left some Weeks with him, seem'd very much to approve of the Work, not only in bare Words, but in a more extraordinary Way, by taking great Pains in making an Abstract of it, which he shew'd me; but what Use he will make of that Abstract, or Copy of the Book, which I believe he has, except some few Additions since, whether in the Parliament House, or out of it, I cannot tell; however, this for some Reasons necessitated, as well as encourag'd me to let it see the light.

These were the Motives for publishing this little Book, very little in respect of the copious, and weighty Subjects it ventures to treat off. But now for the Objections which I have often heard against all Undertakings of this kind;

*First,*

*The PREFACE.*

*First,* That there is such an universal Degeneracy, or Corruption of our Manners, and Morals, that the Age has no taste of, or will relish any Thing of this Nature.

*Secondly,* That the Persons I declaim against, such as knavish Lawyers, Stock-jobbers, &c. are so formidable for Number, Riches, and Power, that 'tis great Vanity to think such a feeble Effort as a little Pamphlet, writ by a poor obscure Author, can any ways shake the strong Foundations they are fixt on.

*Thirdly,* That 'tis also as great a Folly, for any one who has a mind to be an Author, to choose such a Subject as will make the most numerous and powerful Part of Mankind his Enemies; and the other part (who seems to lament the Evil of the times) but lukewarm Friends, who think at best such Subjects are dry, dull, and already worn threadbare. But as all Authors have some Ends

A 3 in

*The PREFACE.*

in writing, and most People will allow no other Ends but either getting Money by the Sale of their Works, or Preferment, and sometimes both; so the Aim of these Writers must not be so much what is beneficial to their Country, as what will answer the Ends beforementioned; therefore those in Power must be complimented, their Vices sooth'd, and all Things said to go very well.

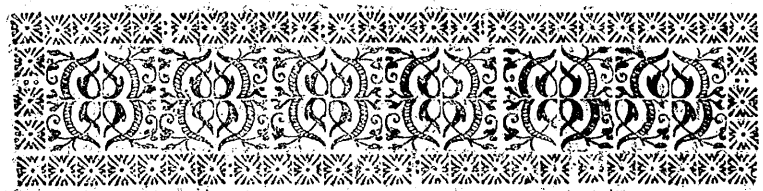
Notwithstanding these Disadvantages, I had a secret Impulse, that 'twas my Duty (let others think and act as they please) to declare what I knew of our Distempers; as much as in me lay to be an Advocate for the Miserable and Oppress'd, and to the utmost of my small Skill, search the national Wounds to the bottom, let the Incisions be never so deep; and whoever despises this Book, or treats it with the utmost Contempt, may know, if they will, that God's Arm is not shorten'd, nor his Power less'n'd,

*The PREFACE.*

sen'd, for if he pleases, he can now, as he hath formerly, by mean Instruments bring great Events to pass, to whose good Providence we must leave the Success of all our Endeavours.

This Book being writ in lose Papers, some of which were through Carelesness omitted in the printing, therefore the Reader is desired to turn to the Appendix at the later end of the Book, when he comes to each of the following Pages; *Page 39*, read Numb. 1. in the Appendix. *Page 92* N<sup>o</sup>. 2. *Page 101* N<sup>o</sup>. 3. *Page 113* N<sup>o</sup>. 4. *Page 124* N<sup>o</sup>. 5.

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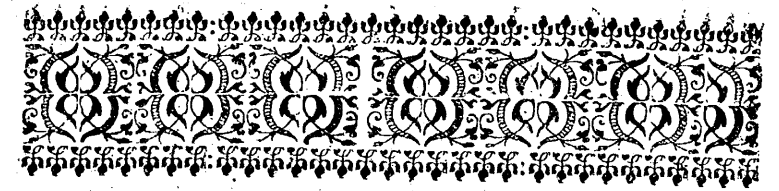
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### THOUGHTS



# THOUGHTS

ON

# TRADE,

AND A

## Publick Spirit, &c.



**A**L MIGHTY God, in his great Wisdom, gave different Products, or Blessings to most Nations; and this cou'd not be otherwise, according to the *Eternal Laws of Nature* which he has establish'd: For as Nations are situated in different Climates, of *Heat* and *Cold*, &c. their Productions must consequently be also different as to *Kind* and *Value*; and this God ordain'd to promote Industry, Commerce, and mutual Correspondence between the Inhabitants of one

*Arguments that Trade ought to be in Common.*

B

Court-

Of Companies in Trade.

Country and another, and so to cultivate *Friendship, Religion, Learning, Arts, honest Trade, and Gain* amongst Mankind, which is all that is truly valuable in this Life; and by this Men are distinguish'd from other *Creatures*, in contributing to each others Welfare; but that Man who thinks he is born for himself only, or *Company of Men* that goes about to obstruct, or hinder this general Good, is an Enemy, or Enemies to the rest of the *Society*, which is infinitely the greatest Number, and whose Prosperity ought chiefly to be consider'd; for as Nation shou'd Trade with Nation, so all the *Subjects* of any particular Nation, by their Birthrights, have equally a Title to Trade where they can with the best Advantage: This is undoubtedly the Grand *Magna Charta* that God has granted to the Children of Men, the *Charter* of the *whole World*, where the People are all Incorporated. Then what shall we say to that Man, or *Company of Men*, who exclude the rest of Mankind from this common Benefit, and *Monopolize* any Branch of Trade to themselves; they may as justly pretend to engross *Sun-shine, or Rain*: Were the common Blessings, and Benefits of Life, made by the *great Creator* for the Use of particular *Societies*, who are not One in a *Million* to the rest of the *Com*

Of Companies in Trade.

Community? No, certainly all Men in those Respects are put upon an equal Level by God, who like a bountiful and impartial Benefactor hath given some *Blessings* in *Common*, and without dispute Trade is One, which like his other Gifts is rewarded more, or less, according to the *good, or evil Use* made of it; but for particular Men to *monopolize Trade*, is against the *Laws* of *God, Nature*, and the true *Policy* of all *Nations*.

This being premis'd, naturally leads us <sup>Abuses put upon Trade by Companies, &c.</sup> to consider the Abuses put upon Trade in *England*, by Sets of Men call'd *Governors, Deputy-Governors, Directors, &c.* exclusive of the rest of their Fellow Subjects. If *salus Populi est suprema Lex*, be agreed to by every one, why do we suffer such notorious Encroachments upon this *Divine Law*, by certain Numbers of Men who love no body but themselves, and like *Conjurors*, draw *Circles* about them, and give to the *Devil* all that are without. But to come to Particulars, we will take notice of some Branches of Trade almost lost, and others utterly ruin'd by being put upon this false Bottom, by self-designing Persons: For Example, the *African Trade*, which <sup>Example, the African Trade,</sup> was first discover'd by Sir *Nicholas Crispe*, a Trade that brought us *Gold, Ivory, &c.* <sup>Slaves, &c.</sup> for such Trifles as *Beads, Bubbles,*

### Of Companies in Trade.

gles, and foolish *knick knacks*; but presently this rich Trade was vested in a Company, and such a vast Reputation it had, that from a *Hundred Pound* a Share, it rise to *Four Hundred and Eighty*, and this was the time for the Managers to get Estates by selling Shares; but after they had made their Market this way, they took so little care of the Trade which might have been so beneficial to the Publick, that by their Avarice, Negligence, ill Management, and leaving it Unguarded, the *French, Dutch, &c.* have got into it, so that at last the *Hundred Pound* Shares fell from *Four Hundred and Eighty*, to *Forty Shillings*, to the Destruction of the Trade, and many Families, and now 'tis in a manner for ever lost to the Kingdom. So was the Fate of the *Hudson's Bay, Whale Fishery, Spice Trade, &c.*

*From the Corruption of Companies in Trade proceeds the Stock-jobbers.*

From this Corruption of Companies in Trade, breeds the *Vermine* call'd *Stock-jobbers*, who prey upon, destroy, and discourage all Industry and honest Gain, for no sooner is any *Trading Company* erected, or any *villanous Project* to cheat the Publick set up, but immediately 'tis divided into *Shares*, and then traded for in *Exchange Alley*, before 'tis known whether the Project has any intrinsic Value in it, or no; if there is any real Value (which very few

of

### Of Stock-jobbers.

of them ever had) the Consequence of *Ill Consequences of Stock-jobbing* it is, that instead of carrying on the Design by Art and Labour, which is wholly neglected, all the *wicked Artifice* is us'd (of which these Gentlemen are great Masters) to put a counterfeit Value where there is no real one, and so in effect pick the Blind, Unwary, Ignorant Peoples Pockets.

If a Design was never so solid to promote Industry and Trade, *Stock-jobbing* will effectually damn it in its Infancy.

Again, if a Trade was never so prosperous, and long standing, *Stock-jobbing* will at last prove fatal to it; for when these *National Pick-pockets* have the handling it, there is no farther need of venturing their *Money* in Ships and Cargoes to the farthest Part of the World, but to Cruise and Pyrate in *Exchange Alley*, where they meet with vast Numbers of Prizes: 'Tis abominable to see the *Royal Exchange*, the *noblest Bourse* in Europe, which ought to be a Palace for Princes, for so may the Honourable Merchants be call'd, turn'd into a *Den of Thieves*.

What chiefly supports the Kingdom, are those honest Trades, and fair way of Merchandize that the *Stock-jobbers* had never the handling of, *viz.* the *Turkey, West India, Spanish, Portugal* and *Baltick*, but if any one wishes the Destruction of these Trades, and this Country into the

Of Stock-jobbers.

Bargain, let 'em contrive to erect 'em in-  
to Companies, divide them into Shares,  
and so consequently Stock-jobb 'em, and  
then they will do their Business effectually.

Suppose the Newcastle, or Colliery  
Trade, which is a Nursery for our Navy,  
and the best Seamen in the World, had been  
erected into a Company, and so Stock-jobb'd,  
what would have come of it?

Funds,  
Companies,  
and Stock-  
jobbing the  
Ruin of  
personal  
Credit.

How these Companies, Funds, and Stock-  
jobbing have ruin'd personal Credit, so ne-  
cessary for the Support of Trade, and ma-  
ny Families, let all the World judge; for as  
the Body Politick may be compar'd to the  
Body Natural, so the Coin of a Kingdom  
may be compar'd to the Vital Blood in the  
Body of a Man, which if it lodges only in  
one part, and does not duly circulate  
throughout the whole, causes Plurisies,  
Apoplexies, Convulsions; and, in short,  
endangers, or destroys the Constitution;  
for before these unchristian Ways of Trick-  
ing and Cheating our Neighbours were  
us'd, and People were not tempted to let  
their Money run in these corrupt Channels,  
there were some Compassion and Humanity  
to be found, or at least most People, rather  
than let their Money lie dead by them, wou'd  
venture to lend it to some honest Trades-  
man, or any hopeful Fellow to improve for  
them, which was of that general Benefit,  
that

Of Stock-jobbers.

that the Person to whom 'twas lent, was  
often made by it, and the Lender had ho-  
nest Interest for his Money. But now the  
Case is so alter'd, that 'tis Ridiculous to  
talk of borrowing Money on Personal Se-  
curity, if a small Sum wou'd save a Man  
and his Family from utter Destruction,  
and the Lender run little or no Risque.

Let all Mens Experience speak as to the  
Truth of these Hardships, and fatal Misfor-  
tunes brought upon the Midling, Industri-  
ous, and poor Sort of People by these Muck-  
Worms, together with the infinite Number  
of Bankrupts, and broken Tradesmen; the  
Goals in the Kingdom cramb'd full of miser-  
able Debtors, are too many mournful Evi-  
dences.

'Tis incredible to conceive the Wealth  
that shou'd be employ'd in honest Trade,  
diverted into this Channel, and wholly  
apply'd to this cursed way of Gaming,  
and by what devilish Arts they support  
it, to the abusing the Government as well  
as the People; for like the late French  
King, in lowring and raising the Value of  
his Coin, and so plundering his Subjects,  
these worthy Gentlemen, the Stock-job-  
bers, by forging false News, raise and fall  
the Stocks, all the Commodity they deal in,  
for when their Hands are full, then they  
are pleas'd to afford the Nation very good  
News,

Spreading  
false Ru-  
mours one  
of the Arts  
of Stock-  
jobbers.

Of Stock-jobbers.

News, and so raise them as high as ever they can, and then dispose of them; in a Day or two afterwards there is a sudden Turn of Affairs, and we have dismal Tidings, for which they never want Vouchers, and so fall Stocks Five or Six  $\frac{1}{2}$  Cent. more, or less, for them to buy in again; Nay, some of these Fellows have the Confidence to deal for Thousands of Pounds in these Stocks, tho' they have not a Groat of their own, beyond the Impudence of a Levanting, or sharpening Gamester, who sets a great Sum of Money on a Throw of the Dice without a Penny in his Pocket, only venturing a kicking against a round Sum.

Stock-jobbing Trade thrives best in times of War, Rebellion, and publick Calamity.

But what is more aggravating, is, that these wretched Men thrive best when the Nation is in a Ferment, in times of War, Rebellion, and publick Calamity, which they make a Market of, to vent their Lies and Cheats in, which are of that malignant Nature, that as it poisons the People, so it has a very bad and dangerous Effect on the Government, because as most weak People take Stocks to be the Weather Glass of the State; and as they Ebb or Flow, Rise or Fall, so they judge of the Health or Sicknes of the Publick, by Consequence when the Stocks are low, or run down; Navy, Victualling Bills, and other publick Credit languishes, and bears a great Discount; this has a very per-

Sinks publick Credit.

Of Stock-jobbers.

pernicious Influence, for they who have those Bills, and want their Money before their Bills come in course to be paid, or doubt by the ill Situation of Affairs they will never be paid, oblige, or frighten them so, as to sell at great Loss; and when they agree upon any new Contract, make this Discount as an Argument to enhance the Price of their Goods, and so the Government suffers considerably, besides the discouraging of the People, and spoiling Trade by these Forgeries; and no doubt of it, to buy up these Bills is some part of these Gentlemens Traffick, which is a Trade no better than those Rogues have, who when their Neighbours Houses are on Fire, run away with their Goods; and who knows, seeing Riots, Insurrections and Rebellion, are so gainful to these Sort of Men, they may not have some hand in stirring them up, or at least keeping them up, by spreading seditious Rumours; this is certain, they contribute greatly to them one Way, that is, by bringing Poverty and Confusion on the Kingdom.

The Government, as well as Subject, suffers every way by the Stock-jobbing Trade.

'T wou'd fill a large Volume to write a full History of all their Rogueries, and what bad Consequence it is to the Kingdom, but this I shall observe, that by suffering these Villanies arise many other Cheats in different Shapes, tho' all Off-springs of those cursed Parents, such

By suffering Stock-jobbing, &c. many other Cheats in different Shapes arise.

Of Projectors.

A List of Projects.

Lotteries and Offices for the Improvement of small Sums for the Benefit of the Poor.

such as Projects calculated only to amuse the Publick, which of late Years we have had plentiful Crops, and every Season is too fruitful of them; for Instances, the Royal Linnen Manufactory Project, the Salt Petre, the Paper, the Mine Adventure, the Lute-string, the Diving, the Dipping, the Japanning, the Venetian Mettal, and great Numbers more; but lately, as if the Devil had a mind to deal with us by wholesale, a vast Number of Insects, numerous as the Egyptian Locusts, set up Lotteries, and Offices for the Improvement of small Sums of Money for the Benefit of the Poor; and they had such Emulation of each other, that striving who shou'd offer the largest Advantage to the ignorant People, in order to gull them of their Money, they came at last to propose, that whoever put in but Ten Shillings by prudently withdrawing it out, and putting it in again, a Man shou'd get Five Hundred Pound in one Year, so gross they thought the Peoples Understandings to be thus horridly impos'd on; but so it was, for by a modest Calculation, within the Bills of Mortality, the poor People were in a manner robb'd by these Miscreants of above a Hundred Thousand Pounds; and they had not been down to this Day, but the Coarseness of the Villany grated so hard on the Populacy, that they were

Of Projectors.

were going to set Fire to all their Houses; therefore the Devil was resolv'd for the future to appear more like a Gentleman, and now has begun to liquor his Boots, and sets up for an Oil Projector, and has writ several learn'd Treatises on this Subject, and very modestly calls every Man a Fool or Knave that has not a mind to let him finger their Money; but till this last Cheat is blown up, as all the rest have been, perhaps we may not have a new one, tho' we us'd to have several at a time upon the Anvil, \* but the Times now will not admit of above one grand Cheat in a Year, which is sufficient, with the help of the Devil, Companies, Stock-jobbers, and other Retailers, in Mischief, to ruin the Nation if not timely remedied.

By Projectors.

\*There are three or four now ready to be del'd to appear at once.

It seems worthy of Observation to see how these Projectors manage their Matters.

First, The Projector finds out some fair-fac'd Project, such as getting Silver out of the Mountains in Wales, Salt Petre from Bun-hill, or Tom-Turds-fields, Oyl from Beech-mast, and many such like.

The Method how Projectors manage their Matters.

Secondly, He procures an Act of Parliament, or Patent.

Thirdly, Takes a large House, makes a great Figure, opens Books for Subscriptions, proposes prodigious and incredible Advantages

Of Projectors.

tages to all that will venture their Money to carry on his Project.

The Fourth Thing the Projector does, is to engage some topping Dons to subscribe large Sums: These topping Dons are made Use of as the Projector's Decoy-Ducks, to draw in other People; but they seldom pay Six-pence, or venture Six pence; or if they do pay any Money openly, 'tis privately return'd to them by the Projector.

These Decoy-Ducks set the Wheel a going; they generally employ Brokers on the Exchange to cry up the Reputation of the Project; if the Shares sell well, the Decoy-Ducks sell out, pay the Projector what they subscribed for, and often get Hundreds, or Thousands of Pounds by Virtue of Pimp alle Pimp; or at worst, whatever the Shares sell for, they can but divide the Spoil with the Projector, for 'tis all clear Gains.

Carrying on their Designs by Lying, Cheats and Deceits.

These are some of the general Methods and Rules Projectors steer by, besides many other Tricks and Rogueries, as Publishing Books and Advertisements, which, tho' they are stuff with monstrous Absurdities, Hyberboles, and Lies, yet with such a Quackish Cant as always deludes and carries away great Numbers of silly People to a Credibility, as proves often fatal to them; but as this weak and unthinking Part of Mankind are commonly dazled with Shew,

Of Projectors.

Shew, easily impos'd upon by a View of vast Profit, without examining into the Probability or Possibility of the thing proposed, so a Stop, in my humble Opinion, ought to be put to this vile Way of Cheating the Vulgar sort of People. I know 'tis often said, That if People will be so foolish and credulous as to be gull'd out of their Money by knavish and ridiculous Projects, and Stock-jobbing, and never be warned, let them take it for their Pains; yet this, with Submission, is no right Way of Reasoning; for 'tis our Duty, first, as Christians, secondly, as we love and value the Publick Good, to hinder those by all lawful Ways and Means, who are not so wise as our selves, from ruining, or running themselves to Destruction. We ought to take the Knife out of any Man's Hands that is going to cut his own Throat, or prevent him from hanging himself, which Poverty and Despair are the first Steps to. Mad Mens Hands must be tied, that they might not do themselves a Mischief, as well as endanger others. The Publick Good, and Private, must be consider'd jointly together; for instance, A Man has certainly a Right to his own Money so far that his Prince cannot touch a Farthing of it, much less his Fellow Subject, but in a legal Way, and dispose of this Money as he thinks fit without

Our Duty to hinder People, if we can, from being cheated.

## Of Projectors.

out Controul; but yet this Rule is not without Exception; for a Man shall not *Game extravagantly*, he shall not *melt down*, nor otherwise destroy this Money; or above such a Sum carry it out of the *Realm*; for tho' he has the Property of it, 'tis in one Sense the *Nation's Money*, the *King's Coin*, so it should have as little *Misuse* made of it as possible; for this Money is not only to do him good, but it is to be handed to others for them to reap a like Benefit by, in the honest Way of *Commerce and Trade*; so that well-meaning, working People, who by their *Industry and Labour* have got a little before-hand, to keep them in a *Fit of Sickness*, or other *Casualties*, should have as much Restraint as suits with Justice and their own Good, laid on them, not foolishly to throw away that which they have been long getting by hard Labour, at once, in a *villanous Project*, calculated only to impose on their *Weakness and Ignorance*.

But the chief Business is by a Law to put a stop to those Villanies which are pernicious to the Publick.

But the main Business, and chiefest Care of all, ought to be taken to put down (as the *Parliament* did the *Lotteries*) or discourage the knavish Projectors, at least to prevent them from setting up their *Whims and Chimeras*, with no other Design than to impose upon and rob, foolish innocent People, and get Estates on the Spoils of the Pub-

## Of Projectors.

Publick. But forsooth, the *Advocates* for the *Projectors* and *Stock-jobbers* pretend that 'tis not in the Power of the *Parliament* to suppress *Projects* and *Stock-jobbing*; for (say they) 'tis against *Magna Charta* for any Man to be hinder'd from disposing of his *Property* as he thinks fit; but the *Parliament* did (as before mention'd) put down the *Lotteries*, which had encreased to such Numbers, and rose to such a Pitch, as would have been the Ruin of Trade, and many poor Families, if a Stop had not been put to them. But with all Humility and humble Submission to that *August Assembly*, (if better and more effectual Means are not found out) I here propose *Three*, none of which are against *Magna Charta*.

First, In regard those *delusive Arts* before described were unknown to our *Fore-fathers*, and therefore our *Ancient Laws* are either defective therein, or so far doubtful, as not to restrain, or sufficiently discourage such Practices. That therefore the *Legislature* will be pleas'd (as soon as convenient) particularly to distinguish them by some *criminal Stamp*, and more effectual Law than is now generally known, or understood to be in Force against them. And in the mean time the *Grand Juries*, whose Duty it is to enquire into, and Present all *Frauds and Nusances*, will no longer ever-look

Methods humbly propos'd to remedy those Evils. Knavish Projects to be distinguish'd by some criminal Stamp.

Grand Juries to present them.



look those grosser ones, and upon Detection thereof, both the *Projector* and his *Project* to be stigmatiz'd according to their *Demerits*.

Secondly, That if any Trading Company be set up by Virtue of a *Charter*, or any *Project* by Virtue of a *Patent*, and offer'd to be carried on according to the Modern Mode, by Opening Books, Taking in Subscriptions, dividing it into Shares, in order to be traded for in *Exchange Alley*, that grand *Mart for Cheats* of this sort; let there be

No Transfer to be allow'd.

no *Transfer allow'd*: but if any Person, either *Knave* or *Fool*, will venture his Money in these *Projects*, let him take it to himself, for better or worse, and not transfer his *Trick* or *Folly* from himself, and lay it upon another Man of a weaker Capacity; no, 'tis but reasonable he should only reap the *Fruits* of his own *Adventure*, whether in *Profit* or *Loss*; let him be contented with the *Hazard* or *Gain* that arises from the Trade, or *Project* he has embark'd himself in. This would effectually sink or damn *Stock-jobbing*, of Course; this would make all Men very careful how they launched out into these *Projects*, to let *Governors*, *Deputy-Governors*, and *Directors* have the Fingering and Management of their Money. And if there were any intrinsic Value in the Trade or *Project*, they would

would use all the Endeavours and Industry imaginable, to make the *Trade*, or *Project*, by honest Labour turn to Account: But on the contrary, Buying and Selling of *Shares*, *Transferring*, or *Stock-jobbing*, ruins, and is a Bane to all *Honesty* and *Industry*.

The *Lacedemonians* were so plagu'd and pester'd with these *Projectors*, that they made a *Law*, that all *Projectors* should be obliged to bring their *Projects* and *Schemes* to the *Senate* in one Hand, and a *Halter* in the other, that if their *Project* was not approv'd of, or found prejudicial to the *publick*, to be hang'd with their own *Halter*; but if *Beneficial*, to be rewarded according to the *Benefit* that might accrue to the *People* by it: This brings me to the *Third* and last Head, to proceed by the *Lacedemonian* Method, excepting hanging.

That if any Man by his Ingenuity, Study, or Travels, makes a new Discovery in *Art* or *Nature*, or produces any *Scheme* of *Trade*, &c. beneficial to the *Publick*, let the Government nobly reward him, and then let it be made common, and all the Nation have the *Benefit* of it. As for Example, if Sir *Nicholas Crisp*, who first discover'd the *African Trade*, had been well rewarded by the Government, and they had immediately sent *Ships* and *Materials*

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als to build *Forts*, and secur'd this *Coast*, and so let all Men that would, have traded thither, the Wealth that they had brought into the Nation, with the Duties paid to the Government, would very well have enabled it to defend this Trade against the Encroachment of *Foreigners*, or the whole World, for then we should have *Millions of People*, the *united Strength* of the Nation to support it, instead of a few Covetous Mercenary Creatures, who have nothing farther in their View, than by the vilest Ways and Means to enrich themselves and Families, let it be at the Nations or whose Cost it will.

The same Method would have prevented the abovesaid Cheats, and Loss of the *Trades* before-mention'd, and would have gain'd Us other vast *Acquisitions* which we do not now possess.

*Observations on the Dutch.*

The *Dutch* have no Companies except the *East-India* Company, which is almost universal; the whole *Republick* is in effect but one Company, which trades every where: They are more Publick Spirited than We, and chiefly consider the General Advantage: Those wise People are not abus'd or cheated by *Projectors* and *Stock-jobbers*.

They do not in their *Exchange*, or Assembly of Merchants, tolerate a parcel of Moun-

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Mountebanks to run up and down, and cry, *Who buys Stocks*, or *Moon-shine*? No, they compass the Globe by Trade and Industry, and in the Space of a little more than an hundred and twenty Years, from a Parcel of poor Fishermen, have, by their Wisdom and Publick Spirit, not only freed themselves from the Tyranny of the greatest Monarch then in *Europe*, defended themselves many Years from him, and afterwards from the greater Power of *France* and Us together, but by well managing their Industry and Trade, notwithstanding all these heavy Wars they were continually involv'd in, without enlarging their *Terra Firma*, have rais'd themselves from a poor, distressed, and small Beginning, to a greater Pitch of Wealth and Power in so short a Time, than the whole *Spanish* Monarchy, than any State or Common-wealth that is, or ever was in the World, and is almost a sufficient Match for the greatest Potentate, and all this with the Extent of a very little Territory, no Manufactory of their own Produce worth speaking of, nor even necessary for Life, to be found in their Country for the tenth Part of the Inhabitants.

*Batavia*, (if I mistake not) was formerly called *Jacatra*, and was once ours. We had the *Spice Trade*, the *African Trade*, the *Newfound-land*, and *Green-land Fisheries*,  
C 2 *Hud.*

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Hudson's Bay, &c. Now I submit to the Judgment of all the thinking Men in the Nation, the immense Value of these Trades, and whether the Possession of them at this Day, with what we have, had not made us the most Rich and most Powerful People under the Sun? But all these Jewels were or are in a great Measure sunk or lost, for want of a Publick Spirit, or, rather, in other Words, by Folly, Avarice and Knavery.

Remarks upon the French Protestants.

I shall here take Notice of the senseless Clamour against the French Protestants amongst Us; I do not mean by those pretended Protestants who are Enemies to the Reformation, as well as to their Country, I mean mistaken People, who do not consider that the Number of Inhabitants of any Country is the Wealth and Strength of it, especially Ingenious, Industrious, and Trading People; such as the French Protestants generally are. How have our Manufactories been encreas'd and improv'd since they settled here? for Instance, Hats, Silks, Stuffs, &c. which we formerly had from their own Country; and so far have they been from being a Detriment to us, or underworking our Handicrafts and Tradesmen, that the Price of Labour has encreas'd proportionably to our Improvements; our Revenue has been much augmented; and being

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being in a Manner banish'd and made irreconcilable to their native Country, have made this their natural Soil; where they enjoy the Freedom of their Religion and Liberty equal with Englishmen; so that in Interest, Inclination, and Gratitude, for the Sanctuary we have afforded them, they are as Loyal Subjects to King GEORGE, and our present Settlement, as any Englishman, and ready upon all Occasions, in Time of Danger, to stand by, and strengthen the Hands of the Government with the Hazard of their Lives and Fortunes, which in many past Instances they have demonstrated, and in the late Rebellion were ready to do again, if the Word had been given.

Before I have done with this Head upon Trade, I shall quote the Thoughts of a Learned Author upon that Subject, and his beautiful Description of our Island, and the Advantages given us above others, by God and Nature, viz.

' Since Trade, the Converse with the  
' World, is the honest Way to strengthen  
' and enrich a Nation, and the great Dis-  
' courager of Idleness and Debauchery, &c.  
' We being situated by Nature, and Geni-  
' uses proper for it, ought to make it our  
' Study to manage it to its highest Capacity  
' of Improvement; which if we would in  
' earnest pursue, War it self would be of  
' such

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such Advantage and Security to us, that we should not only be out of Danger from our Enemies, but command the Trade of the World; and on the contrary, if that be neglected, all the Miseries Attendants on Slavery and Poverty, that shall happen to the Nation, may be ascribed to our own Improvidence and Inactivity.

We contradict the received Maxim, That Men will attempt any thing for Advantage, whilst we neglect proper Methods for improving and encouraging Trade; for no greater Advantage can flow from any Fountain, or proceed from any Faculty upon Earth, than from that; for where Trade is there will be Employment; where Employment is, thither will People resort; there will be a Consumption of Commodities, and thereby the Publick Revenue will be increased: So that would we once make Trade to flourish, we need not doubt but People from all Parts of the Universe would resort hither to enjoy themselves, and improve their Stocks.

We see every Day, that the convenient Situation of any Estate gives an Estimate, and raises its Purchase; and without Convenience, Life it self would be but a meer Spiritation, scarce worth the Valuing; then sure England ought to be valued and preferred

Where Employment is, thither will People resort, &c.

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fer'd to all Nations on Earth, having both to so much Advantage. 'Tis an Island placed as a Center to the Circular Globe, towards which, Trade may draw a Line from the whole Circumference; 'tis blest with a Moderation of every Element; no scorching Sun Negroes, nor frigid Zone benums its Natives, but a medium Influence strengthens and beautifies its Inhabitants, who are of regular Shapes; neither an unweildy nor Pigmy Breed, but fit to endure the Toils of War, or peaceful Labours on the Land; our Climate is so moderate, that the Sun neither exhales, nor the Cold phlegmaticks the Spirituous Parts, but allows a Temperature between both; so that our Native Fancies are neither too Airy for Consideration, nor too Dull for Invention; its Soil is Mixture and Productive; and where Barrenness appears on the Surface, the Bowels are enriched with Mines, &c.

A Description of England.

Its Climate and Inhabitants.

Its Produce in several kinds.

No Alpine Mountains, nor Holland Bogs, but a delightful Variety of Hills and Dales compass the Land; so that when the parching Sun burns up and chaps the higher Lands, the humble Meadows in a Verdure thrive; and when mighty Show'rs drown the Lows, the Hills by watering very fruitful grow; our Lands when till'd, produce a grateful

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Plenty in return to Labour ; our Trees in general are lofty, and well top'd, afford us all the Conveniences that we can expect ; our *Kingly Oak* so firmly ribs our Ships, that they prove like Bulwarks to the daring Foe, and our Fruits pleasant and useful for Support ; our Cattle large, healthful, strong, and numerous, which are as good as the World produces, for Labour, or for Food ; their Skins are firm, and of so contracted Pores, that better Leather is not to be found : Our Wooll is very good, and if duly regarded would equal the boasted *Segovin* ; 'tis the Parent of our Chief Manufactures, and gives us a *Plaudit* in our *Cloth, Bays, Sayes, Serges, &c.* throughout the Universe. We have Fowl in Plenty, and that Plenty good. In the Bosom of our native Earth, are hid Riches, which are easily obtain'd by the Artift and Laborious, as *Tin, Lead, Copper, Iron, Coals, &c.* Our Land is plentifully vein'd with Rivers, refreshing the Earth, affording Variety and Plenty of Fish. Nature has made such a Paradise of the Land, that we show our selves ungrateful to Divine Bounty, when we are negligent of the Blessings it hath liberally bestow'd. In short, the Nation is a Verdure Field indented with Harbours round, where our Ships, from their

Its Variety of safe Harbours.

Natural

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Natural Situation, may ride out the tempestuous Storm.  
 The Sea, by Providence, is a Wall round us, to defend us from the *Pharaob* that would enslave us ; 'tis Champion and Servant too, for by our Ships furrowing its Waves, we send our Plenty out, and bring the Riches of the most distant Parts of the World into our Possession.  
 How ought we to be grateful when we consider the Blessings we do enjoy, and the Opportunities that are given us to improve them farther to our Advantage ?  
 'Tis wonderful to think how several Sorts of Fish in vast Numbers at certain Seasons, visit our Coast by Divine Appointment and Natural Instinct for our Subsistence, and Day by Day are ready not only to furnish us with Food, but also to be made Merchandize of to the Inriching of the Nation.  
 'Tis very observable, how Heaven blesses us by the Course of the Wind, that commonly blows *Westerly* for above half of the Year, which makes all our *Cape Lands* and *Bays*, opposite to the *French* and *Dutch* Coasts, good Roads for our Ships to ride with Security ; for we are on the *Weather*, and the *French* on the *Lee* Shore ; besides, our Anchorhold is much better than either the *French*

Its Seas abound with Fish.

England most commonly a weather-shore.

or

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or Dutch, for we have generally a stiff Clay, Chalk, or hard Gravel, whilst the French have only hard Rocks, or loose Sands; the Flemish and Holland more number of Sands on their Coast; their Water of less Depth, and consequently their Ports choaked up with Quick-Sands; when our Ships ride safe, even between our Sands by our Country's being a Weather Shore.

Thus in Epitome we see what a rich Heirefs with a vast Fortune we enjoy by the Gift of the Great Father of the Universe; but we should consider when this Portion was given, Gratitude and Duty were expected, that it might descend as a Jointure to our Posterity: But instead of such Returns, ungrateful we, by vicious Lives, forget the Obligation from the Donor; and regardless of our present Prosperity, neglect the Means to improve the Talent intrusted to our Management; but we cannot imagine, but that we shall ere long be called to Account of our Steward-ships; and the greater our Trust is, the greater will be expected our Improvement; so let us no longer dally, but seriously amend, and to our Power use the Means put into our Hands to make us prosperous, which can be done by no honest Way than by Trade and Industry. And

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And Trade is so Noble a Master, that it is willing to entertain all Mankind in its Service, and has such Variety of Employments adapt for every Capacity, that all but the Lasse may support at least, if not enrich themselves; its Agents are every where Laborious and Industrious; by it our British Empire will be enriched by Manufacturing and Improving our own and foreign Products, and be defended by the Increase of our Seamen and Shipping, which if duly employ'd can never be too many, being always the Conveyors of our Riches as well as Strength of this Nation; as all the Happiness and Glory of England depends upon the Encouragement and good Management of Trade and Navigation, so its Ruin and Confusion must be the Consequence of their Neglect.

Is it not a Wonder that Schools, Universities, Inns of Court, and Colleges, should be so careful to have Regulators and Inspectors for the better Government and Direction in their several Faculties, that are not in Comparison with the Fruits of a duly regulated Trade, by which they are all maintain'd; yet Trade, that gives Warmth and Motion to the Blood, and fresh Spirits to every Part of the Nation, from the meanest Cottage to the Royal Throne,

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' Throne, that provides under God our  
 ' daily Bread, is in a Manner unregarded,  
 ' and without a due Inspection, Regulation  
 ' or Encouragement? Notwithstanding  
 ' this great Lady, (affecting Freedom and  
 ' Security, hath no Inclination to continue  
 ' under the Arbitrary Power of *France*, nor  
 ' the uncertain Fate of *Holland*, with whom  
 ' she hath resided only as a Sojourner, tho'  
 ' she hath been very highly caref'd and  
 ' embraced by them) is ready to espouse  
 ' both our Interest and Nation, and with  
 ' her self bring in Dowry the Treasures of  
 ' the World; if we would vouchsafe to  
 ' give her a speedy and kind Entertainment,  
 ' being very sensible of the great Advan-  
 ' tage we might give her, by so absolutely  
 ' securing our free Enjoyment of Liberty of  
 ' Conscience, that there might appear a  
 ' Certainty of its Continuance to Posterity;  
 ' and by having our Civil Rights and Pro-  
 ' perties maintain'd in their original Puri-  
 ' ty; so that Justice should be done without  
 ' Partiality, Delay or unconscionable Ex-  
 ' pence, which now daily presses every  
 ' Man concern'd in Law, relating to  
 ' Trade; the want whereof formerly de-  
 ' populated this Nation, both by discoura-  
 ' ging ingenious Persons from repairing  
 ' hither, and by forcing those of our own  
 ' Country to seek Freedom and Justice  
 ' elsewhere,

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' elsewhere, and cramping the Industry of  
 ' others that remained, by rendering them  
 ' a Prey to each other; which deadly  
 ' Wound did not end here, but Debauche-  
 ' ry and Profaneness were encreased to such  
 ' a Degree, that the Nation was dissolved  
 ' in Luxury and Intemperance, whilst the  
 ' *French* had the Wit to take the Advan-  
 ' tage of our Negligence, by encouraging  
 ' Industry and Commerce; (which all the  
 ' while we were labouring to overthrow  
 ' and undervalue) by which Means chiefly  
 ' they are become so Potent and dange-  
 ' rous to all *Europe*.

' How absolutely necessary is it then,  
 ' that all possible Endeavours be made, (as  
 ' the Examples of our Neighbours success-  
 ' ful Industry, and our own Sloth and  
 ' Neglect sufficiently warn us) to study  
 ' the ablest Means and Methods for the  
 ' Improvement of Trade?

But to return, 'tis in vain to think of <sup>Tis in vain</sup> getting new Advantages, till we have the <sup>to think of</sup> *Art*, or *Honesty*, to keep what we have <sup>getting</sup> already got, or rightly to improve what <sup>new Ad-</sup> God and Nature has plentifully of our own <sup>vantages,</sup> Growth bestow'd upon us, I mean our <sup>till we have</sup> *Fish* and <sup>the Art</sup> *Wool, Cloathing* for the *Back*, and *Food* for <sup>to keep</sup> the *Belly*; these Two, and only these <sup>those we</sup> Two, are more than sufficient of them- <sup>have al-</sup> selves, if rightly manag'd, to employ all <sup>ready got.</sup>  
 our

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*Our Fish and Wool rightly managed, are sufficient to make us the greatest People in the World.* our Poor, recruit our Navy, bring us the Wealth of the World, and make us the most Potent and Happy People under the Sun. Whatever *French*, or other *slavish Maxims*, or Politicks may be, that to keep a People poor is the way to keep them quiet, this bitter *Pill*, or *Receipt*, will never down with *English Men*, but work the quite contrary Effect, for they are People us'd to Liberty and Plenty, and that Government in *England* that goes on these *Schemes of Poverty and Slavery*, will always meet with terrible Oppositions and Disturbances; but if the common People have Employment, and enjoy unmolested the Fruits of their Labour, 'twould be impossible to delude or debauch the Minds of industrious People, so as to create any Discontents, or make them uneasy under a Government where they live the most Happy of any Nation on the Face of the Earth, and cannot possibly change their present Condition, with any probability, for a better.

The *Great Duke of MARLBOROUGH* found this to be the Temper and Genius of most People, more especially the *English*; so that to obtain those many *Laurels* he gain'd by his *Glorious Actions*, he paid, fed, and well cloath'd his Men, without which, if he had been more than Human, he cou'd not have promis'd the least Advantage.

*The General Benefit of Trade.*

vantage. The *English* are not ignorant People; the meanest amongst them hath sufficient Knowledge to know when he is oppress'd or wrong'd; the most *illiterate Soldier*, or *Sailor*, knows exactly what is due to him for *Wages* and *Victuals*, and the most impatient to be wrong'd of that, tho' he will undergo all Dangers and Hardships to earn it.

But to return to our *Fish* and *Wool*; as to the *Fishery*, what we did in former Days I cannot tell, but I suppose every one is convinc'd what we now loose by our Neglect, by what our *Neighbours* get; if we are willing to give away all our *Herring Fishery*, 'tis strange we cou'd not keep the *Whale and Cod Fishery*, which were of prodigious Advantages to *England*; but the *Whale Fishery*, as was observ'd before, was ruin'd by being *hedg'd* in, or *monopoliz'd* by the *Greenland Company*, and the *Newfoundland Fishery*, having too much Trade upon our Hands, we bestow'd that upon our ancient Friends and Allies the *French*. But if we cannot, or will not keep the *Fishing* of our *Seas*, or those new Discoveries we make, to our selves, one wou'd think we shou'd keep our *Wool*, which keeps so many of our Poor at Work, raises the Price of Lands, and is equally advantagious to Landlord and Tenant; but we do not this, for if our

Neigh-

*Lost our Fishery by our Negligence.*

*Running our Wool to France.*



Of our Wool.

Neighbours, the *French*, will not come and fetch our *Wool*, we will carry it to them, all Laws to the contrary notwithstanding. Let us consider a little the dangerous Consequence of this, and whether we do not feel it sufficiently already, by the Increase of our Poor, the Decay of the *Woollen Manufactory*.

The French our Enemies for many Ages.

The *French* has been our Rival and Enemy for many *Ages*, but much more dangerous of late Years, since it grew a *Trading Nation*, and encreas'd in *Naval Power* to such a Bulk in so small a space of Time, that no History can parallel; but knowing by the Advantage of our *Wool*, we got the richest Trades in the World, *viz.* the *Spanish, Portugal, Turkey and German Trades*, &c. Therefore wanting no Industry, or Craft, work'd upon some covetous and wicked People amongst us, and clandestinely got our *Wool* from all Parts of the Three Kingdoms, which together with the *Spanish* that they have Plenty of, bids fair to undermine us in all the aforesaid Trades, and as it were, lays a *political Siege to this Nation*, designing to Ruin us by the Hands of our own *Poor*, hoping to do that by *Cunning* which they cannot do by Force. 'Tis miraculously strange, that the Wisdom of our *Legislature* can find no sufficient Remedy for this Evil, of Running our *Wool* to *France*. I am afraid this Mystery of Iniquity

Of our Wool.

quity is deeper than vulgar Eyes can see; 'tis agreed on all Hands, 'tis drawing out the *vital Blood* of the Nation, 'tis wickedly parting with that peculiar Gift that God has bestow'd on us for the good of our Poor, to enrich our Enemies, or some few vile Wretches amongst us. I knew one Man that for some Years was employ'd in intercepting the *Owlers*, and did more Service than half that ever were in that Service for this Twenty Years past, yet this Man was so far from being encourag'd, that he met with all the Discountenance and Hardships imaginable, and is now starving, tho' nothing as I ever heard of was laid to his Charge, except 'twas *too zealously* serving his *Country*. One Instance I will give amongst many, of his Hardships, and *Seizures* of a parcel of *Wool* which he seiz'd on the *Custom-house Key*, under the very Nose of the *Commissioners* of the *Customs*, where such a number of their Officers are together, who watch, or ought to watch, to prevent these Abuses, or Crimes against the Government, and for this Purpose they have their Salaries, and other Advantages; but if such Connivance, Negligence, or Corruptions, are at the *Fountain-Head*, I'm sure the lesser *Streams* must be very foul.

Instance of a Person employ'd to intercept the Owlers.

This Man in June 1700, seiz'd a parcel of *Wool* weighing 3000 odd Hundreds Weight,

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shipt

*Of our Wool.*

shipt at the *Custom-house-key* for *France*, where there were several Thousand Weight more, which they got off before he cou'd come at them: This *Wool*, after three Trials, which cost him a Hundred Pounds in 1701, he condemn'd, the *Wool* was put into the King's Ware-house at the *Custom-house*, but after abundance of Charge, Vexation and Opposition, 'twas resolv'd he shou'd have little or no Benefit by this *Seizure*, he having the like Usage in most of the other many *Seizures* he had made, the *Wool* was *appraised* by their own *Appraisers* at far greater Price than any one cou'd afford to give for it, and they refus'd to take it at their own *Appraisalment*: And tho' he demanded his *Wool* many times before several Witnessses, yet they refus'd to deliver it to him, without he paid down a *third Part* of the *Appraisalment*, which was the *King's* part of the *Seizure* according to *Act of Parliament*, which was more than the *Wool* was worth; but after the *Wool* had been shifted from Place to Place, now the 3000 odd Hundreds Weight is shrunk, or melted away to about 600 Weight, and that not worth a *Penny a Pound*; so that this Man has been out above a Hundred Pounds in prosecuting, and condemning this *Wool*, besides loss of Time, and now circumvented, or rather cheated of the whole

*Of our Wool.*

whole Benefit of his *Seizure*; rare Encouragement for preventing the Running of *Wool* to *France*! But this is but one *Pattern*, or *Sample*, of vast *bulky Rogueries* of the same make, of which this very *Person* can furnish a *large History*.

One Remark more I will make of the Tricks they use to render ineffectual all Benefit that can accrue by the Law to the *Seizer*, and so disappoint and ruin him, which is, that in all Prosecutions of this kind, the Law provides, That whoever owns such *Wool* as is *seized* upon Condemnation, the said Owners, or those who defend the Suit, shall pay *Three Shillings* for every Pound of *Wool* so condemn'd, to the *Seizer* or *Prosecutor*, over and above the Benefit of his *Seizure*, as an Encouragement and Compensation for his Trouble and Charge. But the Gentlemen concern'd in carrying on this Villany, provide *sham Persons* to own the *Wool*, in whose Names the *Suit* is defended, and made as difficult, chargeable, and vexatious to the *Seizer*, or *Prosecutor*, as possible; and after all, when the *Wool* is condemn'd, they vanish, and no such Persons are to be found in Nature.

This Man puts me in mind of the *Hardships* of our brave *Sailors*, of which this <sup>of our Sailors.</sup> Person was one. I suppose 'tis allow'd on

*Hardships of our Seamen.*

all Hands, that this *Island*, without Trade, cannot be Rich, and without Riches it can have no Power, without Trade no *Navigation*, and without *Navigation* no *Sailors*; without *Sailors* no *Fleet*, without a *Fleet* no *Defence*, without *Defence* no *Safety*; and considering the Treachery, and false Brethren we have amongst us, we shou'd soon become a Prey to our Neighbours, and cease to be a Nation and People. All this being granted, how necessary is it then to take care of those useful Men who not only make us Powerful and Rich, but are our Protection? 'Tis true, 'twill be alledg'd, we have at present a very great *Fleet*, no doubt of it many Ships more than we can Man, but so have our Neighbours, and nothing is greater, or lesser, but by Comparison. We were much stronger in the Usurper *Cromwel's* Days, tho' his Fleet was not a third Part so big as ours is now, but 'twas big enough to beat any Nation in the World, and make all Kingdoms tremble, and truckle to him; he cou'd settle Trade as he pleas'd, for, in effect, hardly any Nation cou'd Trade without his leave, and Trade without a *Power* to protect it, is a Jest. There was no pressing Men, in his Days the *Sailor* was cherish'd and encourag'd; thus if a *Usurper*, who had not a hundredth Part of the Nation for him,

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him, cou'd make so mighty a Figure in the World, what might not a lawful Government do, if they wou'd not suffer themselves to be abus'd by Wretches, that a Thousand of them are not of the intrinsic Value to the Kingdom as one able *Sailor*? Yet those sort of Cattle, tho' sprung from *Dirt* and the *Dunghil*, shall purchase Estates, keep Coaches, all got out of the Blood of the poor *Sailor*, and his Family. If any wou'd be at the Pains to make a List of those at present living, who from the meanest beginning crept into the *Navy*, as *Clerks*, *Commissioners*, and other *Officers*, and have rais'd great *Fortunes*, which cou'd not possibly be done by any visible or lawful Allowance they have had, it wou'd swell to the bulk of an *Army*. In some Climates abroad the *Worm* destroys our *Ships*, and these *Land Vermin* our *Seamen* at home; and as they thrive the *Sailor* is ruin'd. The cursed Oppression they have labour'd under, in respect to the Q's and R's put upon their Pay, which are like *Executions*, strips them of all for the least neglect or absence, and sometimes no fault, tho' it may be, that they have five or six Years Pay due, which hath been dearly earn'd, by undergoing all the Hardships and Hazards of Life, Human Nature is capable of.

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*Q's and R's.*

*Brokers, or Ticket-Buyers.*

These fatal Letters, Q's and R's, viz. *Queries* and *Runns*, may be put upon the Books at the Discretion of the *Captain's Clerk*, on Board Ship, *Muste Master*, or *Clerk* of the *Cheque*, without giving any Reason for it; and if the *Sailor* is never so guiltless, he must attend the Navy-Board with Petitions, and wait time after time, till he and his Family are starv'd to Death, before he shall have Remedy, if he gets any at all; but when the poor Wretch is tir'd, and ready to perish, then, it may be, he is recommended to a sort of *Brokers*, or *Solicitors*, which set up a Trade for taking off Seamens Q's and R's, and these *Sea Leaches* tell the *Sailor*, that if he will give one half of his Pay, he will by his Interest take off his Q or his R; no doubt of it, the Gentlemen in whose Power 'tis to take off these Q's and R's, have a fellow feeling with the *Broker*. There are another sort of *Blood-suckers*, call'd *Ticket-Buyers*, to whom the poor *Sailors* have often sold their Pay for 5, 6, 7, and 8 Shillings in the Pound discount. There were Multitudes of these *Ticket-Merchants*, and some of them dealt for Thousands of Pounds in a Year, and I knew one of them that has bought above Five Thousand Pounds worth of *Tickets* in that time, so that it cou'd not be thought otherwise, but that these People must be very

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very Rich, yet most of them broke or died not worth a Groat; but this Mystery is easily unfolded, for these Fellows were only *Tools*, or *Purveyors*, for some Gentlemen that belong'd to the Navy, who had the *Seamens* Money in their Hands, and by the means of these People, bought the poor wretched *Sailors* Wages with their own Money: How cou'd it be otherwise, when of four *Clerks* that belong'd to the *Pay-Office*, who had but Twenty Pounds a Year Salary each, without any allowance of *Perquisites*, in about four or five Years Service got Twenty Thousand Pounds a Man.

'Twas not for nothing the poor *Sailors* were kept so long out of their Pay, for distressing them thus, Advantages were taken of their Necessities to make this havock of them.

The *Register Money* was another abominable Abuse to the *Sailors*, and seem'd as if it was purposely calculated, or at least made use of to discourage, sower, and give them very bad Ideas of the Faith and Honour of their Country.

One Instance I will give amongst Hundreds that might be brought, how these People were us'd after the greatest Zeal shew'd for the Defence and Service of their Country.

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In King WILLIAM's Reign, in the Winter Season, when our *Fleet* was mostly laid up, the *French* was resolv'd to take that Opportunity to make us a Visit, and considering the Faction amongst us, 'twould have been of dangerous Consequence; in order to which they drew down a Body of *Forces* to the *Sea-Coast*, and got a great Number of Transport-Ships near *Havre de Grace, Bologn*, and that way, with a Squadron of Men of War to Convoy them; this gave us, with good Reason, a great Alarm, so that his *Majesty* order'd the *Admiral* of the *Fleet* to repair immediately to the *Downs*, and draw together as many Men of War as possible to prevent this Invasion, and issued out a Proclamation to encourage the *Seamen* in this Time of publick Danger, to enter themselves Voluntiers on board his *Ships*, promising them *Conduct*, and *Bounty Money*; accordingly the brave and honest Sailors, notwithstanding their former ill Usage, repair'd from all the remote Ports in the Kingdom, and enter'd themselves voluntarily on Board his *Majesty's* Ships at *Portsmouth*, or the *Downs*, and to the Astonishment of the World, in a few Weeks time, the *Admiral* got together a considerable *Fleet*, before ever the *French* cou'd be ready to make the intended Descent, with which he stood over to the *Coast*  
of

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of *France*, burnt and destroy'd some of their *Transport Ships*, and so overset and disappointed the whole Expedition, and consequently sav'd the Kingdom; and then the *Fleet* came back again to *Spithead*. And now all Men may expect that I shall give them an Account how the honest *Sailors* were paid their *Conduct-Money, Bounty-Money*, according to the *King's Proclamation*, and *Wages* for the Time they serv'd, with a great deal of Thanks for their heartiness and alacrity in so zealously serving their Country in time of the most eminent Danger; nothing less, for when they were to be discharg'd and turn'd a-shore, they were told there was no Money for them, but they shou'd have *Tickets*, and if they wou'd attend the *Navy Office* in *Crutched Fryars, London*, they wou'd be paid some time or other. This struck such a damp upon the *Sailors*, many of them living at *Portsmouth, Plymouth, Deal, and Newcastle*, to find that they must travel up to *London* without a Farthing in their Pockets, to attend, and sollicit at an *Office* which is as vexatious, perplexing, and as dilatory as a Court of Chancery, leaving their Family starving at home, and themselves in the same Condition at *London*, that cursing their Country, many of them lighted their Pipes with their *Tickets*, and others fold  
them

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them for any thing, if 'twas but *Twelve Pence* in the *Pound*; but put ashore they were, and wander'd in Drovers about the Country. I have frequently met with *Forty* and *Fifty* in a Gang that had not a *Shilling* or *Eighteen Pence* in the whole Company, and that perhaps given them in Charity; and yet this ill Usage did not provoke, or necessitate these People to commit any Disorders in the Country where they march'd.

*There* was one Gentleman in *Kent* that reliev'd, or refresh'd Hundreds of them as they pass'd by his Door, and upon my saying to a Man of Figure in the *Navy Office*, that the Gentleman ought to be taken notice of by the Government for his Zeal and Goodness, in cherishing these poor Men, was answer'd, That indeed he shou'd be taken notice of, but not my way, for what had he to do, to meddle or make with a Business that did not concern him.

About *Two* or *Three Hundred* of them stop'd the *King's Coach* at *Guilford*, and on their Knees humbly implor'd his Majesty's Compassion on them: But he that sav'd us from all the Miseries that cou'd attend us in this Life, and neglected his Ease and Safety for an ungrateful People, had not Power to remedy these cursed Evils, being loaded with a *War Abroad*, and so encompass'd, and harass'd at home by contending  
*Factions,*

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*Factions*, whose Strife was chiefly who shou'd rend, tear, devour, and make a prey of the Publick, that 'tis thought it shorten'd his precious Life.

But to return, at last this Matter was brought before the *House of Commons*, and a *Committee* appointed to examine what was the Reason of this Treatment of the *Seamen*, and indeed they did find, that 'twas not for want of Money to pay them, but the Clerks that kept the Keys of the Money Box chanc'd to be out of the way. In short, some *frivolous* or *ridiculous Excuse* was made, and so it dropt.

I will conclude this Head with two or three Instances, to show in part the Ways and Means how the *Chief Officers* of the *Navy* purchase such great Estates, as most of them have, out of the Ruins of the Publick.  
*Instances how the great Officers of the Navy get Estates.*

*There* was a *Store-keeper* at *Portsmouth*, amongst many other Rogueries, mentions, and proves this one Particular, which no doubt have been more than once repeated in that Yard, and others. A *parcel of Hemp*, and other *Stores*, which upon a *Survey* was cast as *unserviceable*, and so expos'd to Sale by *Inch of Candle*; but every thing being order'd according to Art, to carry on the Cheat, their own Tools were ready to buy it, which was done for about a *Hundred Pound*;

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*Pound*; but the very same individual Goods, in a very few Weeks time, were afterwards sold to the King for above *Three Thousand Pounds*.

Another Instance is in their *scandalous Contracts*, which is, and have ever been a rare Perquisite. They made a *Contract* with a certain Person for the Repair of *Portsmouth Dock*, and a great *Officer* of the *Navy*, whose proper Business was to be most concern'd in making such *Contracts*, told the Person, that all Men must live by their *Places*, and therefore 'twas usual in such Cases to present a pair of *Gloves*; and the Man knowing it to be true, gave him *Five Hundred Guineas*, which he thought was pretty well, but a Fortnight or three Weeks after he wanted *Three Hundred* more; the Undertaker told him 'twas impossible for him to give so much for his *good Will*, because the Profit of the *Contract* would not bear it, and so he shou'd be a looser, or in danger of being undone by it; the *Officer* told him, if his *Contract* wou'd not bear such large Presents, he cou'd make it, and order'd him to put a *greater Price* on his *Plank*, and other *Materials*. The *Undertaker* startled at that, saying, that he had put a very large *Price* already, and if he shou'd add to it 'twou'd be too barefac'd, for any dealer in these Goods wou'd offer the same

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same Goods at a little more than half the *Price*, which was the usual Rate sold to private Persons. The *Officer* answer'd, That he was not to trouble his Head with that, for he, and two others which he nam'd, rul'd the *Board*, and nothing was ever question'd that they did. However, the *Contractor* would not go his lengths, so that they parted in Anger, not without Threatnings from the *Officer*, that he shou'd repent his not complying with his Demands. The *Contractor* went to work, but was made so uneasy, by not making his *Payments* to him according to his *Contract*, and yet suing him for not performing *Articles*, that perceiving they design'd utterly to ruin him, he very fairly discover'd, and prov'd the whole Villany.

Of late Years they appointed a new Sort of *Officer*, call'd *Clerk of the Petitions*, for, <sup>Clerk of the Petitions.</sup> by the way, the *Officers* depending on our *Navy* are about ten Times as many as the *French* or *Dutch* use, and yet our *Fleet* is not the tenth Part so well regulated; and as these *Officers* multiply, they multiply *Methods*, *Ways* and *Means* to support them, and enable them to grow Rich; so that passing an Account, or other Business in the *Navy Office* is much like a *Chancery Suit*, and shall as long lie by the *Walls*, except, like that, 'tis well paid for before it can be dispaht.

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dispatch. This *Clerk* of the *Petitions*, footh, is to draw all Peoples *Petitions* who have Money, that make any Application this way to the *Board*, and tho' they have not yet got an *Act* of *Parliament* to prohibit all Persons from making use of a *Friend*, or writing their *Petitions* themselves, yet they who do so, their *Business* shall go very heavily on; besides, 'tis to this *Clerk* they must apply for an Answer, and if the *Petition* be not of his own drawing, (which is usually very short, without much regard to the Matter, which sometimes cannot possibly be contain'd in three or four Lines, the usual Form, or Length they confine themselves to, because they have a multitude of them on their Hands at a time) they shall have but a very indifferent Answer, if any at all, besides the Advantage of prying into all Peoples *Business*, and managing Matters accordingly.

In short, the late *Clerk* of the *Petitions*, from the meanest beginning has now a great *Estate*, and the *present* in a fair way of getting one also: No doubt of it, these *Places*, or such like, are farm'd of somebody on *valuable Considerations*.

If any one will be at the Pains to see more particular, or *larger Proofs* of the Abuses of the *Seamen*, must read these following *Pamphlets*, where all the *Affidavits* and

*Proofs*

*Hardships of our Seamen.*

*Proofs* are mention'd at large, viz.

*Justice perverted, &c.* by Mr. *Crosfield*, Books and Pamphlets about the Abuses and Corruptions in the Navy and Victualling.  
with several other of his *Books*.

Mr. *Hoar's Complaint of the Abuses in the Victualling.* *Bastons Case.*

*A Dialogue between a modern Courtier, and an honest Gentleman.* By the same *Author.*

Mr. *Everet, a Shipwright, his Book.*

Mr. *Trevor, formerly Store-keeper at Portsmouth, and many others.*

If the *Sailor* had his full Wages, and duly paid, 'tis little enough for him and his Family, considering the Service he does his Country. But I appeal to the *Sailors*, and all Mankind that know their Circumstances, how they have been us'd in all Respects, as to *Victuals, Wages*, and all Things relating to them.

'Tis not the Intent of this little Book to descend to all Particulars, which wou'd be endless, and swell it to an immense Bulk; besides, it has been done before, and prov'd a hundred Times over, and believe most Men are well enough appriz'd of it; but if our Nation is not, other *Nations* who have got so many of our *Seamen* in their Service, know it perfectly well. These, and many of our *Ship-Builders*, for want of Encouragement, have run to them, taught them the *Art of Building Ships*



*Hardships of our Seamen.*

*More Seamen lost for want of due Care taken of them, than were killed in Fight.*

*Ships of War*, and then helping to fight them against their own Country; besides, 'tis believ'd there has been many more *Seamen* died for want of due Care taken of them, and ill Usage, than were killed in Fight. I have heard many of them profess, that *Algier* Slavery was as tolerable as the Usage they have met with in their Country's Service. Our *Sailors* are *English* Men, and certainly deserve the valuable Blessings of Liberty and Property, as well as any of their Fellow Subjects; but how much they enjoy that, when they are forc'd into a Service against their Wills, which destroys them, when if at Liberty, are able to get their Bread, not only in their own Country, but most other Nations in the World; let any one judge? Certainly they are rational Creatures, and do not make all these Complaints without any cause.

The *Sailor* that knows how to fight, and Sail the Ship, sometimes better than his Officer, can also tell when he is paid his Wages, or whether he has his due in that and Victuals. There were some of our *Captains* who were good Sailors, and kind to the Men, never had Occasion to press a Man; and those Officers always did most Service, and took most Prizes. If the *Seamen* had exact Justice, the Nation's Service is to be preferr'd before any Service

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*Hardships of our Seamen.*

at Sea in the World; but 'tis not without great Reason the *Seamen* so detest it; for besides the Wrong done them in relation to the Wages and Victuals, the Tyranny exercis'd over them on Board-Ship by upstart Commanders, and the little Hopes they have ever to be preferr'd, let them serve never so long, or merit ever so much, except they have great Friends, or that which is the only prevailing Argument now-a-days, Money, both which the poor *Tarr* is rarely furnish'd with. I must not be tedious; but these are but small hints of the Sufferings of those more than necessary People, or rather Men, of absolute Necessity for the Happiness of these Kingdoms.

I beg my Reader to believe, I write neither as a Malecontent, nor a Flatterer; I am neither sway'd by Terror nor Reward, I ardently court Truth; and if I make any Mistake, 'tis an Error of my Judgment, not of my Mind: Therefore notwithstanding all the Severity, or bold Truths found in this Book, I shall not be so fower a *Critic* as to make it my whole Business to find fault without doing Justice, and giving due Praise where I have a handle for it; for I hope if I live some time, and ever write again, I shall have a more pleasant Task, and infinitely more agreeable to

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*Hardships of our Seamen.*

me, which is to congratulate with my Countrymen, the Redress of most, if not all these Grievances; the Prosperity and Flourishing Condition of the Nation, which I have great Reason to believe will be the Effects of his Majesty's Happy Government, because, notwithstanding the dangerous Ferment, or Rebellion, which took up so much Time of our *Legislature*, yet many Evils have been redress'd since this Book was begun to be writ, particularly in relation to our *Seamen*, some *Laws* are made for their Advantage: They are better paid; the Discount upon their *Tickets* and *Bills* is very much lessen'd to what it was. There is a worthy Set of Gentlemen now at the *Admiralty Board*, with a noble *Peer* at the Head of them, which shook *France* in the great Defeat at Sea he gave them at *La Hogue*; besides, the Service he did his Country, by his excellent Conduct in the *Mediterranean*; and the Fleet never was so Formidable, or so Terrible to our Enemies, as under his Management. In short, the scope of this Book, is in one Part to show the Distempers we have labour'd under; and in the other Part, what we still labour under, without the least Design, or Insinuation against the present Administration, from whom only, under God, we can hope for the redress of these Evils.

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*Decay of a Publick Spirit.*

My humble Opinion is, that if the Seamen's Tickets, and if possible all *Navy Bills*, were made ready Money, as *Exchequer Bills*, it wou'd be a mighty Encouragement for the poor Sailor, and his Family, because 'tis the best Pay in the World, destroys Ticket-Buying, and saves the Government a vast deal for paying Bills only in Course, or rather Partially, makes the Contractor hold up the Price of Goods; for when there is no Discount upon the Bills, the Government wou'd have all Things at the best hand, whereas it gets nothing now but great Disadvantages by these Delays in Payments, and no Profit is reap'd by it, but by a parcel of Rogues who live upon the Ruins of the poor Sailor, and the *Distresses of the Publick*.

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To make the Seamen's Tickets and Navy Bills as Exchequer Bills.

But after all, there is no Cure for these Evils, or the like, without a *Publick Spirit* can in some Measure be restor'd to this Kingdom, and brought more in Fashion, than it has been of late Years; the want of which is the true Cause of all our Misfortunes, for to such a Degeneracy the Age is fallen, that he is laugh'd at and ridicul'd who preaches it up. We are generally tickl'd with fine worded Harangues, Amusements on foolish and indifferent Subjects, and Things, but who is so honest and bold that dares speak out, and appear bare-

Want of a Publick Spirit the true Cause of all our Misfortunes.

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*Decay of a Publick Spirit.*

fac'd in the Cause of his Country against so formidable a Party, who he must of necessity Oppose, and whose Views are to build their Fortunes on its Ruin. 'Tis almost become a common Proverb, that *Kings* are born to be cheated; that 'tis at most but a venial Sin; and to make use of all Opportunities, if you have a Post, to plunder the Publick, and get an Estate, is counted good Policy, and he is look'd upon as a Fool who scruples it.

I have often heard this hellish Principle justify'd in many Companies, and any one that held the contrary laugh'd at, and told he was never born to be Rich; that much good may do him with his Religion, and musty Morals, which wou'd be so far from keeping him a Coach, that 'twou'd hardly buy him a Dinner; but the worthy Gentlemen before mention'd had something more substantial to trust to: So when these Wretches have damn'd, or dispatch'd out of the World all Honesty, Virtue, and the very Notions of it, they go farther to discourage all Art and Ingenuity, but the

*Artists the least encourag'd in England of any Nation.*

Art of Cheating; for there is no Nation under Heaven starves so many Ingenious Men as *England*, which is a Nation of all others best able to cherish them; for when Avarice and Corruption are got into Power, to plead Merit, long Service, and Ho-

*Selling of Places.*

Honesty, is made a mere Jest; the Question is, what Money have you brought? Thus a Fool, and unqualify'd Person buys a Place, and a Knave sells it, and he that sells it is bound to support the Buyer in it, let him be never so great a Knave, or unfit for it, for fear he shou'd tell Tales, and demand his Money again; and he that has given Money for a Place, concludes he may do what he pleases, and take all Advantages, good or bad, to get up his Purchase Money, and to make what Profit he can of his Employment; so between Ignorance and Roguery, the Publick is most wretchedly abus'd, which is the Fruits of Selling Places.

I will here give the Opinion, or Judgment of the Ancients about Buying and Selling of Places.

We find that this Maxim, like Golden Pillars, supported the most Flourishing and Victorious Cities in the World, *That the Sale of Offices is the greatest Wrong and Affront that can be offer'd to a Commonwealth; and that Money ought not to Buy those Places which may, nay, ought to be the Reward of Virtue; for Covetousness is so pernicious a Weed, that it choaks and over-runs the Merits of deserving Men.*

*Selling of Places.*

*The Athenians and Lacedaemonians continu'd Happy whilst they forbid it.*

The *Athenians*, while any Honesty remain'd among them, positively forbid, and continually declaim'd against such Practices as dishonourable, &c.

The *Lacedaemonians*, a People the most strictly Virtuous of all others, by observing the just Laws of *Lycurgus* against it, continued an Happy People for Eight Hundred Years, whilst they being govern'd by Experience from their Neighbour's Fate, counted the Sale of Offices, and taking Bribes, to be utterly destructive to moral Honesty, and the fundamental Rules of good Policy; of which Truth, at last, they themselves became miserable Instances. After *Agis* and *Lysander* had filled the City with Riches, whence laxing the Reins of strict Virtue and Justice, and indulging Sensuality, the remissness of their Magistrates either permitted, or over-look'd the Introduction of those villanous Practices which had been the utter Ruin of their Neighbours, and concluded in the total Abolition of all their former Honour and Liberty, and their very *Being* it self; for the natural Consequence of purchasing of Places, and taking Bribes, is Oppression, and of Oppression comes Strife, and Ruin is its constant Attendant.

*But its permission caused their Ruin and Destruction.*

The *Roman* Government, when it appear'd in its greatest Beauty, and most flourish-

*Selling of Places.*

flourishing Condition, severely fined and punish'd those who sought Offices by Bribery or Favours, or took upon themselves Employments, for the Discharge of which they should not appear meritoriously Capable. And it's Remarkable, that then some vitiated Men of the Republick were sowing the Seeds of future intestine Dissentions, and laying the Foundations of her Ruin and Calamities, when she brook'd so patiently the sarcastick Scoff of *Jugurth*, That all Things at Rome were to be had for Money. 'Twas then (not this present Papistical Rome, which sells Heaven and Earth, but) old Heathen Rome, whose victorious Eagles had raised themselves to an unequal'd height, and display'd their extensive Wings over all the known World; who by the immoveable Justice and Integrity of her Laws, and Exactness of her Policies, obliged more Nations to acknowledge her Sovereignty, and importune her Friendship, than were subdued by the Threats and Menaces of the proudest Monarchy, till through the Vice, Folly, and viperous Treachery of her Magistrates, neglecting their Duty, dwindling by Degrees from her former Excellence, she became so enfeebled by her daily Corruptions, that she, whose Virtues had once made her Mistress of the World, had not Power enough left to conquer her own Vices.

*The same Fate besel the Romans upon the same Account.*

*Selling of Places.*

And gave Opportunity to Pompey and Cæsar to enslave them.

Their Historians assign the Reason, viz. *They made Justice subservient to Covetousness, and Virtue a stalking Horse to Extortion.* And they who but nibled at the Margin of History, know that the unreproved, and unrestrained dissoluteness of their Manners, was the original Ground of all their Intestine Convulsions and Disorders, giving thereby Opportunity to Pompey and Cæsar, &c. who to gratifie their Ambition by Briberies, &c. sooth'd, and brought the People into the approving of their being preferred, which when done, their Sun-shine refreshing those below, strengthened their Parties, so as *Nemine Contradicente*, they passed what Votes they pleased, even that for the perpetual *Dictatorship*, to the depression of Virtue, and taking away the meanest Subjects Rights and Liberties, and suffering a Thousand Calamities, Rapines, Murders, and other Enormities from the Persons of their Emperors, and wicked Parasites, which so dispirited the People, that it was an inlet to the *Goths* and *Vandals* to invade them, which terminated in the irrecoverable, and entire extinction of the Glory and Greatness of that famous Empire.

If Rome, which was provided with so many Hundred Counsellors of State, and had so many Thousands of Citizens that lov'd their Liberties, was not able to pre-

serve

*Selling of Places.*

serve her Freedom, when once Places were set to Sale, and Bribery encourag'd, then how can we expect a milder Fate, since it is amongst us not only conniv'd at, but promoted? Especially in the City, Army, and Law, if not at Court, and in all the Offices in general.

Property, the Twin-Brother to Self-Preservation, in all Ages hath been contested for. At Rome the *Patricii* could not keep the People quiet, till they yielded to have their *Tribunes* to be consulted with before any Laws were made, lest their Properties should be invaded; and whilst they preserv'd, and retain'd that Liberty, the Empire flourish'd, but when once they had parted with that Property (their native Right) bribed by the *Patricii*, grown Rich by the Eastern Conquest, they soon became Vassals to their ambitious Governours, and bowed the Knee to the Images they themselves had set up.

For the People, bribed by the Patricii to part with their Properties, were by them enslav'd.

The pernicious Vices of Bribery, and selling of Places, was so hated, even by the *Persian Cambyse*, that he flea'd one of his Judges for it; but certainly it wou'd have been a very unjust Punishment, if he before had sold him his Place; much more had it been farmed to him at a rack'd Rent: But tho' the Father was flea'd, yet *Cambyse* gave his Son his Employ, with Orders for his

Bribery, and Sale of Places, was punished by the Persians.

58 *Complaints of Frauds generally stifled.*

his Father's Skin to be the covering of his Cushion, to terrifie him from the like Offence.

But as this Evil is become so Customary, and all the feeble Remedies hitherto apply'd render'd ineffectual, the Sin, like other vicious Habits, is hardly thought a Crime, and few concern'd at the dismal Consequences that attend this, or any Government by it. But I shall enlarge a little on one Particular which I conceive naturally accrues from this scandalous Management; that is, as the Buyer and Seller may both be very well intitled to the Attributes of

*Complaints generally stifled.*

Fool and Knave, so when any Complaints are made of the Publick being abus'd and cheated, such Complaints are generally stifled, and the Informers ruin'd. This is so notorious, that no Nation under Heaven, or Age since the Creation, can shew the like for Number and Quality, as may be produc'd amongst Us, if We look no longer back than since the Restoration; and more plentiful Instances since the Revolution, for then they thickned upon Us. To relate all the Particulars wou'd fill a Volume as big as the Book of Martyrs; but I am certainly inform'd that a Gentleman is upon this Work of our universal Corruptions, in all Offices and Employments, wherein the Facts and Proofs will all be laid open, that the  
World

*Complaints of Frauds generally stifled.* 59

World may see what a Condition We are in, and what may be the fatal Consequences of continuing in it. This will be a large Book, and has cost great Time and Expence, but may be of infinite Benefit to the Publick. But what I assert at present cannot be deny'd, even by the Criminals themselves, tho' with a salvo of their own Innocency; and the Business of this small Treatise is only to touch on Generals, which all Mankind agree in, tho' every one does not think on, or call often to mind the sad Case his Country is reduc'd to by these Corruptions, which, like a Gangreen, may turn to a Mortification. The *Gazettes*, The Gazette has continually Advertisements of Frauds and Abuses. for these many Years, are fill'd with *Anonimous Letters* to the great Officers, offering to discover several Frauds and Abuses, and in return they are promis'd due Protection and Encouragement; now it wou'd be very satisfactory to most People, especially those who have any Value for their Country, to know what has been done, or discover'd for the Benefit of the Publick, and how the Discoverer has been rewarded, for the Encouragement of others to be vigilant in watching for the general Good; and what Knaves have been made Examples of, We bear of but very few who have been punisht for these Crimes. but very few who have been punisht for these *Advertisements*, there is a profound Silence kept as  
to

60 *Complaints of Frauds generally stifled.*

to Proceedings, except by those People who have been ruin'd, instead of rewarded, for the Service they intended the Nation, by not only discovering, but proving the Cheats, and clandestine Management in most of the Offices. There are many flagrant Instances of Persons that have ventur'd, and spent the best part of their Life, all their Substance, in the Service of their Country; particularly in detecting Rogues, and Villanies of the deepest die, and have prov'd all by Oaths of Persons of undoubted Credit, as clear as the Sun, and after all have been ruin'd, and almost starv'd to Death. These are Facts which are very astonishing, but they are true; and tho' many are dead, there are several living Witnesses still to produce; so that 'tis come to a *Proverb*, That if any one designs to give Information of Frauds, or Abuses of the Publick, he is told by them who have had Experience of it, that he runs upon the point of a Sword; as if a Confederacy, or thorough Combination was enter'd into by those in Offices, to stand by one another, against all those who they call Informers, as being a Power more than sufficient to crush and extirpate these poor Animals, that so they might make a Prey of the Publick without Interruption or Controul; and this is Fact, that their Strength has

*But many Persons ruin'd who have brought these Complaints.*

*Complaints of Frauds generally stifled.* 61

has been so Formidable, that when a *Mismanagement* has gone so high as to be prov'd before the House of Lords, and their Lordships been convinc'd of the Evil attending it, and have made an Address accordingly, humbly begging their Prince to remedy it; yet notwithstanding all this, their Interest has been so great, as, that instead of being turn'd out, and punish'd, the Criminals have been continu'd in their Posts, and carry'd on the same Trade. One Objection they have against Encouragement of Informations against Men of Figure, or in Posts, that 'twou'd give an Interruption to all manner of Business, to hear frivolous Complaints, and the Government wou'd find it hard to get Men of Parts on these Conditions to serve. But are all Informations that have been, or may be brought, frivolous? Certainly an upright way of judging, and administering Justice, might be found out in this Case, as well as in others; and 'twou'd be no hard Matter to distinguish, whether a Complaint was prov'd, and just, from one that was malicious, vexatious, or frivolous. Let there be more Severity us'd in both Cases, and the malicious Informer punish'd, as well as the Criminal inform'd against, if prov'd so. I have heard, that that Excellent Prince, the *Czar of Muscovy*, is so exact in this Point, that the meanest

*An Objection against encouraging Informations of this kind.*

*Answer'd.*

*The Czar of Muscovy's Method in this Case.*

*Useful Discoveries neglected.*

meanest Subject in his Dominions may complain against the greatest Peer of his Realm; and if his Courts of Judicature delays, or denies Justice, he may appeal to the *Czar's* own Person, and none dares hinder his Access, where he shall be certain of speedy and impartial Justice. 'Tis not to be suppos'd, the *Czar* is fond of impertinent Complaints; undoubtedly, by this Method he is troubled with very few, because the Terror of his Justice is such, that his Officers venture not to Cheat, or Oppress, any of his Subjects, as despairing of any Pardon, or Connivance from a *Prince*, that in those Cases is no respecter of Persons: But our Case is, that our good *Kings* have seldom Power enough, but our bad *Princes* always complimented with too much. 'Tis very Melancholly, to consider those few Instances of publick spirited Men amongst Us, generous Lovers of their Country, more than their private sordid Gain, shou'd be so miserably discountenanc'd and neglected, as to want Bread; 'tis in the Words of our present Gracious *Sovereign* (tho' upon another Occasion) *both Unjust and Ungrateful.*

*Useful Projects or Discoveries often neglected.*

There is another great Stupidity reigns in this Nation, if it deserves not a worse Term, that is a slight of those Persons who have made great and beneficial Discoveries for the Advantage of the Nation, and a Neglect of

*Useful Discoveries neglected.*

of those Discoveries. *Columbus* first offer'd the Discovery of the *West-Indies* to *England*; and I am credibly inform'd, no longer ago than the late *Queen's* Reign, a Person made a Discovery to the Lord of *Oxford*, then Lord-High-Treasurer, of some very rich Gold Mines on the Continent, near *Brazile*, but not under the Claim of the *Portuguese*, or any other Prince, and that 'twas free for Us, or any other Nation that first seiz'd it to Claim it in Propriety; but this poor Man lay waiting, and feeding upon fine Promises for two or three Years, till he had been starv'd to Death, if a Gentleman of my Acquaintance had not reliev'd him: But at last the *Portuguese* got Notice of it, and have taken Possession of the Place, and 'tis Farm'd of the Crown at a vast Sum yearly.

'Tis the usual Way when any Ingenious Man that has taken Pains, and studied something very advantagious to his Country, when he has apply'd to a Courtier, either the *Project* is rejected, which most are that tends to a general Benefit; or if lik'd, the honest Courtier praises the *Projector*, and tells him that he sees now, how Wits can jump together, for 'twas his own Thoughts some time since, but he is mightily confirm'd in the Usefulness of it, by the Approbation of so Ingenious a Man; and so the poor Gen-



64 *Our present Corruptions dangerous.*

Gentleman who was big with Expectation that he had rais'd his Fortune, by projecting at great Costs and Pains a Method to serve his Country, is fobb'd off with a Grin and Compliment; and if his Project is put in practice, 'tis studied how to make it subservient to the Courtier's Interest, and not to the Publick.

I repeat it once more, that I wou'd not be misunderstood I insinuate any Thing throughout this whole Book against Persons in the present Administration, I hope, and believe better from them; but if this Male-Administration has not formerly been, and that very lately, I believe almost the whole Nation is mistaken, as well as my self. *Companies, Projectors, Stock-jobbers,* and knavish *Lawyers,* like a *Leprosy,* stick close to us still, and when We shall have a Cure God alone knows. God has undoubtedly preserv'd Us from our Foreign Enemies, by sending Us his present Majesty King *GEORGE,* and now the late Rebellion is down, yet we have the most dangerous Enemy to subdue, our own Corruptions; 'tis nothing under Heaven, but this, can Ruin the greatest People in the World.

I cannot but admire at the Thoughts of a modern Author, who expresses himself thus. "If ever the *English* will be truly Mighty, "not in Discourse, but in Reality, they "must

*Our present Corruptions very dangerous.*

*Corruptions in Elections.*

" must begin it by their Labours, as well  
" as by their Weapons; they must rouze  
" from the Lethargy, and pant after Im-  
" provements: Till they resolve to do this,  
" in vain will they conquer; their Ardor  
" will cool at the end of their Wars, and  
" they will give up the Fruits of their own  
" Victories. In short, the Arts of Peace  
" and Industry must proceed step by step  
" with the Success of our Armies. The  
" Works of our Citizens, and our Coun-  
" trymen, our *Fishers,* and our *Miners,*  
" must advance in Proportion to the rest of  
" our Triumphs, or Seas of Blood may be  
" spilt to no purpose.

A Nation may be compar'd to a *Bee-hive,* the labouring and industrious People to the *Bees,* which except the Owner, or Governor of the *Hive* defends against those Drones, and Wasps, call'd *Stock-jobbers, Lawyers,* &c. the *Hive* will yield him but very little Honey, and the *Bees* themselves be starv'd and waste away.

We have another Evil which touches Us *Corrupti-*  
in the most sensible Part, *viz.* the Electing *ons in E-*  
of Parliament Men. 'Tis not half a Cen- *lections of*  
tury ago, since 'twas common for a wor- *Parlia-*  
thy Gentleman who was fam'd for his Pub- *ment Men*  
lick Spirit, to be chose in his Parlour, and  
beg'd to Represent his County, City, or  
Borough, in the House of Commons. The  
F Case

Corruptions in Elections.

Borough.

Cafe is fo strangely alter'd, that now a Gentleman fhall exhaust his Eftate, and fpend vaft Sums to get to be elected for a pitiful Borough; there muft be fome great Myftery in this, but 'tis rarely for any good Motive; for if they have nothing in View but purely the Service of their Country, 'tis a Place of Charge, and no manner of Profit, which in this bad Age, fo few are fond of, that inftead of giving Money to put them in a Capacity to do good to the Publick, there is few Men to be found, tho' of never fo great Eftates, that will ferve without round Salaries, if they have not ftrong Inclinations to Perquifites alfo. The frequent Orders of the Houfe againft Bribery and Corruptions in Elections, has had but little effect, for moft People believe they are eafily evaded. But one great Fault lyes in the Electors, which are generally of that fordid Temper, to fell their Votes, Birthrights, and Country, for a fmall Sum, or what is worfe, a Pot of Ale. 'Tis hardly to be remedied now (except it be by the way of *Balloting*) fince Custom has fo riveted it in the Nature of the People, which neceffitates fome honeft Gentlemen to make ufe of thofe Methods to keep out others, who wou'd do Mifchief to their Country.

Remedied by Balloting.

Corruptions in the Law.

I will make fome Remarks on the Management of our *Law*. Here one has a large Field of Villanies to travel in. We boast We have the beft Laws in the World, *Magna Charta*, and the Lord knows what. We talk much of Liberty and Property, and with Reafon claim it as our due, and praife our Excellent Constitution above all others, and fo it is if we kept to it; but all this is little more than a jingle of Words, which have a delicate Sound. How We enjoy thefe Bleffings, the Lawyers, who are our Guardians, and have the Custody of this rich Patrimony, will no doubt give a very good Account of. To borrow a few hard Words from the Tories, 'tis moft certain that all Men have a *Divine, Hereditary, and Indefeafible Right to Juftice*, 'tis their *Jure Divino*, but we are like the *Romanifts*, who make it very difficult for the Poor, and very eafy for the Rich to gain Heaven; fo if a Man wants Money, of Confequence, he fhall want both *Law* and *Juftice*: At this Rate poor Men are in a miserable Cafe, who have neither a Title to Heaven or Earth.

Corruptions in the Law.

As Matters are carry'd in *England* by the Lawyers, there is no greater Tyranny under the Sun, for inftead of being oppreffed by one Tyrant, as in an abfolute Monarchy, We have a Hundred Thoufand. What unfortunate

No greater Tyranny in any Place than in England.

fortunate Wretch amongst Us, that is so miserable as to have no Money, can have the Benefit of the Law as to the Recovery of his Right, or defending himself against Oppression? I will endeavour to illustrate this by two Cases; and if I am in a mistake for want of understanding the Law, or any other Particulars contain'd in this Tract, I beg Pardon.

*Without Money 'tis almost impossible for any one to recover his Right, or defend himself from Oppression.*

The first is of a Stranger that shall come up to Town, and thro' Malice, or any other Motive, be arrested in the City; nay, even by a Man that owes him Money, and shall be carried to one of the *Counters*, if he have not Two substantial House-keepers, Inhabitants of the City, such as the Sergeants shall approve of, to be his Bail: Now We suppose this a very poor Man, that has not a Shilling to help himself, nor any Acquaintance, or Friend, within reach; and this will not be deny'd, is, and has been many poor Man's Case; the first Usage he meets with, is, that his Clothes are taken from his back for Garnish Money, and other Rogueries suffer'd, and practis'd in the Goal; and after lying sometime on the Ground amongst Villains, and cover'd with Vermine, if he cannot Fee an Attorney to appear for him, he shall have Judgment go against him by Default, and so nail'd down with an Execution for ever; sometimes if he does make a shift to get an Attorney,

torney, and he is a Knave, which few of them are otherwise, no Argument but Money being capable to make them honest, or mind their Client's Business, Judgment shall be obtain'd, and consequently Execution against him, by Bribery, thro' Connivance, Neglect, and a Thousand Tricks daily practis'd amongst them; and he is accounted the cunningest Solicitor, or Attorney, and gets generally most Business, who has the Reputation of understanding best the *knavish Part of the Law*, a usual Phrase they have; and that Part of the Law is so copious, takes up the Study of so many of these Gentlemen, being infinitely the most profitable Part of it, that the honest side of it, or the impartial Administration of the Law, is very little thought on, or rarely us'd. Again, the Law is chiefly in *Latin*, a Tongue few understand, and such Latin too, that none but themselves can construe; this is mere *Popery*, for as they have their Prayers in the same unknown Tongue, that the ignorant Wretch knows not what he asks of God; so a Man that goes to Law must of Necessity wholly trust to his Lawyers Honesty, and Ability, to set his Case in a true Light, and must stand or fall by what the Lawyer does, it being totally put out of his Capacity to judge in his own Case, whither it be stated

*Great part of the Law in the Latin Tongue.*

Particular Hands and Names, with many difficult Abbreviations peculiar to the Law, which still renders it more unintelligible to the common People.

ted right or wrong; and still to make it more dark and mysterious, they have also peculiar Hands, with many crabbed Abbreviations, with a Dictionary of hard Names, unintelligible Jargon, Eternal, and endless Tautalogies; writing six Words in a Line, and fifteen Lines in a Page, only to enhance the Charge, many scores of Pages in a Bill, or Answer, in Chancery, which shall be compris'd in a Breviate of half a Sheet of Paper, and no Man suffer'd, at least under great Discouragement, to plead in his own Cause, so that all Men are totally at their Mercy; and if a Word in a Declaration, or other Instrument, is omitted, misplac'd, or mis-spelt, or wrong apply'd in pleading, a Man is in danger of being ruin'd, at least Costs assign'd against him, if he comes off so. In short, the Justice, Equity, or Merit of the Cause is rarely consider'd, but that is the successful Suit which is carry'd on according to Military Stratagems, Doublings, Windings, Surprizes, Tricking, Catching at all Advantages. This went so far formerly, that Men were worded, as well as sworn out of their Lives and Estates. If a Lawyer shou'd make this Answer in case of sobs Actions, that a Man may summon the Plaintiff before a Judge to shew cause of Action; and if he does not, or cannot, the Person is discharg'd of Course, but this makes nothing

thing against what I said before, for still a Man must have Money to do this; and without it I cannot see any possible ways to defend himself against Oppression, as I asserted above.

The other Instance, that a Man without Money cannot recover his Right; allowing the former, the latter will easily be granted, for if a Man has not Means, Money, or Ability to defend himself, he is less capable to make an Attack, and dislodge his Enemy.

In the Course of our Law there is no difference made between the suing for the smallest Sum and the greatest: the Prosecutions are equally tedious and chargeable: Thus if a poor working Man has a Debt of but Forty Shillings, which, tho' but little in it self, yet it may be half as much as he is worth, for abundance of our poor People by their indefatigable Industry, and Labour, support their Families with a very little Stock; and there is a Thousand of these Cases for one of Consequence; yet if the poor Man has to do with a rich one, and he is resolv'd (as most are) to perplex, oppress, or cheat the poor Man of his Right, before he shall have Justice done him, if he gets any at all, and finds Money to prosecute, and runs thro' all the Mazes and Labyrinths of our Courts, it shall

*Corruptions in the Law.*

cost him ten Times his Debt; and if he recovers his principal Money, with Costs of Suit, upon the Ballance of his Account, he shall be out of Pocket ten Pound for the Recovery of the aforesaid Sum of Forty Shillings (for the Costs that is allow'd falls very short of the Money a Man is out in prosecuting) besides the loss of his time in soliciting, more valuable than his Money, running from one knavish Attorney to another, attending Council, Offices, and other Vexations not to be exprest. The Lawyers, above all other People, who much better deserve, or earn their Money, having this Privilege, or rather Ascendency over Mankind, that you must wait on them, and beg them to take your Money, and thank them too; be mightily oblig'd to them if they please to afford you a gracious Nod, or Smile, for vouchsafing to plunder you, when others are glad to have their Wages, or due, for fetching.

*Our Justice divided between Law and Equity.*

The Administration of our Justice is divided between *Law* and *Equity*, of which we have distinct Courts; and 'tis a Proverb amongst Us, That a Man who makes the Common Law his Conscience may be a great Knave; and that rigid Justice may become the greatest Injury. 'Tis strange one Court cannot be sufficient for both these Ends of Law, and Conscience; Law with-  
out

*Corruptions in the Law.*

out Conscience is a very odd Law. We know but of one Court in Heaven, where We must all be try'd, without the Advantage, or Vexation of removing it to another. Thus the Letigious, when Sentence is given against them, tho' never so justly, in one Court, shall remove the Cause to another; get Things they call *Injunctions* to stop the Execution of Justice, and so perplex, and weary out the injur'd Person by excessive Trouble and Charge, and render ineffectual all that has been done for his Relief, except he has a potent Purse to wage an endless, or lingering War; and if he gets the Day at last, he shall sit down a considerable looser, and had better been contented with the loss of his Right, which had been the least Evil of the two. 'Tis too much, for the narrow Compass of this Treatise, to particularize all the troublesome Circumstances that attend Suits of this Nature, which wou'd very much aggravate, lay open, and prove this Mystery of Iniquity; let that be left to other Pens, who have more Knowledge, and better vers'd in this Mass of Wickedness. But I can think of but one Reason for this vile Trade (which gratifies so much that hellish Passion of Revenge, a Vice We are very much prone to by Nature) which is, that there must be a great many younger Brothers,

*Corruptions in the Law.*

thers, and such like, provided for, and what is more feazable, than to breed them up to the Practise of the Law to raise their Fortunes? And so about Fifty Thousand must be provided for this way, tho' at the Expencc and Ruin of Three Millions.

I am sensible the great Hazard I run by this plainness, and perhaps I may be ruin'd my self for it; but is their any Cause so noble to suffer in, as that of Truth and Liberty, in Opposition to Villany and Oppression.

*Above two Millions a Year expended in the Law.*

'Tis thought that there is above Two Millions a Year expended in the Law, and if it goes on at the rate it has done, by multiplying Villanies and Vexations, the Wealth of the Nation will not at last be sufficient to satisfy the voracious Appetite of the Lawyers, Goalers, and their Dependants. If a Man's Horse steps into another Man's Field, tho' not Two Pence Damage is done, the Cost of the Law in suing for the Trespas commonly amounts to about Thirty Pound. They say there is a Record in *Chancery*, that shows, that two good Estates were spent in a Dispute about a black Sheep of one Man's, running into a Flock of Sheep of another Man's. 'Tis endless to tell the astonishing Instances of the Ruin the Law has brought on Families for Trifles. Undoubtedly the Law was originally made  
for

*Corruptions in the Law.*

for the Peace and Preservation of Mankind, but now 'tis in a great Measure made use of for their Destruction, giving great Encouragement to wicked Men to execute their Malice and Resentment, when they dare not attempt any other way of less Certainty and Safety; for 'tis very common to hear revengeful Spirits say, I care not what it costs me so I can ruin the Dog; too frequent, too many, and too successful are such Instances; sad it is, particularly to the Poor, to live in a Country that gives not a small, but a more than ordinary Countenance to such Violences and Oppression. They tell us there is a Court of Conscience erected in *London*, for the easy and cheap recovery of small Sums; but this is but one, and there are no more in *England* that I know of, and this extends only to Freemen, except the High Court of Chancery, or Equity, for that is the Grand Court of Conscience; but as to the speedy, and cheap Execution of Justice there, let those who have Experience speak to; I heartily pray that no one that has not already, may ever try it. Were all People of my Mind, the Law shou'd speedily be curtail'd, and the Lawyers reform'd, for no one in their Wits, if I cou'd help it, shou'd ever make use of them, and then Ninety nine in a Hundred wou'd soon be turn'd a grazing, or sent to  
seek

seek honefter Employments, than as they now make them. I know no Difference I hardly ever had in my Life with any Person, I cou'd not willingly put to Arbitration, or submit to the Determination of honest Men, indifferently chosen; nay, more than that, I have often, when I have met with a litigious, or troublesome Person, proffer'd to leave it to a Friend of their own choosing, provided he was a Man that had a Character for Probity, and so save both our Money in our Pockets, that must infallibly be thrown away amongst the Lawyers; and when People have almost ruin'd themselves by Law, they generally have recourse to that Remedy at last, which they might as well have done at first, and so sav'd all their Expences. I do not pretend to prescribe my Method to all other Men. There is an absolute Necessity to go to Law in some Cafes, and so that good Book, *The whole Duty of Man*, allows; but it must be under those Restrictions there laid down. I only speak of the horrible Abuse and Corruption of the Law; and if I have not told Matter of Fact, I have said nothing, and blotted Paper to no purpose; but if I have, and the People of *England* labour under this grand Grievance and Oppression, especially the Poor, and midling Sort, who are Ten Thousand to One of the other

other Sort, 'tis most worthy the Notice of those Gentlemen, and Great Men, who set up for Patriots, or else I do not understand the meaning of the Word, for otherwise the noise and pretence of publick Good is mere sham and grimace.

If a Man has but little Money, and his Adversary a potent Purse, he shall spend what he has, and be ne'er the better. If his Pocket is so shallow that he can see but an indifferent Council, and with an indifferent Fee, his Antagonist, that has plenty of Guineas to bestow on the Golden Council, they shall noise him and his Cause out of the Court. Our eminent Council, for without them there's nothing to be done, can hardly open their Mouths under Three, Four, or Five Guineas for a Fee; and if the Cause is not try'd that Term, or put off but for two or three Days, which is often their Faults, being employ'd in other Courts, having generally more Business than they can well turn their Hands to, the Fee, or Dose, must be repeated again and again, if you intend to refresh their Memory to any purpose, tho' they have your Breviate all the while. I have heard that in *France*, no Council or Advocate seldom takes above a *French Crown* for a Fee, but here the Council's Fees in some fat and durable Causes, wou'd buy a moderate Estate. 'Tis thought the

*A Man that has but little Money can never carry his Cause.*

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the Lawyers have purchas'd a fourth Part of the Lands of the Kingdom. When you travel the Country, and see a pleasant Seat, 'tis Two to One but it belongs to a Lawyer. I heard an ancient Gentleman affirm, that within his Memory there were but Six Attorneys in all the County of Norfolk, and now they are so plentifully increas'd, that there is above Fifteen Hundred, besides Solicitors, Petty-foggers, and Splitters of Causes.

The Instance of People having the Benefit of the Law without Money, in the Case of *Forma Pauperis*, is a Thing not worth answering; for as few ever had Benefit by it, so 'tis rarely us'd, the Lawyers not caring to encourage such sort of Customers.

*A Computation of the Number of Lawyers in England.*

By a modest Computation, these *Gens d'Arms* of the Law, to be reckon'd from the highest to the lowest, may be computed at a 100000 Men; now allow these but *Dragoons* Pay, one with another, which is Twenty Pound  $\text{p}^r$  Head, and very short Allowance for a Lawyer, yet it amounts to *Two Millions Sterling*, which is no small Article in the National Account, for all that's more than necessary, does the Devil more Service than the People, and hastens their Ruin.

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Corruptions in the Law.

There is a necessity that there should be good Laws, and so consequently there must be Lawyers to plead them, and put them in Execution, but as few of them as is possible, for the Wealth and Prosperity of all Nations depends upon the working People; so those Sort of People who neither Plow nor Sow, except it be Discord, ought to be us'd very sparingly, and very few in number may serve: The first is like the Silk-Worm, the last the Caterpillar. Since the vast increase of our Lawyers, our Laws have increas'd in Proportion, till they run Counter, and contradict one another, for in such vast Number of Acts of Parliament, we are forc'd to have many explanatory Acts, for 'tis Ten to One, if they are not like voluminous Writers, liable to Contradictions, and as *Oldham* says,

*Where darken'd Equity is kept from Light,  
Under vast Reams of Nonsense buried quite.*

But this makes Work for the Lawyers, and brings great Grist to their Mill, for as there is hardly honest Employment for the hundredth Part of them, the other Ninety nine must study how to pick Holes, find Flaws, and puzzle the Cause, and so many of them are got into the House of Commons, who have generally the Management of all the Bills, that



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that 'tis not to be doubted but great Care will be taken of the grand Concern of the Nation, viz. Merchandize, Trade, and employing the Poor, or keeping them so.

Some Suits of Law shall last a Man's Life time.

Some Causes shall last half an Age before they be determin'd, because of the difficulty of interpreting right the Law, it being so hard to find the true meaning of some Acts of Parliament, but all this while, who ever gets the better, or where-ever the Cause is decided or no, the Lawyers pillage both Sides, and the longer the Suit, or more intricate, the better for them, for 'tis everlasting if the Money is so. Amongst other deep Policies of the late French King, and it cannot be deny'd but he did in his Civil Administrations amongst his Subjects, many great and laudable Actions worthy the Imitation of other Monarchs, reduc'd all the Laws of France into two small Volumes that one might carry in ones Pocket, call'd, Code de Lewis des Affair de Mere. Code de Lewis de Affair de terre. But I believe a Man's Pocket that wou'd hold all our Law Books must be little less than Westminster-hall. The Law in France began to be corrupted as ours is now, but this present Regent is a stopping the Lawyers in their Career, curtailing the Law and Courts, reducing it to its primitive Practise, to make the Execution of Justice speedy, cheap, and easy,

Corruptions in the Law.

easy. In former Times a Man might for a very small Matter sell, and in half a Sheet of Paper convey away a great Estate; but I have known an Estate of but Thirty Pound p<sup>r</sup> Annum, that the Writings, and passing Fines, and learn'd Councils Fees, &c. have come to a Hundred and Forty Pounds, and the Deeds and Parchments almost as much as one cou'd carry, before it cou'd be convey'd to the Purchaser according to modern Law. I wonder what shou'd be the Cause of this mighty Difference; is it because We are wiser, or better than our Ancestors. I must confess the Lawyers are excellent Tutors, if you will take Craft for Wisdom, or Litigiousness and Tricking for Honesty. The Particulars of the infinite Number, and variety of Villanies practis'd by them, to the Ruin of poor People, and numberless Families, wou'd fill a Cart-load of Books. If any one is so much a Stranger in the World, or to Our Country, as not to know it, let him inquire of any one that ever went to Law, and that most Men in the Kingdom, that have liv'd here but a small time, have some time or other, and see if you can find one that says he ever met with an honest Lawyer, or at least was not abominably abus'd, or does not grievously complain of the tediousness and chargeableness of the Law. 'Tis the sad Fate of ma-

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ny poor Men, that when the Lawyers have got all their Money, they throw them into Prison because they have none.

How is it possible but that the Law must be prodigious chargeable and oppressive, when Clerk's, and other Places, are sold for such vast Sums, as Five Thousand Pound, and more given for one of them, which requires no other Qualification, or Duty, than writing ones Name; and if you cannot do that, you may have a Deputy to do it for you? This is levying a Tribute upon the People with a Witness; the Burthen of which will be so heavy at last, that they must sink under it, if not timely eas'd.

*Our Rewards and Punishments unequally distributed.*

As our Rewards are very unequally distributed, so our Punishments are as partial. 'Tis strange that it shall be made Felony without Benefit of the Clergy to pick a Handkerchief out of a Man's Pocket, and so consequently Death, and yet most gross and wilful Perjury lightly punish'd; and Breach of Trust hardly punish'd at all. I will leave it to any Man's Choice, which Injury he rather wou'd have done him, his Pocket pickt, rob'd on the Highway, or to have a Person whom he hath intrusted with his All, cheat and deceive him. To have Executors and Guardians rob Orphans, plunder those committed to their Charge of plentiful Estates, and turn them a starving  
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into the World; and if the injur'd have Friends and Money (for without that there's no notice taken, or Remedy against those Crimes) to prosecute these worst of Thieves, the greatest Punishment they can have by our Laws, is only to fasten them in the Fleet, or King's Bench, where they will in spite of Mankind, live upon the Orphans, or cheated Person's Estate.

The Law necessitates Trust as Executors, Guardians Deeds of Trust, and a great many other Instances which cannot be avoided; but when this Trust is betray'd, it ruins Orphans, and Families; and he that has got Possession of the Estate, or Money in his Hands, how hard it is to get it out, considering the wronged Person is stript of all, and so totally disabled to sue or contend for his Right, which is difficult to get with Money, but hardly ever without, therefore there shou'd be some Corporal, and severe Punishment for this enormous Crime of Breach of Trust.

The Lord Chancellor, Lord Chief Justices, Judges, and other worthy Lawyers, can't help these Corruptions of the Law, for they must take, and act by the Law as they find it; and undoubtedly they wou'd remedy these Abuses I here treat of, if 'twas in their Power.

*Corruptions in the Law.*

Whatever Conceit We may have of our selves, and our Wisdom, God's Laws are not only the justest, but wisest and best, and suits all Countries and Ages, and whatever Laws of any Country derogates from them, they are in the wrong, and will find their Folly. God's Laws never punish'd Theft with Death; and no doubt of it better Remedies, more proper, and just Punishments, might be found for that Offence, than shedding the Criminal's Blood, who might repent, have it put out of his Power of doing more Mischief, do himself and his Country Service. But is there any Proportion between the Crime of a Man, that to supply his pressing Necessities, ventures his Life to surprize, or take only what you have about you, or break your House, of which all People ought to be on their Guard, as expecting no other Usage from them, and a Person who I think is an honest Man, and my Friend, who by his fair Promises and Insinuations deludes me to such a Confidence in him, as to intrust my All, or best part of my Substance in his Hands; nay, what is more dear to me, my Wife, my Children, and all that is truly precious in this Life, and he to betray and ruin me, or my Family, and sometimes so craftily, as no Law We have in being will touch the Villain? Does any Mortal put common

Thieves

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Thieves upon a ballance with such Rogues? And yet our Lawyers, or Law-makers, amongst the Thousand of Acts of Parliaments, have hitherto overlookt, or omitted to distinguish this highest Pitch of Villany.

The want of due, and severe punishing Perjury, Frauds, Cheats, clandestine Mortgages, selling Estates over and over, and such like, is a great discouragement to Foreigners to come to be naturaliz'd, in order to Purchase amongst Us; for if our own ablest and cunningest Lawyers have frequently been cheated themselves, how shall an illiterate Man in the Law, a Foreigner, be safe? There is so many Quirks, Villanies, and Tricks, now practis'd in the Law, besides the many Deeds upon Deeds, Fines passing, and endless Scrols and Offices to pass, that no one knows when he has a Title, or when not, or whether ever he is safe, or no, in the Possession of an Estate, or that some Flaw or other that he nor his Council never dreamt of, might not be pickt in his Title; and if it do not totally deprive him of his Estate, yet it may put him to a vast Expence, *For our Laws are now so Ambiguous, that they may be eternally disputed and never reconciled.*

I will draw one just Parallel between our Religion, and our Law; what relates

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to

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to the *Soul*, and what to the *Body*.

The Christian Religion lay several Ages under *Egyptian* Darknes of Popery, till the Reformation; but then the Priests (as our Lawyers do now) made a mighty Outcry, and Opposition against an Alteration of a Religion of so long standing, and the settled Constitution of the Church Establish'd by Law; but 'twas answer'd, that notwithstanding their pretended Antiquity, 'twas they that had alter'd, corrupted, and departed from the true and ancient Constitution of the Church, nor shou'd their long continuance in this Error, so dangerous to Souls, be admitted as a Plea, or Reason, to remain so for ever; for according to the Proverb, Better mend late than never. The same Argument holds good also in respect to the present State of our Laws; We have infring'd and broken our good old Constitution, and 'tis more than time to return to, and recover it. A Reformation in the Law is of as absolute Necessity, as a Reformation was formerly in the Church, if any Regard is to be had to the Bodies of Men; otherwise, to call this an excellent Constitution, according to our present Management, is no better than deceiving poor and unfortunate People with an empty, or rather wrong Name.

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The Corruption of our Law was later than the Corruption of our Religion. The vast Number of Priests, Friars, Monks, Abbey-Lubbers, &c. bred out, swarm'd, and liv'd upon the Corruption of Religion, as Insects do upon a rotten Carcass; and some Remains of this Filth We have at this Day, viz. the *Ecclesiastical Court*, &c. But when the Gospel Light shin'd amongst Us, these Vermin, who were by a Calculation about 200000, were reduc'd to about 8000 Orthodox, benefic'd Clergy, and probably three Times that Number of inferior ones. Thus the Lawyers, or those that live upon the Corruption of the Law in *England*, are more in Number than in all *Europe* besides, and ten Times more than are necessary, which nine Parts are not only superfluous, but mischievous, and a very heavy Burthen upon the People, and the greatest Nuisance, or Grievance, the Nation now groans under. The Scriptures say the Laws are made to punish Transgressors, but these Men encourage Transgressors, and Transgressions, perpetually setting Neighbours at Variance, without which diabolical Work they cannot live; the very reverse of the Peace-Makers, to whom a Blessing is annex'd. They Trade for the Devil as well as themselves, being inseparably join'd in one Cause and Interest together.

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ther. If I was to buy an Estate, I wou'd give more Money, the farther it lay from the Neighbourhood of a Lawyer. Where most Lawyers are, there are most Dissention and Debate, and at last most Poverty. The Law is sometimes, tho' not always, begun for Right, but seldom fails to be carry'd on for Revenge. They are in one Sense much worse than the lazy Priests before spoken of, as the first being passive Rogues, the other active ones.

Case of the poor Debtors.

I will conclude this Head with some Observations on our Law, in relation to Debtor and Creditor. Our Laws, in this Case, are different from all other Nations, even from that part of the Island call'd *Scotland*; I mean in imprisoning, and detaining the Person of the Debtor for ever, tho' not worth one Farthing in the World, nor any ways capable to make the least Satisfaction to his cruel Creditor. I wonder such sort of Creditors have the Impudence to pretend they are Christians, or say the Lord's Prayer, which is so diametrically opposite to their Practice, and the vain Hopes of those Men, to think they shall be fav'd, when the Condition of their Salvation depends upon this very Point, Of forgiving their Debtors, as they expect God will forgive their Debts. Our Saviour enforces this, by a Parable of a Lord that forgave his Steward a great many

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Talents upon his pleading Insolvency, but this wicked Steward, as soon as he went out of his Presence, forgot his Lord's Clemency, and threw his Fellow-Servant in Goal for a few Pence he ow'd him, tho' he us'd the same Plea of Poverty, and begg'd Mercy; which when his Lord heard of, he pronounc'd a just Judgment on him without Mercy, to throw him into an eternal Prison.

There is one general Pretence for this Severity of the Law in confining the Bodies of Men for Debts, that if it was otherwise, it wou'd destroy Credit, and People wou'd not care how far they run in Debt. Certainly there is Credit in *Holland, France,* and other Countries, and yet they do not keep Debtors, who have nothing to Pay, in Goal. But 'tis my mean Opinion, that this Sort of Credit that is given upon Presumption of throwing Men in Goal at Discretion, is as well ruinous to the Creditor as Debtor. I have known many Men of this cruel Disposition (particularly one who has had seldom less than two Hundred poor People under Arrests at the same time, and 'tis very common with those People call'd Tally-Men) trust Hand over Head till they have broke, as depending that the Goal was an infallible Security for their Money, which as infallibly deceives them, and as  
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the Proverb says, *Pays no Debts*; so that Men relying upon this rotten Foundation, or Remedy, tipp one another down like Nine-Pins, and follow close at the Heels into the Road of a Prison. If Men had not this Power over one another, they wou'd be a little more Circumspect, and careful who they trusted; they wou'd inquire a little more into the Sobriety and Industry of the Person who they were going to give Credit to; and if he was an honest and industrious Man, it wou'd be his Interest to keep up his Credit, and good Name, so essential to his well-doing in this World; but a Goal is far from giving Relief to the Creditor in any Respect; and most Creditors are so besotted, that when they have arrested their Debtor, will comply with no reasonable Terms for his Release, not considering that the Debtor, when first laid hold on by those Cannibals call'd Bailiffs, is so terrified with the Apprehensions of a Goal, that he strains all, and offers what Terms is possible for him; which if then refus'd, the Creditor never has, or can have the like Offer again; for the Blood-hounds of Bailiffs, Goalers, and the like, soon empty his Veins, and then the merciful Creditor has nothing but the blessed Satisfaction to make Dice of his Bones, a common Saying amongst these Savages. The Curse of this  
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Way of attaching, and confining the Body at Discretion, is so fatal, that if an honest Dealer, who has liv'd in great Credit, and has wherewithal to pay every one, yet if one malicious Creditor shall sue him more out of Pique and Revenge, than to get his Debt, it so ruins his Reputation, that it shall bring all the rest of his Creditors, like Vultures, upon his Carcass, and utterly destroys him and his Family, before he can possibly call in his Debts, or Effects, to stop their ravenous Mouths. The Apprehension of a Goal strikes others with such a Terror, that when they have Peoples Money and Goods in their Hands, and fear the Consequence of any Loss, or falling into the Power of the Law, run into Foreign Countries, and ruin others before they will be ruin'd themselves; in short, it hardens both Creditor and Debtor, to their mutual Destruction; for what is more Barbarous than in the Case of Bankruptcy, that after a Bankrupt has on Peril of his Neck given up all his Effects, to which his Creditors have no Objection, yet the Lord High Chancellor, who is a Judge, and has Power to determine Matters of much greater Consequence, shall not have Power to discharge the Bankrupt, but his Creditor, or Creditors, without being oblig'd to give the least Reason for it, shall, after they have stript the Bankrupt

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rupt to his Skin, refuse to sign his Certificate, and so condemn him to perpetual Imprisonment, when he has nothing left to support Life. If a Creditor has all that a Man hath, what can he desire more. The Laws of God, Reason and Nature, require no more, not Impossibilities; but most Creditors are such Fools, that rather than take what their Debtors (who are not Bankrupts) can give them, they will let them carry it into a Prison to spend it there.

Our Laws, in this Particular, are either better, or worse, than those in other Countries, but be sure the latter, as far as they are against the Laws of God, Reason, and Sense of all the rest of the World; they are unreasonable, and unjust, because they do not in the least distinguish between the honest unfortunate Man, which is an object of Pity, and not of Punishment; and the Knave who always fares best, and if he has got Money, let it be by all the Villanies in the World, shall evade the Severity of our Laws, and make any Prison (if it hold him) a Palace; whereas the unfortunate Person, if he has led the Life of an Angel, and in its whole Course has been charg'd with no ill Action, or the least Extravagancy, an unavoidable Accident may happen to him that no human Prudence cou'd foresee, or prevent, as a Loss at Sea, a Fire at home,

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home, so that the Person that was to Day worth some Thousands, to Morrow shall be as many in Debt, and for his Consolation after these miserable Misfortunes, a Goal is to be his Portion, where he must meet with the cruelest of Deaths, viz. a lingering one, to starve between Stone Walls, whilst his Wife and Children are begging about the Streets. The Law of God says this, *At the end of every seven Years thou shalt make a Release. And this is the Manner of the Release: Every Creditor that lendeth ought unto his Neighbour, shall release it, he shall not exact it of his Neighbour, or of his Brother, because it is called the Lord's Release.* In the Year of the Jubilee there was a Release of all Mortgages, Slaves, &c. But the poor Debtor in *England* has no Redemption till the Day of Death or Judgment.

'Tis reckon'd there is about Sixty Thousand miserable Debtors perishing in the Prisons of *England* and *Wales*, where Hundreds die weekly of Want and infectious Diseases, whose Blood, I fear, cries for Vengeance on a Nation that tolerates such Cruelty by a Law. I knew a poor aged Man that had liv'd well in his time, and married a very good Woman, with whom he had a Fortune, but was brought by Misfortunes to that Degree of Poverty, that he was arrested in the Borough of *Southwark* for

*Instance  
of a poor  
Man and  
his Family  
ruin'd for  
a Debt of  
Six Pence.*

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for no greater Sum than Six-pence in a *Marshal's Court Writ* (that cursed Court, which is only kept up to breed, and maintain a vile Kennel of Blood-Hounds call'd Attorneys, Solicitors, Petti-foggers, Bailiffs, Goalers, and the like) and carry'd to Prison because he cou'd not pay that, and the Charge of the Writ and Arrest; and tho' his Wife, who was a weak and sickly Woman, offer'd to pawn, or sell the Bed from under her to release him, yet it cou'd not be done, for his Fees in two or three Days amounted to above Thirty Shillings, which was more than all they had in the World wou'd raise; so he was forc'd to lye starving in Prison, the poor Woman, thro' Grief and Want, soon died, and he continued a Prisoner till he was releas'd by the Fifty Pound Act, but was so reduc'd by Hardships, and contracted such Distempers in the Prison, that he died immediately after he was out, his Children were turn'd naked into the World to shift for themselves. This is one Instance of Hundreds of the like Nature that daily occurs in the Counters, Marshalsea, *Whitechappel*, and other cursed Prisons.

The Word of God not only forbids in many Places, the use of false Weights and Measures, but likewise declares divers Weights and Measures are an Abomination

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to the Lord. To what end then do fundry Courts, of different Methods, and distinct Prices, in the same Place, for the same Matter, serve, but meerly to puzzle and confound the unwary Suitor; as the *King's Bench*, *Common Pleas*, *Exchequer*, and many other *Jurisdictions* are now used for one and the same Purpose, according to the Pleasure of the Law-quack, quite contrary to their original Institutions? And if it be beneath the Dignity of superior Courts (in tenderness to the Liberties of the Subject) to require Bail for less than Ten Pound certain Debt? Why have the Inferior ones a Power to imprison the Subject upon the least Suggestion, and even no Certainty at all? To the Ruin (I may say Murther) of many Hundreds of People every Year, in the numerous *Jurisdictions* in every County, City and Town in this Kingdom, which, like *Spider's Webs*, not only intrap the viler *Insect*, but likewise the *laborious Bee*, and whatever is not of Force to resist them, and pollute all Places where they are; or rather like so many *Inquisitions*, which under the pretence of Justice, and publick Conveniency, are the Nurseries of *Cannibals*, and meer Pests of the Nation; of which the *Marshal's Court* may properly be call'd the *Grand Inquisition*. 'Tis stild, indeed, *Curia Palatii*; how reasonable its

Of the Marshal's Court.



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Original was, I leave my Betters to judge, and consider it here only in its present State, and as it has been for many Years past.

This Court extends Ten Miles round the King's Palace; and within that Verge, any Person whatever (that is not especially privileg'd) may be Arrested and Imprison'd for any Value whatever, even to a Farthing Candle, and for any Cause or Pretence, either known or unknown.

'Tis a Court, for the most part, used for Vexation and Revenge, and generally known to favour the Plaintiffs in the vilest and most scandalous Litigations, where Defendants shall be put to several Pounds Expence for a Three Penny Matter, or less, such as a Quart of Green Peas, valu'd Two Pence half-penny; a Pennyworth of Herbs. The First there was a Trial for in this Court, and a Child was arrested for the Second; and many Hundred of the like Presidents; and are often condemn'd in such Causes as wou'd every where else be rejected as infamous and abominable; to the great Encouragement, and Propagation of Envy, Hatred, Malice, and all Uncharitableness; and to the vast Trade and Affluence of that mock Judicature.

It's Practice is all engross'd by four Council and six Attornies, for which each of these last pays about a Thousand Pounds at his

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Entrance; and 'tis a known Maxim among them, That he who buys the Devil may sell him again. They have prodigious Numbers of select Bailiffs, or Catch-poles, who purchase their Places, each of whom keeps an Office and a Goal in his House, where the Person arrested is usually brought, in order to be well drain'd, under pretence of Civility, where he is reckon'd about Nine Shillings for his Arrest; his first Nights Lodging costs him Two Shillings, in a Bed, it may be, not worth Five, and a Shilling a Night afterwards; besides, their spunging for Liquor, where he must pay a Groat for what is not worth Two Pence: And if the poor Wretch has not Money to pay for Drink, Tobacco, or other Necessaries which the Bailiff sells in his House, these Rogues will not suffer his Friends to bring it to him: And if the poor Captive cannot find Bail, or such as they like (after this Purgation) he is hurry'd to the Marshalsea, where his first Entertainment is, to have his Clothes strip'd off his Back for Garnish Money, and then for want of Money, Clothes, and Friends, is left naked to perish by Cold and Hunger.

Such has been the Fate of Thousands within the Compass of a few Years; and so notorious are the Calamities and Destructions of that Place, that all the Inquisiti-

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ons in *Spain* and *Portugal*, and all the Gibbets and Gallows in *England*, cannot vie with it for Slaughter; seldom less than five or six Hundred being there pent up together at a time, besides what is in Bailiffs Houses, as private Prisons; and seldom less than six or eight, and sometimes more, dying in it every Week thro' Misery and Want, and a Distemper peculiar to that Place, call'd the Distemper of the Prison, which is an Infection near akin to the Plague; while vast Numbers abroad are continually worry'd, and fleec'd by the Beasts of Prey belonging to that Court.

It may be objected, that an *Habeas Corpus* will remove all Causes above five Pound. 'Tis true, but that is very Expensive, and likewise Bail requir'd thereon, which the poor and friendless cannot procure; also, the far greater Number of Causes in that Court are laid under Five Pound to prevent such a Remedy.

That such notorious Grievances shou'd stare every Hour in the Face of *Sacred Majesty*, and the Supreme Courts and Councils in the Nation, without Confusion, is no less wonderful? A Court (rather a Monster of the first Magnitude) obnoxious to all but it self, and universally condemn'd as *Iniquitous* and *Oppressive*, and as a grand Disturber to the best and most approv'd Course of our Laws.

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I know not how this *Python* came to survive all the Shafts of a late Parliament that were shower'd upon him. If a shower of Gold will do it at any time, that cannot be wanting, and in a large Quantity too, seeing there are so many who are able and willing to contribute to it. Its Members are all at Unity in themselves, and have also their distinct Interests, by Wiliness, and Diligence to Parry every Thrust; and the Patrons of Vice, and Oppression, being generally more subtle, and vigilant in their Generation than the most Virtuous: Thus I doubt it formerly was, and thus it seems to have stood in some other Cases of Moment. I wonder the other Gentlemen of the Law, the Judges, and eminent Council, Men Famous, and of great Reputation, don't rise up all in Arms against this rascally Court, as a Scandal, and great Encroachment on the Law. This Court is as ridiculous for the Lawyers of Reputation to suffer, as for the College of Physicians to sit still, and see a Seminary of *Quacks*, *Horse-Doctors*, and *Merry Andrews*, set up for Poisoning People under their very Noses, and get more Money by it than they do by Curing.

But I hope in God, that so Excellent a Parliament, under so Gracious a *King* as at this time, will revise the said former Proceedings

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ceedings in Parliament, against that Source of Iniquity, and Destruction, and extirpate the same for ever.

The Tyranny of Goalers.

Besides the Numbers that perish for want in the *Marshalsea Prison, White Chapel, Counters,* and other *Prisons in England,* mostly by the Villany of the Goalers, I am credibly inform'd by Persons who have been Prisoners, and Eye Witnesses in the *Gate-House Westminster,* that Prisoners there have been willfully, and actually starv'd to Death, by the Tyranny of the Goaler, who for a Word speaking, that has offended this absolute Monarch (as all Goalers are) have been fetter'd with Irons of Sixty Pounds weight, and have worn them so long as to eat into their Legs, gangreen'd them, and turn'd to a Mortification, and at the same time has deny'd them Sustenance, and imprison'd, for some time, the Persons that presum'd to bring them any; 'Tis very odd that a Goaler shall be suffer'd to assume such a Despotick Power over a Free-born *Englishman,* as to put Fetters on him at Discretion, and take them off at Pleasure: Fetters are a terrible Addition to the Punishment of a Prison, and has cost many Mens Lives. Now if the Law annexes this Punishment to any Capital, or particular Crime, why should it be left in the Power of a Goaler to put them on, or take them off as he thinks fit?

But

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But the Reason is very plain, 'tis a considerable Perquisite of his Place, for which he gives a great deal of Money; for this very Article in the single Prison of *Newgate,* is worth some Hundreds a Year. But why must poor a Debtor be fetter'd like a Malefactor? Why, Toleration and Custom goes a great way with Us (except the Custom of doing good) and is as good as a Law, especially if it be well paid for: Thus the *Catholick Inquisitions,* were first set up against *Moors and Jews,* but now turn'd upon *Christians.*

Most, or all of these Goalers, purchase their Places, and give Civility Money to some body to wink at their Villanies and Murthers. I remember a Book was printed about twelve Years ago, of the Oppressions of Goalers, wherein was prov'd *Rapes, Robberies, and Murthers,* but nothing came of it: O rare *Liberty and Property!* Blessed *Constitution,* that other Countries need Envy Us in, which if it shou'd tempt a *Foreigner* to come and dwell amongst Us, and he be arrested for a Suspicion of Debt, in a right or wrong Action ('tis all one for that) and so fall into the Power of one of our Goalers, and be us'd according to Custom by the Lawyer and the Goaler, Extortion, Cheats, and Oppression, unknown in other Countries, he wou'd think all our fine Pre-

Goalers give great Sums of Money for their Places.

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tences were to be read backwards, as *Witches* say their Prayers; and that the true meaning of *Liberty* and *Property* in our Sense, or rather Practise, was *Tyranny* and *Slavery*.

To these Miseries every Man, Woman, and the very Infants who live in *England*, are all liable, especially those that are so unhappy to meet with Casualties and Misfortunes, tho' never so unavoidable.

All these Oppressions, they say, have more than once been complain'd of, offer'd to be prov'd, but never punish'd, or remedied; and are still ready to be prov'd again by the Oaths of many living Witnesses.

The Miseries and Torments poor Prisoners for Debt have suffer'd, as Starving, Dungeons, Chains, Whippings, Beatings, breaking their Limbs, and other Punishments, if they did not quite kill them, has driven some into Despair, so as to lay violent Hands on themselves, and others it has bereft of their Senses, and, as before, all Complaints against these Devils incarnate have been in a manner fruitless, and cou'd never procure an Enquiry into the Behaviour of Goalers.

The Prisons in *France*, *Holland*, and other Countries, are at the Governments Charge; the Goaler paid his Salary by the *State*; the Prisoner for Debt allow'd a good

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*Chamber*, *Bed*, *Bread* and *Water* at the Publick Cost, besides what the Creditor is oblig'd by the Laws of the Country to give for the Subsistence of the Debtor, which is unalterably stated, according to the Quality and Manner of Living of the Debtor before he fell into Misfortune. There the Goaler has not the least Power over the Prisoners; he has nothing to do, but to keep his Doors shut, and his Prisoners safe, till they are deliver'd by due Course of Law, which cannot be long; for if the Creditor does not soon grow weary of maintaining the Debtor, in most Countries he will be discharg'd upon giving up his Effects. But here a *Free-born Liberty and Property Englishman*, shall upon the bare Pretence of Debt be consign'd over to the *Tormentor*, and destroy'd, before 'tis known whether he has infring'd any Law, or fallen under that barbarous one we have in Relation to real Debts.

Our two great Prisons, the *Fleet* and *King's-Bench*, to which, by Virtue of the *Habeas Corpus Act*, a Prisoner may remove himself for his greater Ease, from any other Goal in *England*, has *Rules* appointed each of them, our Courts well knowing, that the bare Prison Houses cou'd not at some times contain the tenth Part of the Prisoners, except they wou'd stow them like

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Faggots upon one another; but this small Benefit the poor Prisoner cannot have, for all 'tis allow'd by Law upon an absolute Necessity, except the Goaler is well brib'd, for 'tis left purely to his Will and Pleasure, whether he shall stifle all his Prisoners to Death, or give them Air, according as 'tis most for his Profit; for which Reasons vast Sums of Money, and prodigious Rents, are given for these Prisons, which must be got out of the Blood of the Unfortunate, extorting that Money from them which justly belongs to their Creditors, or that which shou'd preserve the miserable Debtor from perishing in the Prison, or his Family from starving out of it.

What trifling Objections against altering this cursed Law, or rather Corruption, Innovation, or Custom, I have already answer'd; but if there is any Reason, or colour of Reason for exercising this Tyranny, which neither the World, or I, have ever heard, it wou'd be very convenient to publish it, that if We must be used worse than *Dogs*, or *Slaves*, we may have the Satisfaction to know where the Wisdom, or Policy of it lies. Why truly, the Rich that feel none of this, and the Villains that get by this, will tell you, that notwithstanding all these bitter Complaints, We are the happiest and most powerful Nation in the World.

World. 'Tis plain, that God has given Us more Blessings and Advantages to be so, than any other Nation, but that We have had dangerous Convulsions, and upon the very brink of Ruin more than once, I believe no one will deny, which cannot justly be attributed to any Thing, but our Wickedness and Folly; neither can We ever in a Religious, and Human Sense, say, We now, or ever shall stand secure, except We mend our Manners; and to lay a Claim to the Blessings of Providence upon so ill a Foundation, as *Corruptions* and *Cruelty*, is the height of Madness. But how ungrateful are We to God for our many Deliverances, and undeserved Blessings, as to make such merciless Returns upon our Fellow-Christians, Subjects, and Countrymen.

'Tis strange that We shou'd boast so much of our *Liberty* and *Property*; if We mean any Thing by these Words, it must be ironically; but they who talk most of it, are Persons who (as We commonly say) are above the World; they have Estates, Employments, very Rich, or generally are Lawyers, who all have it in their Power to oppress, and ruin the Poor, and meaner Sort of People, without fearing any such Usage themselves, because they have the Protection of Money to depend on, which is sufficient to save them, and destroy others. The

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The vulgar Mistake about this *Liberty* and *Property*, is, because 'tis not in our *Princes* Power to oppress Us; but 'tis in every one of his Subjects Power to tyrannize over one another, so that We have only taken this Power from him, to lodge it in our selves, or rather the Lawyers; but some are of Opinion, that 'tis a less Evil to have one Tyrant than many: Our corrupt Nature prompts Us to oppress and tyrannize over our Fellow-Creatures, and 'tis great pity any Government should leave it in our Power to exercise it, when we seldom want the Will.

Instead of being a Free People, We are in some respect the worst of Slaves, I mean the common People, who are a Hundred to One of the other Sort, for which of them can call the little they have their own a Moment, or secure their Persons one hour out of Goal.

As to a Man's Property, or Goods, how long can he promise himself the Enjoyment of them, when he shall be sued to an *Outlawry* and an *Execution*, unknown to him; and tho' he never absconded a Minute, of a sudden be stript of all.

As to the *Liberty* of his Person, 'tis too notorious We all have full Liberty to throw one another in Prison when We please, right or wrong, for a Cause or no Cause; and

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and if we have not Friends, Money and Bail, there we must lye at the Mercy of those good natur'd Men the Goalers, who may put Us in a Dungeon, load Us with Irons, and starve Us, as a great many have been.

In criminal Cases, or breach of the Peace, no one can be depriv'd of his Liberty without Oath first made as a Proof of the Fact, but in the Case of Debt, or Damages, a Man shall first be punish'd, nay executed, and his Family destroy'd, before 'tis known whither he is a Debtor, or no; nay, he shall lye in Prison till the Day of his Death, and never be try'd, except he has Money to force, and stand a Trial with his Adversary; and after all, his Adversary knowing that his Action was only Vexatious, will suffer a Non-suit, and in the City the Cost is not above Seven Shillings, or thereabouts, tho' perhaps the Prisoner has lain in the Counter, or Spunging-House, for some Weeks or Months; and besides the Charge, and loss of time in his Imprisonment, have been at ten times that Expence in defending the Suit; so that when the poor Man, with great Trouble, Difficulty and Charge, has got rid of that Action, the Prison Doors shall be no sooner open'd to him, but another Fob Action shall be laid upon him, his Adversary having no other

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other View, than thro' Malice, or Revenge to ruin him, being at the Certainty to be at a small Expence, in Comparison of the great Charge, Imprisonment, Vexation, and Trouble, he shall put the poor Sufferer to. To my certain Knowledge, and Hundreds others, many have been ruin'd and destroy'd this Way; and 'tis so far from being a Novelty, that 'tis in a manner a common and daily Practice.

'Tis very unjust that a Man shall suffer so grievous a Punishment as Imprisonment, especially in our Goals, where if they are friendless, and moneyless, as many miserable Wretches are, they had much better be hang'd out of the Way, than endure the Hardships they must conflict with there: Our Prisons, particularly for Debt, being the worst look'd after in the World, for the Goaler is perfectly Absolute, and may do what he pleases with his Prisoners, and all this upon hardly so much as a Presumption of being in Debt. 'Tis not enough to punish Us for such Misfortunes as all Men are liable to, and may bring them in Debt, notwithstanding the greatest Caution in the World, except Men can command Providence; but We must have strange Paradoxes amongst Us, for many have been starv'd in a Prison for Debt, who ow'd nothing, at least not to those at whose Suit they

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they lay; and what is still worse, perhaps the Prisoner is the Creditor, and the Prosecutor the Debtor; and as this has been, so I affirm it may be, and will be, as Matters stand at present; for if one Man has Money, and has a mind to ruin another, that has none, or Friends to assist him, he may accomplish his Designs, and no Remedy provided in the Law for the wrong'd and persecuted Person, for what little Justice We have left, must be well paid for before you can have it; and if you are without Money, tho' you cannot be hang'd for having empty Pockets, you may be starv'd in a Goal, if any Body will please to put you there. Why shou'd a *Free-born Englishman*, (as we vain-gloriously stile our selves) be imprison'd for Debt at the Suit of any Person, till 'tis certainly known that he owes him any thing?

If to be in Debt is so great a Crime, whether We come into it by Misfortunes, or otherwise, as to deserve the worst of Punishments, perpetual Imprisonment, 'tis all the Reason in the World it shou'd first be determin'd, if the Person has committed this heinous Crime before he suffers the Punishment. To be hang'd first, and try'd afterwards, is very hard upon *Free-born Subjects*. What Guilty, or not Guilty, all one in the Language of a Goal? I suppose then, that

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that Prisons, Dungeons, Fetters, starving between Stone Walls for no fault, are no material Articles in the Liberty of a *Free-born Englishman*.

Our ancient Law was, that the Debtor must first be summon'd, and the Creditor prove his Debt, before he had any Power over his Person; but 'twas not over that (but only over his Goods) 'till our later, and corrupter Ages. Some will say, that if this way of Summons is allow'd, 'twill be only a Warning for Debtors to run away, and then the Creditor will loose his Money. A Man that runs away from his Creditor, may recover himself, come again, and make Satisfaction in part, if not the whole; however the Creditor has some Chance for it, but those thrown in Prison are dead to the World, their Effects (which the Creditors cannot come at) are become forfeited, and the Perquisites of the Goaler. The dread of a Goal for Debt being infinitely more terrible than for Felony (because Felons have a common Purse, and live well for the short time they are confin'd) has made many, besides those who have fled the Kingdom, take to the Highway, House-breaking, Coining, &c. because those who were sensible of the Terrors of perpetual Imprisonment in the utmost Penury, prefer'd the hazard of Death before it. In short, besides the inhuman,

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human, barbarous, and foolish Way of these Proceedings, or pretended Law, innumerable Mischiefs attend it.

There is a Place on the other Side of the Water, in St. George's Parish, call'd the *Mint*, where a great Number of unfortunate Persons have agreed together to recover a little of ancient Liberty, and rather to loose their Lives than be carry'd to Prison for Debt, tho' they do not in the least resist the Execution of the Law in any other particular; for this little Republick (in this respect) has a very regular Government, executed by their Senators, which they call Clubs, in which some Days every Week they meet together, and examine all Enormities, for they give shelter, or Protection unto none, except purely to the Unfortunate in the case of Debt. They protect no Man who has it in his Power to make Satisfaction; no Man who flies from his Bail; no Cheat of any Sort: In short, they are a tolerable good Sort of People, as Times go, and every whit as honest as their Neighbours, notwithstanding they are call'd by a great many bad Names; yet I am of Opinion they are at worst, very diminutive Rogues in Comparison of those out of the Place; however, their Creditors, and the Bailiffs in general, are mighty Angry with them, because they will not quietly



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quietly go to Goal, and there be starv'd; tho' abundance of them, being at liberty to Work, having Time, with their Industry, have paid their Creditors their whole Debt; and others part, according as they can agree, which cou'd never have been done if their Creditors had had their Wills to throw them into a Prison. God allow'd several Sanctuaries, or Cities of Refuge; and seeing the Law of our Land allows of none, these Gentlemen allow themselves one. When they catch a Bailly (who is an Enemy to their Constitution) they treat him according to the Custom of the Place, which like most of our Courts, is as binding as a Law. 'Tis true, they make use of very few Law-Books, for which Reason they live very lovingly together, consulting one another's Good, and Safety; and account their little Cottages happier Dwellings, than Palaces out of the Place, where Bailiffs and their Dogs are continually waiting at their Doors with Writs and Executions. They give Credit to one another, as well in this Place as in any other, according to their Abilities, only upon Honour, and honestly pay when they have it, and better than those out of it, notwithstanding the infallible Security of a Prison, as some foolishly and ridiculously account it. It has been talk'd a long time of putting down  
this

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this Place, but I believe it will not be easily done without a great deal of Mischief; but the best Way to set this Place on the same level with the rest of the Kingdom, is to bring the rest of the Nation on a nearer level with them; that is, to let all the other good People of *England* have the same Protection for their Persons by Law from a Prison for Debt, as they have by Force. Such prodigious Wickedness as is sum'd up in this Treatise, and much more which cannot be brought into so short a Compass, one wou'd think, without the Mercy of a forbearing, and long-suffering God, were more than sufficient, before this time, to sink any Nation to the bottomless Pit of Perdition, and shower more dreadful Judgments on Us, than was pour'd down on *Sodom* and *Gomorrab*. God told his People, the *Jews*, that if they suffer'd one Murther to go unpunish'd, their whole Nation shou'd answer for it. The Guilt of Blood has a dreadful and malignant Influence; and as a small Taint, or Poison in the Finger, shall by degrees corrupt, or contaminate the whole Mass in a Man's Body, then what can We expect for so much innocent Blood, and many Murthers (in all the most cruel and aggravating Circumstances that can attend that unpardonable Sin in this World) to pass with Impunity? Let us not deceive our  
I selves,

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selfes, 'tis the same God who rules over Us, that denounced his Curse to the *Jews*; who did not shed that Man's Blood, who was the Death of another; he has not alter'd his Mind, or this Law, but 'tis horrid Folly to tempt and provoke God at this rate, for Blood incessantly cries to Heaven for Vengeance, and no Atonement, or expiating the Crime, but by rendring Vengeance to the Offenders.

*Members of Parliament for Scotland, for bringing our Laws, about Debtors, upon the same Foot with theirs.*

I have often heard the Members of Parliament for *Scotland* shew a great Indignation against the Cruelty of our Law, in keeping poor Wretches in Prison for Debt, and starving them, when the Laws of their Country obliges the Creditor to give them an Allowance suitable to their former Way of living. These Gentlemen have made several Efforts to put our Laws, in this respect, upon the same foot with theirs, purely out of a compassionate and generous Principle, for it can be little or no Advantage to them; but as they have conform'd in the Union to some of our Laws, 'tis very reasonable to agree with them in a Particular calculated for our own Benefit.

*An Objection answered.*

I will answer one general Objection, tho' I think it an ignorant and foolish one, that is, 'Tis very inconvenient, if not dangerous, to alter the Course of our Laws, tho' some

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some may be Sufferers through their Severity. To this I reply, That 'tis as much our Duty to stop the Course, or alter bad Laws, as 'tis to make good Ones. Now I hope I have in some measure shew'd, that our present Laws, especially about Debtors, is Anti-christian and Impolitick; but 'tis so far on the contrary side, that I will prove that We have departed from our good old Laws, which were so tender of the Liberties of the Subject, and have alter'd, or which is worse, corrupted them; and that by the ancient, and fundamental Laws of the Kingdom, no Man's Person was to be imprison'd, or detain'd for Debt.

" It is evidently, and undeniably plain, *We have*  
 " that (by the Ancient, Common Law of <sup>departed</sup>  
 " the Land) the Bodies of any of the Peo- <sup>from our</sup>  
 " ple of *England*, could not, at the Suit of <sup>ancient</sup>  
 " any Subject, be Arrested, Imprison'd, or  
 " any of them Out-law'd, for Debt or Da-  
 " mages (or any Thing thereunto relating)  
 " as clearly appears, not only by our anti-  
 " ent Laws, but by the Authority of these  
 " two great Sages of the Law, the Lord  
 " Chief Justice *Coke*, in his Third Report,  
 " *Fol. 11, § 12.* and the Lord *Dyer*, *An.*  
 " *23 Eliz. 305. b.* the which, also by *Magna*  
 " *Charta, Chap. 29.* (that great Expofitor  
 " of our ancient Laws) was, in affirmati-  
 " on of the ancient Common Law, with  
 " great

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" great and wary Circumspection, provi-  
 " ded against, and not only (not as much  
 " as thought on before the Conquest) but  
 " was abhorred, in the least, to be practi-  
 " sed from that time, and the time of the  
 " Birth of that explanatory Law, which  
 " was in the Ninth Year of the Reign of  
 " King *Henry* the Third, until many Ages  
 " after, there being variety of great, weigh-  
 " ty, and pregnant Reasons, for the Pre-  
 " servation of that greatest Liberty, and  
 " Privilege of the Subject (the Freedom of  
 " their Persons from Imprisonment) and as  
 " well those ancient Laws before the Con-  
 " quest, as the Laws until the making of  
 " the great Charter (and Threescore Years  
 " after) were in that particular, (with all  
 " studious and sedulous Care) inviolably  
 " observ'd, as an eminent and signal Badge  
 " of the Immunity, and heroick Freedom  
 " of the *English* Nation, who were then  
 " deservedly called (*Libera Gens*) and liv'd  
 " so, and in so great and happy Splendor,  
 " to the envious Admiration of the rest of  
 " the Christian World, and to the eternal  
 " Honour of our Ancestors, without being  
 " subject to any such Imprisonment, not  
 " only all the time of *William* the Conque-  
 " ror's Reign (which was above Twenty  
 " Years) but One Hundred Fourscore and  
 " Fourteen Years after his Death, and un-  
 " til

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" til the Statute of *Westminster* the Second,  
 " Chapter the 11th, made in the Thir-  
 " teenth Year of King *Edward* the First,  
 " invented a *Capias*, and a new Process of  
 " Out-lawry which (from that time) was  
 " full so many Years; the Statute of the two  
 " and fiftieth of *Henry* the Third, *Chap.*  
 " 23. (although the first that ever made any  
 " *English* Mans Person subject to such Arrest)  
 " yet it being only against Bailiffs of parti-  
 " cular Lords, I lay no great stress on; but  
 " that Breach and Inroad being once made  
 " into, and upon the Common Law, by  
 " the Statute of *Westminster* the Second,  
 " gave Encouragement to the unhappy  
 " Production of another Statute, made in  
 " the twenty fifth Year of the Reign of  
 " King *Edward* the Third, *Chap.* 17. by  
 " which it was Enacted, That such Pro-  
 " cesses shou'd be made in Debt, and Detinue  
 " of Chattels, and by Process of Exigent, as  
 " was then used in Writs of Accompt;  
 " which were two such keen Laws, that  
 " they not only invaded, but cut in sunder  
 " the choicest Liberty of the Subject, by  
 " submitting the Persons of the then Free  
 " People of *England* to the Cruelty of Im-  
 " prisonment for Debt and Damages; but  
 " the same wise King *Edward* the Third,  
 " of whom the Lord Chief Justice *Coke*,  
 " in the second Part of his Institutes, *Fol.* 29.  
 " gives

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“ gives this Character, That King *Henry*  
 “ the Second, *Edward* the First, and *Ed-*  
 “ *ward* the Third, were all of them Prin-  
 “ ces of great Fortitude, Wisdom, and Ju-  
 “ stice, that govern’d by their Laws; but  
 “ that, in the Reign of King *Edward* the  
 “ Third, the Laws did principally flourish,  
 “ who, saith he, was a Noble, Wise, and  
 “ warlike Prince. This prudent Prince,  
 “ I say, looking deliberately into the Wounds  
 “ those Statutes had given to the Honour  
 “ and Happiness of the Kingdom, and to  
 “ that Ancient and most Venerable Part of  
 “ the Common Law, which preserv’d his  
 “ Subjects Persons from Imprisonment,  
 “ and the very many Kings Reigns and  
 “ Ages, without any the least interruption,  
 “ which that glorious, and famous Liber-  
 “ ty had prosperously continu’d; and as it  
 “ were, repenting of the making of the  
 “ said bitter Statute, of the twenty fifth  
 “ Year of his own Reign; and he and his  
 “ Parliament finding the mischievous In-  
 “ conveniences and Dishonour that it had  
 “ put upon the People, and resolving to file  
 “ those Shackles from off the Subjects Feet,  
 “ and to re-invest them into the Liberty  
 “ and Freedom of their Persons from Im-  
 “ prisonment, according to the Common  
 “ Law of the Land, by that gracious heal-  
 “ ing Statute, made in the two and fortieth  
 “ Year

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“ Year of the Reign of the same King *Ed-*  
 “ *ward* the Third, *Chap. 1.* those two Razor  
 “ metted, cutting, rigorous Laws were, as  
 “ to such Imprisonment as aforesaid, by  
 “ the Opinion of many, and by the general  
 “ Construction of Law, and the true in-  
 “ tendment hereof, repealed, which decla-  
 “ red, That the great Charter should be  
 “ holden, and kept in all Points; and if a-  
 “ ny Statute be made to the contrary, that  
 “ it shou’d be holden for none; which said  
 “ last mention’d Statute, was according to  
 “ common Construction, intended fully to  
 “ restore the Brightness and Lustre of the  
 “ ancient Common Law, and to support  
 “ and maintain the Strength and Vigor of  
 “ that Standard of Law and Justice, the  
 “ great Charter, which not only asserts  
 “ his Majesty’s just Rights and Preroga-  
 “ tive Royal, but defends, and preserves  
 “ the Freedom, and just Liberties of the  
 “ People, which, as the same Author in  
 “ his Preface to his second Institute tells  
 “ Us, hath been confirmed by two and  
 “ thirty Acts of Parliament; and not only  
 “ so, but by the Statute of the twenty fifth of  
 “ *Edward* the First, the same is to be taken  
 “ as the Common Law. But the setting  
 “ up, and Creation of the great Numbers  
 “ of Offices, and Officers, and the Herds  
 “ of Persons, which those most severe Laws,  
 “ West-

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“ *Westminster* the Second, and the Statute  
 “ of the twenty fifth of *Edward* the Third,  
 “ had most advantagiously preferr’d, al-  
 “ most in every City, Town, and Village  
 “ of the Kingdom, had so fix’d, fastened,  
 “ and rivited such Multitudes of Persons,  
 “ many of them of very great and eminent  
 “ Quality and Interest, in Places of great  
 “ and tempting Gain, which had made so  
 “ deep an Impression upon the Minds of  
 “ that prevalent and powerful part of the  
 “ Kingdom, who had thereby plentifully  
 “ enrich’d themselves, that notwithstanding  
 “ the said Statute of the two and fortieth  
 “ of *Edward* the Third, so intentionally com-  
 “ pos’d as aforesaid, for the manumitting  
 “ of the People of *England*, as well from  
 “ the thraldom of a Prison, as otherwise to  
 “ preserve their Liberty, they went on to  
 “ imprison the Bodies of the Subject, which  
 “ hath ever since been practis’d, not only  
 “ by virtue of those two Laws, *Westmin-*  
 “ *ster* the Second, and the twenty fifth of  
 “ *Edward* the Third, but that of *Acton*,  
 “ *Burnell*, and the Statute *de Mercatori-*  
 “ *bus*, touching Arrests upon Statutes, Sta-  
 “ ple, and Merchant, and by other Laws  
 “ built upon them, which contrary to the  
 “ ancient Common Law, as is very plain,  
 “ doth continue the Invaflation of Impri-  
 “ sonment against, and upon all the Free-  
 “ born

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“ born Subjects of *England*, except Peers; so  
 “ that it is indisputably clear, how great an  
 “ Intrenchment the Imprisonment of Men’s  
 “ Persons is, upon the Honour of the an-  
 “ cient Common Law, of which, as the  
 “ Lord Chief Justice *Coke* saith, the great  
 “ Charter is but declaratory; and as a late  
 “ Writer, from good Authority, tells Us,  
 “ did not grant any thing *de novo*, but that  
 “ thereby our ancient Laws and Liberties  
 “ were only repeated and confirmed; and  
 “ indeed all those our Ancestors maintain’d,  
 “ not only with indefatigable, prudential  
 “ Care and Industry, but with the vast  
 “ Expence of Blood and Treasure; wit-  
 “ ness the more than twenty Years inte-  
 “ stine bloody Civil War in the Reign of  
 “ King *John*, and in the end, the Confir-  
 “ mation of those Laws and Liberties by  
 “ the same King, in the Face of the No-  
 “ bility, and other the great Men of the  
 “ Kingdom, and of an infinite Number of  
 “ other the Free People of *England*, as saith  
 “ *Brittaine*, Fol. 219. So that there wants  
 “ nothing to make it fully demonstrable,  
 “ that by our Ancestors Magnanimity, and  
 “ resolv’d Courage in maintaining the an-  
 “ cient Common Law, they and their Po-  
 “ sterity were not only establish’d in their  
 “ just Rights, but were preserv’d from such  
 “ Imprisonment for Debt, or Damages, or  
 “ any

Case of the poor Debtors.

“ any Thing thereunto relating, Two Hun-  
 “ dred and Fourteen Years after the *Nor-*  
 “ *man* Conquest, which now is inflicted,  
 “ upon many Thousands of his Majesty’s  
 “ good, loyal, and faithful Subjects, to the  
 “ utter Ruin of them, their Families, and  
 “ Relations, whilst those who have lined  
 “ their Iron Consciences with nothing but  
 “ their Profit, and their Chests throughout  
 “ with the Wealth of the Kingdom, which  
 “ they have gotten by the late Wars, smile  
 “ to see those who have sacrific’d their  
 “ Bloods, nay, themselves and theirs, in,  
 “ and to his Majesty’s faithful Services,  
 “ pent up by many Thousands of them, in  
 “ disconsolate and loathsome Prisons, and  
 “ thereby made useless Nothings to the  
 “ World and themselves. Whereas, if We  
 “ cast our Eyes back into the Reigns of the  
 “ *Saxon* Kings, We shall find, that those  
 “ martial, wise, and wary Princes, King  
 “ *Ina*, King *Echelston*, and after them, all  
 “ the *Saxon* Kings, according to the anci-  
 “ ent *British* Laws, were so very tender of  
 “ the Imprisonment of Mens Persons, that  
 “ they did not punish their very Bond-Men  
 “ with it; and King *Alfrede* displac’d and  
 “ imprison’d one of his Judges for daring so  
 “ to do: And when the Government de-  
 “ volved, and came to the *Normans*, *Willi-*  
 “ *am* the Conqueror, *William Rufus*, and  
 “ *Henry*

Case of the poor Debtors.

“ *Henry* the First, took such exact Care to  
 “ preserve this Liberty un-infringed, that  
 “ in their Reigns not any Person was im-  
 “ prison’d, although for mortal Crime it  
 “ self, unless he were first Attainted, up-  
 “ on the Verdict of twelve Men. And,  
 “ additional to all this, many Ages after  
 “ the Conquest, by the ancient Common  
 “ Law, the Writ *de Odio & Atia* was given  
 “ to a Man that was imprison’d, although  
 “ for a hainous Crime, for the Death of a  
 “ Man, yet the Law in that golden Age,  
 “ in Favour, and out of an high Esteem  
 “ it had of the Liberty of a Man, and that  
 “ his Body shou’d not be detained in Prison  
 “ until the Justices in Eyre shou’d come, he  
 “ might sue out this Writ, directed to the  
 “ Sheriff; and although the Offence for  
 “ which he was committed was not Bail-  
 “ able by Law, yet the ancient Common  
 “ Law, did so highly hate and abominate  
 “ the long Imprisonments of Men, that it  
 “ gave him this Writ for his Relief, which  
 “ appears by *Bracton*, in his Third Book,  
 “ *Fol.* 121. and by *Fleta*, in his First Book,  
 “ *Chap.* 14. And with whom also *Glanvel*  
 “ agreeth, in his Fourteenth Book, *Chap.*  
 “ 3. And the Mirror of Justice, a Book  
 “ of great Antiquity, and Estimation in  
 “ the Law, as well as the Books before ci-  
 “ ted, *Chap.* 5. *Seet.* 1. complains of the  
 “ Im-

“ Imprisonment of Mens Persons as an  
 “ Abuse, although it had been for break-  
 “ ing of a Goal. Now, for that it is clear  
 “ as the Light, how highly valuable, and  
 “ dearly precious, the Liberties of Mens  
 “ Persons were, by the Common Law of  
 “ the Land, all Debts and Damages being  
 “ to be properly had out of the Estate of  
 “ the Debtor, and not his Person. ’Tis  
 “ very odd, that the Law is so kind and  
 “ merciful to my Horse, as to take provi-  
 “ sional Care for a Replevin to enlarge him,  
 “ and yet that my self shou’d be retained  
 “ in durance, under a perishing Condition;  
 “ nay, and without as much as any defini-  
 “ tive Time by Law set for my Release-  
 “ ment.” There are many Hundreds now  
 starving in Goals, who ventur’d their  
 Lives, and lost their Fortunes in the late  
 Wars in Defence of their Prince, and  
 Country, and have given Credit to the Go-  
 vernment in the greatest Exigences; for  
 want of which Debts due to them from the  
 State, they have been thrown in Prison by  
 their own Creditors. A hard Case, they  
 shall be thus rewarded for their Zeal and  
 Service to their Country; one wou’d think  
 the least Thing the Government cou’d do  
 for these sort of People, was, that if it  
 cou’d not, or wou’d not pay them, it shou’d  
 keep them out of Prison, by giving them a  
 Pro-

Protection till it did. At this rate, a Man  
 that ventures to serve a Government is in-  
 fallibly ruin’d; for if his Enemies fail to  
 ruin him, his Friends will not.

We thankfully acknowledge, that God Al-  
 mighty has seasonably, and miraculously in-  
 terpos’d, by his good Providence, to disperse  
 the black Clouds that hover’d over Us, has  
 sent Us his present Majesty King *GEORGE*,  
 as his Instrument, to secure our Liberties  
 and Properties, Jewels of the greatest Price;  
 but how much Benefit has the poor star-  
 ving Prisoner of these? Shou’d the *Preten-  
 der, Turk, or Jew*, over-turn this Nation,  
 so they broke open the Prison Doors,  
 ’twould be a happy Change to those misera-  
 ble Wretches; whoever releases them from  
 Bondage they will account their best Friend.  
 ’Tis pity, that (according to former Cu-  
 stom in a new Reign) there has not been  
 yet, one Act of Grace (as they call it) in  
 this, a general Discharge for poor Prisoners  
 for Debt, those highest Objects of Charity:  
 If no other, or better Means are us’d, wou’d  
 to God this Book, or this part of it, which  
 relates to Debtors, might fall into his Ma-  
 jesty’s Hands, and then let it be left to his  
 Royal Breast (which is fill’d with Good-  
 ness and Compassion) to reflect, that as  
 he is God’s Vicegerent here, he shou’d also,  
 like that King of Kings, hold the Lives and  
 Pre-

*Case of the poor Debtors.*

Preservation of all his faithful Subjects equally dear to him, and not suffer so many Thousands to be totally depriv'd of all the Blessings of his Reign. Wo be to them who hide those Things from his Eyes, and interpose as a dark Cloud, or Shadow, between this Sun and the withering Plant, which perishes for want of his vital Heat; let the Sin lye at their Door, but on his Head let the Crown flourish. If these obdurate Men escape a Prison here, which wou'd soon make them Converts to Compassion, at least they wou'd have pity on themselves, if they had none for their Fellow Subjects, and Fellow Christians, they are in great Danger of a worse Prison hereafter, where there's neither Bail, or Mainprize, nor Act of Grace ever to be expected, or granted: At which just Tribunal Mens Actions will be weigh'd in an equal Ballance; all Accounts made even, which cannot be hop'd for in this World: Cruelty and Oppression shall then lose its Power; *There the Wicked cease from troubling; there the Weary be at rest. There the Prisoners rest together, they hear not the Voice of the Oppressor. The small and great are there, and the Servant is free from his Master.*

Tally-  
Men.

Those Miscreants call'd Tally-Men, who trust poor People with wearing Apparel, &c. to be paid at a certain Sum weekly, for

*Case of the poor Debtors.*

for which they have an extravagant Profit, use this Way; when any Person comes to take up Goods, they not only set down the Name, and Place of Abode of the Person so trusted, but if they bring any Servant with them to carry home the Goods, or any Acquaintance, they set down all their Names, and then upon any failure of the weekly Payments, they Arrest all, or any of the Persons; and every Talley-Man generally keeps a Rogue of a Servant, who he makes a Bailiff; and for every Arrest, if the Debt is not Eighteen Pence, exacts ten Shillings, besides other Fees. *Whitechapel* Goal is cramb'd full of these miserable Creatures, at the Suit of Tally-Men; and 'tis these Rogues that chiefly support that Court, as well as the *Marshalsea*; and for the better Encouragement of Villany, which only promotes their Trade, the Plaintiff very rarely, right or wrong, misses of getting the Day; so that the whole Subsistence of all that vast Number of Insects, dependant on these wicked and barbarous Courts, is on the Bread, or rather Blood of the Poor, Widows and Orphans.

The Debtors in *Newgate*, especially those on Escape Warrants, who are mixt with the Malefactors, are in much a worse Condition than the Thieves and Felons, for these not only live infinitely better for the



Case of the poor Debtors.

the short time they are confin'd, being soon releas'd; and if they be hang'd, 'tis much to be preferr'd before perpetual Imprisonment, to be by degrees perishing with Hunger, Cold, and other Hardships.

What a Banter is Liberty and Property in a Kingdom, where Credit is so necessary to its Trade; but when a Tradesman fails by unavoidable Misfortunes, even by trusting the Government, or a Noble Man, against whose Person he has no Remedy at Law, his Creditor shall have more Power over him than his Prince, or as much as the most absolute Tyrant, to take all he has, and then punish his Body with the worst of Deaths, perpetual Imprisonment; and where is the Benefit of all this, to render such a vast Number of People useless, and their Families a Burthen to the Publick, and compel others to fly their Country, or to Places of Sanctuary, where Numbers of unfortunate Persons enter into an Association to stand by one another with their Lives, in defiance of all our Laws that relate to Debt. These miserable Oppressions put Men upon a kind of a fatal Necessity to turn Knaves, and wreck their Wit to evade it all, or as much of it as they can, which by the help of the Lawyers, if they have Money, they may do; but where accrues, as I said before, the Benefit of all this unchristian

Commission of the Peace.

istian Severity? To none but to the very worst of Rogues that tread on the face of the Earth, viz. Pettifoggers, Goalers, Keepers of Spunging-Houses, Bailiffs, and their Dogs.

Before I have quite done with the Abuses of the Law, I will take a little Notice of the Commission of the Peace. 'Tis a common Proverb amongst Us, As Corrupt as a Middlesex Justice: And indeed they are corrupt enough. A Justice of Peace is a very useful Magistrate, if he keeps to, or minds his Oath, and such as We cou'd not well be without; he is ready at hand to execute the Law, be a Terror, and Check upon Evil-doers, and therefore these Magistrates are plac'd in great Numbers, in all Parts of the Kingdom, especially Middlesex; and the Nation more than sufficiently furnish'd with them, seeing hardly half of them Act; for there is a material Distinction between an acting Justice, as We call them, and an indolent one; those who do not Act, are either Gentlemen of good Estates, or good Posts in the Government, and do not think it worth their while to neglect more profitable Business, for the poor Satisfaction of serving their Country before themselves. The acting Justices are generally posted in Places of greatest Action, viz. amongst Pick-pockets, Whores and Thieves, such as inhabit the

Commissioners of the Peace.

Out-

Commission of the Peace.

Out-skirts, and poorest Part of the Town, where they are very Numerous; for the Dregs of the People, in these Cafes, bring in the largest Contributions. I knew a Justice at *Stepney*, that his Clerk Farm'd that Office of him at Two Hundred Pounds *per Annum*, and got another Hundred for himself; and another Justice of Peace in *Marine-square*, who had not a Hundred Pound a Year Estate, liv'd at the Rate of Five Hundred, for his Dominions were very Extensive, and brought him a great Revenue, viz. a part of *Ratcliffe Highway*, *Rosemary-lane*, *Church-lane* near *Whitechapple Church* (in which Lane was not one House but was a Bawdy House, or a shelter for Thieves) *Knock-Fergus*, and *Rag-Fair*, Places vastly Populous with these Sort of People, and most, or all of them, were Tributaries to this Worthy Justice, who gave them due Protection and Encouragement, so that round his Worship's House, in the Evening, when the Cats usually strole Abroad, you cou'd not pass, without either having your Pocket pickt, or your Clothes torn off your Back, to oblige you to go with them; and if the Question was ask'd why the Justice of Peace, or his Constables, did not keep better Order, or suffer those leud People to act so openly, 'twas answer'd, That the principal Market there

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thereabouts for the Whores, &c. at Night, was amongst the Constables at the Watch-house, close by the Justice of Peace's House; and that two Constables who live in *Church-lane*, aforesaid; and daily attended this Justice, were seldom without several Highway-Men, Whores, and House-breakers, as Lodgers, and Boarders in their Houses. 'Tis too notorious to the World, the Blockishness, Knavery, and Connivance at Lewdness, and Villany of many Justices of Peace; but the Proofs and Particulars are very much too long to insert here. If most of these Gentlemen were able and honest, 'twas impossible so little Notice wou'd be taken of the many Orders, Proclamations, &c. against Vice and Prophaneness; Removing Papists Ten Miles from the City, and keeping a watchful Eye on the Enemies of the Government, and Things of the like Nature: That Office, through filthy Lucre's sake, is corrupted as well as others. A French Protestant told me this Story immediately after it happen'd: In the late Queen's Time he was at *Tom's Coffee-house* in *St. Martins-lane*, where the French frequent, so that in a Room full you will scarcely find an English Man; and some of his Country-men, who were Papists, being talking of the Times, told the Protestants there, that this Kingdom wou'd not long

Commission of the Peace.

be a Shelter, or a Protection for them, for the right Heir wou'd soon be restor'd, and then the Gallows, or the Gallies, wou'd be their Portion, with many other treasonable Words. The *French* Protestant thought it his Duty to discover such profest, and dangerous Enemies to the Government; therefore went to a Justice of Peace, gave in his Information upon Oath against his two Country-men that spoke the Words; accordingly the Justice of Peace granted his Warrant, and they were brought before him, and the Words prov'd by the Informant, and other Witness; and when they expected the Justice wou'd have committed them to *Newgate*, or the *Gatehouse*, in order to be try'd for their Lives, he only gave them a slight Reprimand, and said, If he ever heard they did the like again, he wou'd lay them by the Heels, and so discharg'd them. In the Evening, two Days after, these two very Persons met the *French* Protestant that inform'd against them in *St. James's Park*, near the Passage opposite to the *Mews*, and calling him *Hugonet Dog*, both drew their Swords, and had he not taken to his Heels, being an unarm'd Man, and run into the *Red Lion Inn*, which is just by the Passage, he had been Murther'd. When he told me this Story, I proffer'd to go before the Secretary of State with him, and

hear

Commission of the Peace.

hear what he wou'd say about his Country-men and the Justice of Peace; but the Man was so discourag'd and frighten'd, that, as he heard, so he believ'd, most of our Magistrates were of a Piece with the Justice; and said, if he knew there was a Design to cut the Queen's Throat, he wou'd not trouble himself about it, or venture on a Discovery, for instead of any Reward he shou'd expect nothing but to have his own Throat cut for it.

'Tis in vain to think that Reformation of Manners can thrive, when the Justices of Peace, whose particular Province is to take care of that Matter, want so much Reforming themselves. 'Tis with good Reason believ'd, that had only the Commission of the Peace been put into good Hands, it wou'd have been very difficult for the Enemies of our Peace to have promoted such Riots, and even Rebellion, as has lately spread it self so universally over the Kingdom. There cannot be too great Caution, or Care taken, in appointing Gentlemen for that Commission, because the Quiet and Welfare of his Majesty's Subjects, in a high Degree, depends on it; and not to bestow that Honour, and Trust in one, as a Feather in his Cap, who never intends to act; and to another, it may be, not hearty for the Government; or at least Ignorant, Indigent,

K 3

or

*Ecclesiastical Court.*

or Avaricious, and will not stick to play at small Game rather than stand out, and so admit of Whores and Thieves as his Tributaries.

*Ecclesiastical Court.*

I must have one little Touch on the *Ecclesiastical Court*, vulgarly call'd *Doctors Commons*; here is an *Augean Stable* of Filth that requires a *Hercules* to remove. This Spawn, or Relick of Popery, is thought to be perfectly needless, for the Courts of Common Law may have Offices to prove, and register Wills, or any other necessary Business they transact; so that this Place is only a Harbour for the worst Herd of black Cattle in the Kingdom; and those of them that are not Atheists, have generally great Inclinations to Mother Church of *Rome*, who first modell'd their Court, and so consequently the greatest Jacobites in this Country. But forsooth this is a Spiritual Court, but I fear of the Kingdom of Darknes, which punishes Fornication, Adultery, Blasphemy, and the like; determines the Case of Marriages, whether lawful or unlawful, and is of great Use to separate a Man from his Wife, when he grows weary of her, and has Money enough to pay for it, as I will give an Instance presently. And indeed, if any one wou'd consider how Virtuous, and Religious the present Age is, and how these Vices are punish'd, they cannot but

*Ecclesiastical Court.*

but admire at the Benefit of this excellent Court. They will, now and then, catch a poor Dog, make him stand in a white Sheet, do Penance for calling a Woman Whore; but as for Blasphemy, Whoring, &c. Sins they are superior to their Neighbours in, is not their Business to suppress, except they begin the Reformation in themselves; for my part, I never heard such open Blasphemies, and Prophaneness, as from these sort of Men, and Men so universally detested, and spoken against by all Sorts of People. I have known several Papists wou'd undertake to prove, that in some Respects this Court is more Arbitrary, and worse than their Courts of Inquisition; however, I do understand but a very small part of their Mystery of Iniquity, and shall proceed to my Instance of a Marriage.

A young Man, an Apprentice, before his Indentures were expir'd, courted a Maid, and married her, which was kept private, and a convenient Lodging taken for her accordingly; soon after he was out of his Time, a Fortune fell to him, and an Offer of another Woman with Money, whom he lik'd better than his Wife; but not knowing how to get rid of her, was soon put into the Way by a Doctors Commons Man, which was thus, He cited his Wife to prove her Marriage; upon the

*An Instance of a Trial about a Marriage.*

Trial, which I heard, the Woman first brought several credible Witnesses to her Reputation; prov'd the previous Courtship, afterwards they took a Licence out of their own Office, as it appear'd by their Register; then the Marriage by virtue of that Licence, and the Register of the Church Book, together with the Witness of the Clerk, and some others present at the Wedding. Then the People of the House where they lay the first Night, and three Persons swore they saw them put to Bed together, afterwards the People of the Lodging which he took for her, depos'd, That he for several Months own'd her for his Wife, provided for her accordingly, besides several Letters from him she produc'd to the same purpose. Yet all this wou'd not do, for the Judge very learnedly determin'd, that whereas their Books inform'd them 'twas requisite to have about Fifteen or Sixteen Qualifications to prove a legal Marriage, and this good Woman wanting two or three of them, he pronounc'd it no Marriage (and by the same Rule might have unmarried the whole Kingdom, and made all Mens Wives Whores) and the young Fellow, who sat laughing in the Court all the while, was left at liberty to marry who he pleas'd; the Judge not regarding the Curse entail'd on those who part Man and Wife. The poor Woman,  
when

when she heard the cursed Sentence, and her Doom, fell down in a Swoon in the Court, and the Women who heard the Trial, were for pulling the Judge, and Councils Throats out, for they fear'd it wou'd be a President for all their Husbands to get rid of them; but when she recover'd, appeal'd from this unjust Tribunal, to the righteous Judgment Seat of God; but her Lawyers were of Opinion, 'twere better for her to appeal to the Court of Delegates, which wou'd not cost her above a Hundred Pounds; but she had not the tenth Part of that Sum to spend, and then if her Husband had more Money than she, 'twas Ten to One if she was not left as they found her, except easing her of all her Money.

If this Cause had been try'd in the ordinary Course of Justice at Common Law, by a Jury, 'twas morally impossible to have pack'd such a Set of Men together as wou'd have given so black a Verdict.

There has been Forty Thousand Pounds spent in a Cause of Marriage, in that Court, and before the Delegates, of a great Fortune marrying two Gentlemen, who shou'd be the Husband, which they left undetermin'd at last; and I heard an old Proctor of the Commons say, that he was afraid he shou'd never live to see so good Times again; I demanded of him, what Times he meant, he  
said,

Select Vestries.

said, the Time of the Plague, and the Time of that fat Cause, in both which he got an Estate.

I went to Dinner with some of the Doctors who were Council against the poor Woman beforemention'd, and ask'd them whether they did not think that Man was as lawfully married to the Woman they pleaded against, as any Man in England was to his Wife; they confess they believ'd so, but what was that to them, who were Council retain'd on the other Side. 'Twas confidently reported amongst them, that the Judge had a Hundred and Thirty Guineas for a Bribe, besides the other Bribes and Charges the Villain was at to be parted from his Wife: But this wicked Judge, that never did any Thing without a Bribe, died miserably soon after.

It wou'd be too long to enumerate all the Chargeableness, Litigiousness, Bribery, and Corruption of the Admiralty Court, in the Prosecution and Condemnation of Prizes taken in the late Wars; but this I suppose, as well as infinite other Villanies, will be set forth at large in the Book the Gentleman is writing, before spoken of.

Select Vestries.

Another great Grievance to the Nation, is *Select Vestries* in most Parishes throughout the Kingdom: These the late Lord Chief Justice Holt, in a Trial before him, call'd *Select*

Select Vestries.

*Select Companies of Rogues*: They are a parcel of Fellows, in many Places, the Dregs of the Parish, and in some Cases of more Authority than a House of Commons, for they can levy Money at Discretion upon the Subject; solely by their Arbitrary Will and Pleasure make a Distress, and sell the Goods immediately.

They choose themselves; for when any of their Society dies, or is otherwise dispos'd of, they elect another in his Room, and so render themselves perpetual; a Privilege the House of Commons have not.

They choose all *Lecturers*, and other *Parish Officers*, and as Bribery, Favour, or Affection sways, can compel, or excuse a Parishioner to serve in the meanest and most troublesome Office in the Parish.

They influence mightily Elections in Parliament, Mayors, Common-Council-Men, &c. for if a Parishioner will not Vote as they will have him, they will be sure to sit upon his Skirts.

They Audit their own Accounts, by choosing some of their own Body for that Office. In short, a great many other Rogueries, Cheats, and Oppressions, they exercise in their Parishes, by having so large a Power, and continuing it to themselves, which is great Temptation to Corruption; all which might be easily remedied, by clipping

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ping their Prerogative, and making them be chose Annually by the Parish.

Incredible are the Sums of Money rais'd through *England* for the Poor, tho' the Streets swarm with Beggars; and 'tis beyond all doubt, that hardly a moiety of it is really, or justly apply'd to that Use.

I might here touch upon the Corruption, and Abuse in Hospitals, and in all charitable Foundations; but lest this Book shou'd swell to a greater Bulk than I intended, it must be let alone for the present.

*Observations on Greenwich Hospital.*

But I cannot omit some Observations on *Greenwich Hospital*, because it relates to our Seamen. King *WILLIAM*, when he view'd this Hospital, said, *The English had the Vanity to make magnificent Palaces for Beggars, when their Princes liv'd in Cottages.* The Revenue of this *Hospital* is not supported by a Tax on any other of the Subjects but the poor *Sailors*, they paying Six Pence a Month out of their Pay; this, with Gifts given to it, is in great part laid out in a stately Structure, which, tho' it be never so much for the Glory of the Nation, is very little for the Benefit of the *Seamen*; on the contrary, the Building being so chargeable, the less Men can be entertain'd in it till the whole *Hospital* is finish'd, which according to the present Plan, and progress of the Works, cannot be in many

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many Years. But what signifies all this Grandure of an out-side Building to a poor *Sailor*, in which he must be confin'd from his Wife and Relations during Life, and made do a needless Duty. 'Tis computed the Charge of every Man there amounts to about 33 Pound *per Annum*; now give each of these Men but 20 Pound a Year *Pension*, and let him shift for himself, and he will be ten Times better pleas'd. Few Men but have Kindred and Friends, who they wou'd be glad, after the Hazards and Fatigues of a very troublesome Life, to spend the latter Part of their Days with, and even be buried in the Graves of their Families: This wou'd be attended with great Advantages to the poor Men, and to the Government likewise; the poor Men wou'd disperse themselves all over the Kingdom, get into cheap Countries, where they might plentifully Board for ten Pounds a Year, be under no Confinement; Liberty, next to Health, being the greatest Pleasure of Life; and many of them having good natural Parts, wou'd so please the Country Gentlemen and Farmers with their Conversation, and Relation of Sea-Adventures, which the Country People are in a great measure Strangers to, that they wou'd be generally care's'd, made easie, and happy in their Circumstances, and persuade

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swade a great many young Fellows into a love of the Service at Sea.

The Advantages to the Government wou'd be; that as these Men by Inclination, so by Duty and Gratitude, wou'd hold themselves bound to spread the Praises of it, as much as in them lay, and take off mislead Peoples Prejudices from it, and be living Monuments of the Care the Government takes of those who faithfully serve it; but these good Consequences cannot be suppos'd, if these Men, who by this Way wou'd disperse themselves in all Corners of the Kingdom, continue to be coup'd up in one Place, where their Confinement, and ill Usage, sours their Temper, and causes perpetual Murmurings amongst them.

But another great Advantage that wou'd accrue to the State, wou'd be, that 'twou'd save a great deal of Money by it, which is a weighty Consideration now a-days, and indeed in all Times. There is about 500 Men now in this *Hospital*, and if this Method were put in Practise, the Charge that maintains these 500 Men upon the Establishment they are at present, there may be 1500, with each a Pension of 20 *l.* *per Annum*, for the *Officers* of the *Hospital* swallow up a vast Sum, of which there wou'd be now no need, besides the Frauds, Cheats, and Corruptions in all those Foundations.  
The

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The great Trust vested in the Steward of this *Hospital*, without a legal or regular Controul, or Check, gives great Opportunities for Collusions, Bribery, and other Abuses.

Here all Justice and Discipline is turn'd out of Doors, and the Usage of the Navy at Sea, and at Land, where any Order is observ'd, which is for Superiors to be prefer'd before Inferiors, as in Pensions, and the like, where the Rank and Quality of the Person, according to the Post he serv'd, is always regarded; but in this *Hospital* 'tis quite the contrary, the *Warrant Officers*, such as *Purifiers*, *Boatswains*, *Masters*, *Gunners*, &c. are not distinguish'd from the common Seamen, and their Victuals many times so bad, that I have heard them say, they have sometimes sold their Dinner for a Penny, or a Half-penny, when by the Partiality, Favour, or some other By-ends of the Managers of this *Hospital*, there are Fellows call'd *Boatswains*, who are put over these *Warrant Officers* Heads, have a particular Table allow'd them, have the best of the Meat either roast or boil'd, as they think fit, with Attendance on them, and half a Crown a Week; and these new fashion'd *Boatswains* are compos'd of *Marine Soldiers*, *Tailors*, *Cobblers*, and *Fidlers*: This is a great Heart-breaking to the *Warrant*



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*rant Officers*, who have liv'd well, and been equally respected with *Commission Officers* under a *Captain*, and even to the common Sailors, to have such Persons who they knew Abroad to serve in no other Capacities than above, and were despis'd in time of Service by the meanest Seamen, as much below them, to be ashore, where no need of any Service is, not only preferr'd before them, but even the *Warrant Officers* themselves.

Then here is so much Respect shew'd to Recommendations, that the Intent of the Foundation of this Hospital, as well as all other Charities, is in time corrupted and inverted; 'tis thought, that take away the Blew-coat Habit of the Children of *Christ Church Hospital*, in the City, founded by King *Edward the 6th*, and in a few Years, instead of the Children of poor decay'd *Freemen* of the City getting in there, the *Aldermen*, and other *wealthy Citizens*, wou'd fill the *Hospital* with their Off-spring; but 'tis the Disgrace of the Habit that generally hinders the others, and is a Protection to the poor Orphans; so *Greenwich Hospital*, if a Scrutiny, or Visitation was made, 'twould be found upon a strict Examination, that hardly a moiety of the Men are entitl'd, according to the Laws of the Foundation, to be there; this is the Effect of powerful Recommendations.

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mendations, when a Gentleman has a mind to be rid of an old Servant, which he is not willing to provide otherwise for, by Bribery, and other clandestine Ways, to the unjustly shutting out the deserving, but decay'd Sailors, for whose Relief this *Hospital* was only erected. I wou'd not be thought, by this, to insinuate the turning out of any old decay'd Men, who are now there, let them get in which way they cou'd, God forbid; my Intent is only to give Hints to prevent these Evils for the future.

Besides all this, for very small Offences, the brave *Sailors* are often turn'd out of the *Hospital*, and so have their Bread taken from them upon every Caprice, or Prejudice of the *Officers*; a very hard Case, that after Twenty Years, or more, faithful Service of their Country, to be rob'd of that Reward to which they are so justly entitl'd, and which their own Brethren pay for; but this they wou'd not be in hazard of, or liable to, if 'twas put upon the Foot of a Pension; and indeed the true Intent of *Hospitals* was originally for those they call *In-valids*, diseas'd, or disabled Men, by great Age, loss of Sight, Limbs, or such Distempers as totally render them incapable of so much as stirring Abroad; and so it becomes absolutely necessary some Places should be set apart either to Cure them, or Cherish them.

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under the Inspection of able *Physicians*, *Chirurgeons*, and *Nurses*; but most of the Persons put into this Hospital, are healthful, and hearty old Men, who yet, by their long Service, are entitl'd to this Charity; and many of them have some Art, or Trade that wou'd be a great help to them, if at liberty to make use of it.

'Tis too long for this Place to enter into the Detail of all the *Abuses* and *Corruptions* of this *Hospital*, of which I cou'd muster many more; and 'twould be perfectly needless, if the above Method is taken, which wou'd effectually put an end to them. The *Lame*, the *Blind* or *Bed-rid*, might be remov'd to *Chelsea*, or where else the Government pleas'd: The Revenue of this *Hospital*, paid into his *Majesty's Exchequer*, and the *Pensions* to the Men paid in what Method the Government thinks fit; or if the *Receiver General* of the *King's Taxes* in the Countries where the Men reside, were empower'd to pay them quarterly, 'twou'd be much for the Ease of the poor Men, and the Credit of the Government, which wou'd hardly feel it, considering the *King* had the Incomes of the Hospital paid into his *Exchequer*, by which Means the Government might save, or gain many Thousands of Pounds, or be enabled to cherish so many more Seamen. The *Hospital* converted in-

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to one of the *Palaces* for our *Kings*, which by its magnificent, and convenient Situation to receive *Ambassadors*; the Advantage of the Hill, and River, to make *Cascades*, *Fountains*, and other *Water Works*; and Nature having been lavish of all her rural Beauties to make the Park the pleasantest spot of Ground in *England*, with such a Prospect as the Earth does no where else afford; this, together with *Whitehall* when built, and *Hampton Court* already built; all upon the Banks of the noblest River in the World, wou'd be truly such a Glory to the Nation, as cou'd not be parallel'd throughout the Universe.

To Sum up what I have already said, I shall only observe, that 'tis wonderful to consider the Power and Strength of this Kingdom by what it bears, like a tough well bred Horse that can hardly be rid to Death; half these Distempers, one wou'd think, were sufficient to ruin or debilitate the greatest Monarchy on Earth.

'Tis not to be imagin'd, that I can think, <sup>*'Tis not thought, or propos'd, no, to Remedy all the Evils complain'd of in this Book at once.*</sup> or propose, that 'tis possible to remedy all these Evils at once, or of a sudden; 'tis a Complication of Distempers, and some are Chronical, which are not to be cur'd with a few Doses of Physick; Time, and constant Application to it must do the Work by degrees; and some of the most notorious

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of them may be easily remov'd, such as the *Marshal's Court*, Abuse of Goals, Relief of Poor Debtors, &c. But I will hasten to my concluding Discourse, of a Publick Spirit.

*The Insincerity of the Age.*

The little Sense the Age has left of *Honour, Truth, and Sincerity*, is a great Misfortune to Us; these are hardly counted necessary Qualifications of a Gentleman. Men affect to appear Popular, by having great *Levies* constantly attending them; this Policy they hope will induce the Government to court their Friendship, and so consequently get good Places. But with humble Submission, if the Government makes this the only Rule to advance People to great Employments, it may very often chance to take in Persons who will do it a Pound of Mischief for an Ounce of Service; for generally these are a sort of *Courtiers*, who use a World of Compliments, are wonderful Civil, and liberal of Professions of Services to every body that applies to them, but do for none but those they get most by. They never suffer their Hearts and Tongues to agree together: They very rarely mean as they say, but promise you one thing tho' they intend quite the contrary; make you constantly wait upon them; keep you on the Rack and Torture for Months and Years,

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Years, before they will grant you the *Coup de Grace*, to put you out of Pain, and kill you quite.

This manner of Proceeding is very wide of the Notions of Honour they have in *China*: There 'tis a Custom amongst the Courtiers, and best educated Persons, that instead of oral Compliments, they give you a written Protestation of what they intend to do for you, that if they fail of their Promise, to remain as a Testimony against them, and a Mark of the greatest Infamy. If our Courtiers and Gentlemen did so, and there was a Law to sue them for breach of Promise, I doubt there wou'd be more Bankrupts amongst the Quality for Debts of Honour, than amongst the Tradesmen for Debts of Money.

*Custom of the Courtiers in China.*

How many have been ruin'd by this tricking and base Insincerity! Cannot a Man, if he has the least regard to true Honour, and Honesty, tell a Person, after a small time of attending, whether he can, or will serve him. A Man of Quality shou'd be as much above, and despise the mean pitiful Arts, Shifts, and Vices of the vulgar, as he is above them in Birth, Fortune, or Station; but when he does that which an honest Porter wou'd blush at, his Quality then is as a dead Weight, which sinks him as much in Contempt under the lowest degree

*Many ruin'd by the Insincerity of Courtiers.*

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gree of the People, as before he seem'd to be above the common level of Mankind. If a drunken Linkman, or Carman, shou'd be guilty of some notorious Indecency in the Street, to the open view of the Mob, it wou'd not be so odious, or wonderful in them, as in a Gentleman well drest.

If to live easy and quiet, and sometimes to enjoy our own Company in a little Retirement, free from the noise and hurry of this World, be a great Happiness, I cannot see the Prudence of those Persons, who create to themselves this perpetual Teasing of numberless Followers, and Solicitors for Favours; by voluntarily and needlessly promising to one part of them to whom they cannot be as good as their Word; and the other, what they never intend to perform. If they wou'd use more Sincerity, they wou'd infallibly rid themselves of abundance of importunate Suitors, and get the valuable Reputation of Men of true Honour. No Man in his Senses can be angry, when he is deny'd that which the Person he solicits fairly shows him he has neither Reason or Obligation to do for him; or otherwise, that 'tis not in his Power: But to keep People in Hopes, make them loose their Time, expend their Money, disappoint them of other Opportunities, all with a Design to deceive them at last,

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is so vile, that it wants a Name, and only serves to entail Curses, and lasting Infamy, instead of Blessings, and a good Character.

What the Policy, or Intent of such Proceedings is (which is, or have been so fashionable and common amongst our *modern Courtiers*) or what good Account it will turn to, let those experience who make a Merit by such dishonourable Ways. I do not charge all Men of Figure with this manner of Behaviour; I know some worthy Persons that scorn it, who have more noble Souls; the other being the Marks of a pitiful Spirit, and as I said before, does their *Prince* a great dis-service, by sowing, and alienating the Hearts of his Subjects from him; for if these great Men, by reason of their Posts, represent his *Majesty*, through whose Hands he conveys his Administration to his Subjects, they leave the Impression of a bad *Prince* on the Minds of the People for making choice of such ill Ministers.

This brings me still to affirm, that as a Publick Spirit is absolutely necessary in a Great Man, not only for the Service of the Prince, but good of the People, so Religion is the essential Qualification of a Publick spirited Man. And here I humbly beg leave to dissent from the Opinion of an excellent *Prelate*, who has one Passage in an admirable Sermon of his, which is shocking

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ing to me; and either I cannot agree to it, or comprehend it. I wou'd not have Greatness complimented at the Expence of Religion; this, I think, is carrying the Matter a little too far.

I remember an eminent *Divine* laid himself very open for just Censure, in a Sermon he preach'd at the Funeral of a great *Duke*, wherein he made many Panegyricks on his Grace's superior and exalted Understanding, and pav'd the Way easy for him, and those of like Quality and Gifts, to go to *Heaven* by a *Death-bed Repentance*; and though their whole Life, to a great Age, had been a continued Series of Lewdness and Debauchery, yet at the last they might repent with such a Grace, and in so Polite a manner, as wou'd in probability atone for all past Miscarriages, which a poor and vulgar Capacity was not capable of. This Doctrine makes the reverse of our Saviour's, for then 'tis easy for the Rich, who have good Education; and hard for the Poor, who have none, to enter the Kingdom of Heaven: No, *the sighing of a contrite Heart* is more eloquent with God, than all the fine Orations Man's Learning can invent.

But to return to the Passage out of this late Sermon (excepting which I admire every Word of the rest.)

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This great *Prelate* does allow, that wicked Men, especially great ones, endanger the Church; and I say the State too, though afterwards he seems to deny it. But he says, *Wicked Men, of good Abilities, will always be employ'd in all Governments.* I fear 'twill be found too sad a Truth what my Lord says, that wicked Men of good Abilities will always be employ'd in all Governments; and he might have said, have been always employ'd, for otherwise, how cou'd come all the Calamities that have fallen upon Mankind in all Ages? but from the Wickedness of the Men in Power. The Devil, our capital Enemy, the Destroyer of Men, makes use of no Fools for his principal Instruments. The Apostle says, from whence comes *Wars and Fightings, &c.* but *from your Lusts or Vices.* Sacred Writ shows us many Instances of, a wicked King, a wicked People; a good King, a good People; and our own Experience tells Us, an ungodly Court, an ungodly City: And the Contagion seldom fails to spread as far as the Country; a drunken Parson, a drunken Parish. This is only to show what is the natural Consequences, or can be expected from the Examples of those in Power; and that God has no where promised Prosperity, Blessings, or that any Good shall come from the Administration of such Ministers.

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nisters. Our Blessed Saviour says to his Apostles, *Let your Light so shine before Men, that they seeing your good Works, may glorifie your Father which is in Heaven.* Ministers of State stand in the highest Places, and strongest Lights, and 'tis of no small Consequence in what Colours they appear. Our Princes, Kings, and Queens, have frequently issued out Proclamations against Vice, Immorality and Prophaneness, take Notice of it in Speeches to their Parliaments; and many times declare, that only Virtuous and Religious Persons shall be best intitul'd to their Favours. I hope all People think they were in earnest.

My Lord further says, *The Saints did never yet govern the Earth, nor ever will.* Whether the Saints have, we must examine; but when they shall have any share in governing the Earth, I cannot tell; there's not much Prospect of it now, the more's the pity; but if the Saints are not the Governors of the World, they shall be the Judges of it; yet in old, if not in later Times, Saints did govern part of the Earth, *St. Abraham, St. Job, St. David, St. Hezekiah, St. Josiah;* and many more in later Ages, *Constantine the Great,* and other good Christian Emperors; in our Nation, King *Edward,* Queen *Elizabeth,* and many more pious Princes, who had also religious Ministers,

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sters, who we hope are Saints in Heaven. Besides, his Lordship, and the rest of the good Bishops, who have much better Title to be Saints, than many that have been Canoniz'd, are part of our Government, or Governors, as they are Peers of the Realm.

But to proceed, his *Lordship* says, speaking of Ministers of State. "They are the  
" Men of Judgment, Languages, Dexterity  
" and Skill, that know the World A-  
" broad, and all its Interests, and that  
" thoroughly understand Mankind, that e-  
" ver were employ'd, and ever must be u-  
" sed by States and Princes, whether they  
" be Virtuous or Religious, or no; that  
" is their own Concern, and they must  
" look to it. Princes and States, if they  
" will be secure, must have regard to such  
" Abilities, and Qualities, as are proper for  
" their Service; and would, no question of  
" it, be very glad to have them also Virtuous  
" and Religious; but they must often be  
" content without the latter, if they find  
" the former. In Countries, where the  
" Clergy themselves are Ministers of State,  
" and execute all the great Offices of the  
" Country, why even there, there is little  
" or no Regard had in the choosing them,  
" to their superior Learning, Virtue, and  
" Religion, Austere Behaviour, and a Ho-  
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“ ly Life, but to other Qualities, menti-  
 “ on’d before, even such, and the same as  
 “ recommend Lay-men to States and Prin-  
 “ ces for their Ministers : And they do not  
 “ think the Church is any ways endanger’d  
 “ by vicious Ministers, if they be otherwise  
 “ qualify’d, by Faithfulness, by Diligence,  
 “ and Application to their proper Busines-  
 “ ses. I do not mean hereby to yield so far  
 “ to the reigning Calumny, as to suppose  
 “ the present Ministry to be a Vicious one,  
 “ beyond what has been before, for I am  
 “ as sure of the contrary, as one can be of  
 “ any such Matter. But I wou’d say, that  
 “ supposing it were so, yet is the Church  
 “ in no Danger by that.

My *Lord* was pleas’d to allow, a little  
 before this Paragraph, that every Na-  
 tional Church is, and always was in  
 Danger from wicked Men of no Religion,  
 “ from the Wickedness of many who pro-  
 “ fess the true Religion, and from all  
 “ the evil Passions, Corruptions, and bad  
 “ Principles of the Men that compose the  
 “ Body of it. And yet afterwards his  
 “ *Lordship* says, That *Princes* do not think  
 “ the Church is any ways endanger’d  
 “ by vicious Ministers, if they be other-  
 “ wise qualified, by Faithfulness, by Dili-  
 “ gence, and Application to their proper  
 “ Businesses.” Faithfulness, I humbly con-

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conceive, might have been left out, for  
 Faithfulness, in a strict Sense, or good Cause,  
 is a great part of Religion, which is rarely,  
 or never found in a vicious Person. Dili-  
 gence, and Application to the height of Per-  
 fection, may be found in the Devil and his  
 Ministers, not often to be had in a debauchit  
 Person ; for his Vices, and sinful Pleasures,  
 generally take up so much of his time, that  
 he cannot attend much to Business, and so  
 they are generally the unfittest Persons to  
 be depended on in any Business whatever,  
 especially Matters of moment ; and tho’  
 they do not do the Devil so universal a Ser-  
 vice as the Atheist, who wou’d root up the  
 very Foundation of all Religion, yet ’tis  
 impossible they can do God, his Church and  
 People any good ; they chiefly take care of one  
 thing, that is to go to Hell themselves, and  
 are bad Precedents for others to follow their  
 pernicious Examples ; but the Atheist wou’d  
 persuade the whole World to accompany  
 him to Perdition. The Hypocrite is the  
 most tolerable of the Three, for in endea-  
 vouring to cheat God, he cheats himself,  
 and so generally goes to the Devil alone,  
 without carrying others with him.

I must confess, in Arts and Sciences, such  
 as Musick, Painting, Architecture, Car-  
 ving, &c. Religion is not so absolutely  
 necessary to qualify Men, if you exclude  
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the Blessing that attends religious Men in all their Undertakings; but Ministers of State, who have the Care and Protection of the Church, as well as the other part of the Government committed to them, to expect Safety, or any Good from them, if they are Persons of no Religion, or live as if they had none, which is much at one, is past my Comprehension. Religion has the Promise of this Life as well as the next, or otherwise we mock God, when we pray both in Publick and Private for Prosperity and Success in our temporal Concerns as well as spiritual: We are not entitul'd to the daily Bread which sustains our Lives, till we ask it of that God which the Atheist or Irreligious Man denies. No doubt of it, I may be laugh'd at for the weakness of my Parts, and Reasoning, however, I cannot pass this Matter slightly over; make me but Religious, and I shall not envy the Man of the brightest Qualifications without it. A better, and wiser Man than we have now upon Earth, after he had ranfack'd all the Store-Houses, and Treasures of Nature for Wisdom, at last concluded, *Behold the fear of the LORD, that is Wisdom, and to depart from Evil is Understanding.* But to return,

I am very much puzzled, rightly, to know what 'tis most that endangers *Christ's Church,*  
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and when it totters or shakes, which is in most danger, the Souls or Bodies of Men? Rightly to distinguish between the temporal Advantages of this Life, and what purely leads to the Happiness hereafter. Our Blessed *Saviour* says his *Kingdom* is not of this World, and his *Kingdom* and *Church*, I think, is much the same; then if it is of the Happiness hereafter, as undoubtedly he means, then nothing hurts the Church but what hurts the Soul of Man, which I'm sure wicked Men can be no good Guardians of. If it be the temporal Advantages here, *viz.* Power and Riches, I do not know but wicked Men may be thought, by some, as proper to secure that, as good Men, but in that they may chance to be mistaken. My Lord is pleas'd to say, "That Ministers of State  
" must be Men of Judgment, Languages,  
" Dexterity and Skill, that know the World  
" Abroad, and all its Interests, and that  
" thoroughly understand Mankind, that e-  
" ver were employ'd, and ever must be u-  
" sed by States, and Princes, whether they  
" be Virtuous or Religious, or no, that is  
" their own Concern, and they must look  
" to it." But with humble Submission, I believe Princes ought to look to it, if they believe a God and Religion, for they cannot reasonably, or ought not to promise to themselves any Blessing and Success from  
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the Negotiations or Administration of wicked Men: God seldom makes use of the Devils Tools to do his Work; or at least we ought not to presume upon employing the Devil's Servants to carry on the Cause of God either in Church or State. But what I chiefly contend for is, that Virtue and Religion ought to be the first and greatest Qualification to be look'd out in a Person design'd for a Minister of State, or indeed any other publick Employment; where this is found, there you may depend is Faithfulness, Diligence, and Application to discharge their Trust with a clear Conscience, void of Offence towards God, their Prince, and Fellow Subjects; there's no unlawful Ambition, Avarice, Corruption, By-ends, the Familiars that perpetually attend and haunt wicked Men. As to the other Qualifications, 'tis strange that no religious Men can be found that are of "Judgment, that understand Languages, Dexterity and Skill, that know the World Abroad, and all its Interests, and that thoroughly understand Mankind." As to Languages, no doubt, there are religious Men who understand them as well as wicked Men; Judgment, Dexterity and Skill, are much the same. Honesty, we say, is the best Policy. Now Honesty is a part of Religion. What this Right Reverend *Prelate* says,

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as to the Choice of Ministers beyond Sea, even *Clergymen*, if they have Languages, Dexterity and Skill, without regard to any other Qualifications, I hope is no Example for Us; We are not fond to Copy after any *Roman* Catholick Patterns of Policy, either in Religion or State. What I shall labour to show is, that Religion is not only the chief Qualification in Ministers, or Governours, both of *Church* and *State*, but without that Qualification all the rest will not answer the true Ends of the Happiness of Men here and hereafter, the only End that God design'd in all Government; and that on the Council and Endeavours of Vertuous and Religious Ministers, Success and Blessings attend; to prove this by Fact, which is the best way of Proof, my little Reading and Memory will furnish but very few, but without question there are many more. Was there ever any Prince had an abler and better Minister of State than Sir *Francis Walsingham* in *Queen Elizabeth's* Reign, and he was a very Religious and Pious Man? Was we ever blest with a better Judge than the *Lord Chief Justice Hales*, and he was a Holy Man and great Divine? Our present two *Lord Chief Justices* are Religious Persons, and Divines: The Great *Duke of MARLBOROUGH*, to his utmost (in the Vice and Corruption, of a nu-

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merous Army) kept up the Spirit of Religion by the many Days he appointed for Humiliation and Thanksgiving by his own excellent Example of Sobriety, Temperance and Command of his Passions. 'Tis drawing a bad Picture of the Age, that there can hardly now be found out a Man of Religion that is qualified for a great Post: The Uncharitable and Censorious give out so, but I believe 'tis far from my Lord's Thoughts, because the contrary is Fact; for if I have, among others, the true Character of some very Honourable Persons, in particular, who now fill the greatest Posts in the Kingdom, they are Persons of Vertue and Religion; but sometimes it may chance, that in the brightest Discourses there may happen an unguarded Expression, which may want an Explanation. 'Tis not the Pride, or itch of Cavilling that tempts, or prompts me to find fault with this, or any Work of so Excellent a Man, whom I ever did, and do greatly venerate. But my Lord, in his Goodness, will pardon me, when 'tis only my sincere Zeal for Religion that makes me presume to take this Freedom, which if I am in an Error, I believe my Lord himself will think it is on the right side.

In *China* State Employments are conferr'd on none but such as are capable of them,

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them, and endued with rare and excellent Qualities. *That no Man be esteemed Noble, if he be not Vertuous*: That the Children of great Personages cannot be admitted to the Employments of their Fathers, nor entitle themselves to their Glory, Honour and Reputation, if they do not equal or surpass them in Vertue, *Fixing thus Nobility to the Person, and not to the Blood.* No Man inherits Place, Estate, or Nobility in *Turkey*, but all must rise by dint of Merit; and these Peoples Words are generally kept more sacred than our Oaths. It is enough to raise an honest Man's Spleen, or utmost Indignation, to think that Heathens and Infidels should so much out-do Christians in Points of Honour, or rather Vertue: Certainly their false Religions teach not better Lessons, or so good as our true one. These are such melancholy Parallels, or Reflections, that I must go no further with them, but proceed to some more Instances of the Policy and Force of Religion in all Civil and Military Affairs; neither can I conceive how, or what need there is to separate either our Temporal or Spiritual Concerns from Religion. The *Divine Wisdom* that sends Us to Heaven, is the best Policy on Earth; especially in a Country where the true Religion is Establish'd as well as profess'd. In Military Affairs We see the Force of it in our

*In China they fix Nobility to the Merits of the Person, and not to the Blood. Likewise in Turkey, no other Way to Preferment but Merit.*

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late Civil Wars between King and Parliament. The *Round-heads*, if they were not sincere in their Hearts, yet they reap'd mighty Advantages over the King's Forces, by keeping up the very out-side of it; for at first they were beaten, till they took up the Spiritual Weapons of *Religion* and *Sobriety* to assist their Carnal Weapons; and whatever their Leaders were in their Hearts, most of their Followers were certainly sincere, and very zealous, for they believ'd their Cause was of God and Religion, and confirm'd themselves in it, by the Immorality of the King's Party and Army, concluding they who were most Religious must consequently have God on their side, and the Event all along seem'd to prove it. And I am afraid that even the Rebels of those Times will rise up in Judgment against the Saints of this Age.

As the Usurper *Cromwel's* Army was compos'd of Religious Officers and Soldiers, so was his Council: No openly Wicked Man cou'd be employ'd under him; open, scandalous, and flagrant Sins were severely punish'd, particularly Blasphemy, a Wickedness that now Reigns with Impunity, and without Controul, of which the *Roman* Catholicks justly upbraid Us; for they say, that tho' We have severe Laws, and punish Words against our Prince, there's very few,

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or none call'd to Account for speaking Treason against the *Great Majesty of Heaven and Earth*, which no Greatness, Quality, or Friends, can excuse or save from Punishment amongst them; and this is the chief Reason they give for setting up *Courts of Inquisition*.

'Tis said that King *Charles* the second asked *Thurloe*, *Oliver Cromwell's* Secretary, who liv'd after the Restoration, how could *Cromwel* and his Adherents, which were hardly a hundredth Part of the Nation, keep him out so long? Which he thus answer'd, That they employ'd no one, especially in a Place of Trust, but what was a religious and sober Man, at least of their Religion, and such Men they courted to serve them, by which they were sure to be faithfully serv'd. They did not give these Men the Trouble to sollicite for Places, (far from buying) they having no manner of Regard to such sort of Applications, which with them was rather to hinder a Man from Preferment, than ever procure him a Place; and that they had such a Regard for a Zeal for their Cause, which was carry'd on under the Mask of Religion, however, it had the outward Signs of it, such as a sober and vertuous Life, that they did not much study any other Parts to recommend a Person to them for great

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Employments. Thus the Fleet was commanded by *Horse-Officers*, and the Navy manag'd by Persons that had serv'd no Apprenticeship there, and had not early learn'd the Art of cheating. There was no bugbear Objections against a Man's Want of Abilities and Experience, if he had these more valuable ones, of a Publick Spirit, and a Zeal for his Country. By which Management in their short Administration, they struck a great Terror in the World, and made all Nations within their Reach submit to them.

If a Religious Zeal for a bad Cause, an Usurpation: If at worst an outside of Religion could be of such Force, and like a Torrent bear down all before it, what cou'd not the Power of true Religion in a legal Government do. Say what we please, 'tis the greatest Wisdom, and that is the best Policy in all Governments, and this Politick Part of Religion was the Motive that induc'd me to presume to show my Dissent from my Lord's Opinion, but for the Divinity part of it, we all agree.

I shall now go a little farther, and make some few Observations on Publick Writers, that have recommended Religion and Vertue to us; I do not mean *Divines*, I have a great Reverence for the *Sacred Order*, and if I have offended in what I have already said, I humbly beg Pardon. I

Of a Publick Spirit.

I shall publish no Books of the *Rights of the Christian Church*, of *Free-Thinking*, nor *Letters to the Pope* to make all *Protestant Priests*, in some Degree, and in the Case of Infallibility greater Cheats than the *Popish Priests*, much good may it do them, with their Wit this Way. 'Tis an Order essential to the true Religion as well as a false. Down with the Order, or bring it into the utmost Contempt, which is much at One, and then every Man may set up what Religion pleases him best, or think away all Religion. The Cheats of some *Priests*, or false ones, is no Argument against the Institution, no more than the Abuse of Religion, is a Reason that we are to have no Religion at all. Notwithstanding what false colouring witty Men may put upon it, the Design to an ordinary Capacity, is plainly levell'd to discredit Religion, and this Use the prophane and corrupt Part of Mankind make of it, and give great Scandal to the Religious Part. As much as we despise a *Priest* or *Minister of the Gospel* in our Health, and gay part of our Life; we cry out for his Help, when our Mind is distemper'd, under the Pangs of a guilty Conscience, under the Agonies of a wicked mis-spent Life on a sick Bed; Oh then the Physician of the Soul is thought necessary, but they are not often call'd for,

but when we are in a manner past Hopes and Cure. I am not fond of a Case-hard-en'd Conscience, which will rarely stand Proof on a dying Bed, and never in the Day of Judgment. 'Tis worth the while of the longest Liver here to secure some Cordials of Comfort in our last Moments; on the other Side, all the sensual Pleasures that we strive to gratifie our unsatiable Lusts with, cannot in the least compensate for the Terrors and Torments of a despairing and dying Sinner.

Abuse of  
the Cler-  
gy.

'Tis abominable to see the licentious Liberty that is taken, not in our innocent but rather wicked Diversions, at the *Theatres*, with such a daring Impudence to abuse so considerable an Order of Men as the *Clergy*, no inconsiderable a Part of our *Constitution*, by frequently exposing the Character upon an open Stage, to make Sport for *Buffoons* and *Rakes*, having a standing Rule amongst the Scum and Rotten Part of the Creation, never to bring a *Parson* to act any other Part than that of a Fool, Drunkard, or Knave, with vilanous Nick-names. Such Prophaneness, Folly, and Audaciousness, was never suffer'd, or so much as heard of, in any other Countreys of the World, Christian or Heathen; despise and scandalize the Artists, and the Arts or Science will have little Credit.

I

I am not setting up as a Defender of the Clergy, in Order to court their Favour, as some may insinuate, they are Gentlemen of Learning and Parts, and stand in little need of me for an Advocate, neither am I a Bigot. I must keep to my Text, and answer, as well I can, the Title of my Book (*a Publick Spirit*) which I affirm, cannot be separated from, or subsist without Religion. A Man of no Religion will do good to no Body but himself, or only to them which suit best with his Interest. Nothing teaches that excellent Grace or Vertue of Charity but Religion, and what is of so extensive a Good to Mankind as Charity. As long as there are some Passages in the Scripture, which need Expounding to a vulgar Capacity, and Ordinances annex'd to the *Christian Religion*, which must only be perform'd by the Order of *Priests*, so long they are of absolute Necessity, and of infinite Use to Mankind, not only for our future Happiness, but well governing the World. If convincing Men of the Certainty of Rewards and Punishments hereafter, the Necessity of keeping a good Conscience void of Offence towards God and Man, be stronger Ties than all human Laws, which by cunning Men may be evaded, be needful to make Men good Subjects as well as good Christians, so long they

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they are necessary, notwithstanding all the Mischiefs evil Priests do, for which they are accountable not only to God but to Men. I do not design to compliment all sorts of Priests, and so jumble good and bad together, but why should the Order be insulted or abus'd, for the Miscarriages of some? We do not so treat Professors of other Sciences, tho' every one of them has their Quacks and Mountebanks. Priests have their human Frailties as well as the Laity, tho' not so common, and if we are scandalized at the loose Behaviour of one Priest, God be thanked, we need not travel far to find out a better; many of them are furnish'd with Variety of good Qualities, Pious Lives, profound Learning, Wit, good Englishmen, and as great Lovers of their Country, as the heartiest Lay-man of us all.

Observations on publick Writers that have recommended Religion and Vertue.

But to return to such Lay-Men as have most excellently painted Religion and Vertue in the most beautiful Colours, and Vice in its true Deformities, but have only practis'd the latter, and deny'd the former in all the Actions and Conduct of their Lives. Methinks I see these Men after they have publish'd some admirable Work to perswade the World to tread in these Paths of Peace and Happiness, amongst their drunken, debauch'd, Atheistical Comrades, laugh at all

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all they have done, to see how much Moneey they have got by endeavouring to make others believe that, to which they give no Credit themselves. This would not pass in so bad Times as *Oliver Cromwell's*. Living vertuously was what he requir'd more than fine writing or prating of it. I must confess that denying Religion in our Lives, and defying or writing against it too, is a horrible Aggravation; but who dares do that, not the very Devil himself, for he could hardly deceive any one that way, because in the worst of Men there is so much of the Divine Ray, or a secret Impulse left, that they cannot help giving an Approbation to Religion and Vertue, or at least to confess so notorious a Truth, as that 'tis best calculated and most agreeable for the Happiness of Mankind here; therefore we do not much thank those Men who barely recommend Religion and Vertue by their Writings, and deny it in their Actions. Example, every one allows, is of greater Use and more prevalent than Precept; but I am of Opinion that these fine *Orators* for *Vertue* and *Piety*, that give the Lye by their Actions to all they say in their Works, are the greatest Enemies, of all others, to Religion. How nauseous it is to see those bright Authors labour to convince us of the Necessity of *Justice, Integrity, Temperance,*

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rance, Chastity, and all other moral Vertues, as most beneficial for our Happiness here, and well-being hereafter, and never pay their own Debts, notwithstanding they have great Incomes, ruin Families, have no Regard to their Word or Honour, overreach every one they can, live a luxurious, debauch'd and leud Life, spend that Money upon Strumpets, Treats and Gluttony, which belongs to their Creditors, shelter themselves under Protections from the Law, and all this while rendring those Fools and Villains who make the same Vices their Practise. This brings the greatest Discredit possible upon Honesty and Vertue: for if a Parson that is drunk all the Week with his Parishioners, preaches never so much for Sobriety on a Sunday, he creates only a great deal of Laughter and Ridicule, and makes no Converts; his Doctrine shall make few or no Saints, but infallibly harden Sinners, and propagate Vice, by his scandalous Way of living. Such Authors are wonderful Promoters of Atheism, for when their Lives are as conspicuous as their Writings, the staggering Sinner or profane, will easily form these Arguments from it (especially having the Weight of his own Corruptions to throw in the Scale) If a Man of this sublime Sense and Genius, in his Life and Conversation, follows none  
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of those Rules he prescribes to us, 'tis impossible he can believe, what he wou'd have us believe: Why should we think otherwise than he, who is so much superior to us in Wisdom, Learning and Parts: His Conduct is not a bit of a Piece with his Professions, therefore we think it the most rational Way to be guided by his Practise, which is so much more agreeable to our Inclinations than to mind his fine worded *Harangues*, which no doubt he made more for his own Profit and Advantage, than for ours, as likely to get him a Reputation he has no just Title to, and bring him in most Money.

There can be no Communication between *Christ* and *Belial*, we cannot serve *God* and *Mammon*. Notwithstanding these fine Writers would fain keep a fair Correspondence with both, wou'd willingly deceive the World, and sometimes put on the Dress of an *Angel of Light*, yet for all that they cannot hide their cloven Foot, because they have such a Love and hankering after those favourite Vices, which in their Writings they declaim against, that to please themselves and their leud Companions, they will sink from *Heaven to Hell*, fall from the *Stars* upon a *Dunghill* or into a *Jakes*, from a Paper writ one Day upon the most *Heavenly* and exalted Subject, to a Panegyrick  
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the next on a vile *Player*, silly *Buffoon*, *Atheist*, finisht *Rake*, or profligate *Rogue*, with the most moving Expressions, that Wit and Eloquence can dictate, or invent; so that if they have a Divine Pen, they have a polluted, groveling, and dirty Soul, a rottenness at Heart; and a down-right, plain honest Man of a common Capacity, is as much above them in the sight and esteem of God and all good Men, as they wou'd be thought superior to him in Learning, Oratory, and Poetry. They frequently betray themselves into a false, or degenerate sort of Wit, by pittifully condescending to treat of trifling, whiffling Subjects not worth mentioning, and fit only to make *Prophane Debauchees*, *Fops*, *Beaus*, *Cocquets*, *Prudes*, and such like Animals or rather Insects, Grin, and Laugh. Thus they often Sacrifice, or prostitute those admirable Talents given them by God for the good of Mankind, to the Service of the Devil, and to the most vile and unworthy Subjects.

I foresee that amongst many others, one fault may be found with this Book, that in Matters of such Importance which are here treated of, there are told a great many little trifling Stories, which depreciate the Subject. I can only answer, that if there is any Weight, or Credit, in the rest,

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rest, they may easily be left out; however if they were, then there wou'd arise another Objection (for 'tis very hard to please every one) that here is abundance of asserting, but nothing prov'd, and to gratifie these last Gentlemen without (as I think) hurting the Book, I have annex'd these few Facts, as Patterns, by which you may the better judge of whole Pieces. Another Objection may be, that my Book is like a Cart Wheel, that throws Dirt all round it; but how cou'd I answer my Title of a *Publick Spirit*, if I look'd only one way. The Stock-Jobber likes, and approves very well of what I have writ against the Lawyers; the Lawyer says the same of the Stock-Jobbers, and so of the rest; but I say all these Gentlemen are equally in my Favour; I am a Bigot in nothing, I hate not one Knave more than another, neither have I any Bias, because of their Difference in Religion or Profession; shake them all in a Bag, and 'tis not a Farthing Matter who comes out first: I love that sort of Greatness of Soul, which is daring to be honest without reserve. I own, I have acted but in low Scenes of Life, and those Things that occur'd to my own Knowledge I speak of; but instead of aggravating Crimes, I sincerely protest to the Reader, that the two principal Actors  
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in this Treatise, viz. the Stock-Jobber and Lawyer, have both of them assur'd me, or rather frankly confest, after they heard what I have writ against them: That as I was not Lett into all their Secrets, so I was but little qualified to write a History of their Rogueries, which was far beyond my Knowledge, or Capacity, and requir'd large Volumns upon each Head.

Perhaps all the Things contain'd in this Pamphlet may not be fit to be Publish'd, for some bold Truths are not convenient to be told at all Times, or any Time, especially in these later Ages of the World; but that, I humbly submit to better Judgments; yet if there is one Page in it, which may be of Service to my Prince and Country, 'tis worth the Pains I have taken to write this Book. 'Tis a strange Mercenary way of Writing, fit for a timorous narrow Soul, or rather for a Sicophant, to employ all his Talent to Court the Party uppermost, and scribble himself into a Place; with these Writers all are Saints that are in Power, and all Devils that are out: Let the Knave who is generally an Enemy to that which is call'd Good, notwithstanding his Pretences to the contrary, be told of his Faults without fear of his Power, or Greatness. I have taken this Course, for the principal Persons I point

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at (if they are not now, and I hope they are not) have been in great Posts; and I affirm, 'tis not with any selfish ends I have done this, which I conceive every one will easily grant that reads this Treatise, it being in all likelihood so far from bringing a Reward to the Author, that 'tis more than probable, 'twill make him a Mark of Vengeance to all the Villains in the Kingdom, who are no inconsiderable Party for Number and Power; and I must expect that they will raise all their Batteries against this Book, and pelt it with pretended Answers: Those Sons of Darkness cannot bear the Light; they hate all Advocates for the wrong'd and oppress'd, which destroy their Trade. However, I would have these Gentlemen know, that I do not write through any private Pique or Resentment, but in pure Zeal to my Country, and relate nothing but what I am throughly perswaded are Facts; and if People will not believe me, I cannot help it, tho' I have given no Occasion in any Action of my Life, that I know of, for Men to think that I will ever play the Hypocrite.

As to Parties, I thank God, I am a Protestant of the Church of *England*, a sincere Lover of King *GEORGE* because he is a *Protestant*, and our Second DELIVERER, and neither know, or own any other King, and

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have, and ever had a great Zeal for my Country, and the PROTESTANT SUCCESSION in particular, as inseparable with its Happiness, and Charity for all honest Men of what Perswasion soever; and let other People think as they please, I believe no Party, or Name, sanctifies a Knave; and he that cheats, or ill serves his Prince, or Country, which is all one, I take to be the worst of Men; for if all who serve the Government were of the wicked Principles before spoken of, the Nation must be infallibly ruin'd: 'Tis bad enough now, but 'tis not quite so bad, but there are a great many good and valuable Men in *England*; but what is most of all for our Comfort is, that We have an Excellent *Prince* given Us by God, whose Providence in placing him here, and the defeating all the Designs of His, and Our Enemies, has been so conspicuous, that a Man must renounce common Sense, and Reason, or at least Religion, or that there is such a Thing as a Providence that governs the World, who denies it. Together with this great Blessing of our King, and the Advantages that God and Nature has given Us, by the Scituation and Productions of our noble Island, let Us show Our Thankfulness to the Giver of all good Gifts, for giving Us the Best, by making a right Use of them; and every Subject of  
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King *GEORGE* contribute what he can to enable his Majesty, who is well inclin'd in his own Excellent Nature, to make all his People Happy, which can be done by no Ways but by God's; that is, by doing Justice, encouraging Religion, Vertue, and Merit, and particularly Publick Spirited Men, which generally includes all the other Qualifications, making Trade flourish, which employs the Poor; for Idleness is without question a great Cause of uneasiness between Subjects and their Princes. Then see what *discontented Traytor*, let him be of never so great Quality, can find Tools to work with, if the meaner Sort of People were made Happy by honest Labour: When the Father shall say to his Children, I have lived in many Reigns, but never saw so good Times; our *Poor* are employ'd, our *Trade* encreases, or *Navy* flourishes, which is the Glory and Safety of our Country; our *Seamen's* Groans, which pierc'd Heaven by reason of their Oppressions, are ceas'd; Wealth flows in upon Us; our Nation bears the greatest Figure of any Kingdom in the World; my Son, *Learn to bless God and the King, and meddle not with them that are given to change.*

If all Persons, especially those who have Places, or Posts in the Government, wou'd make this their Rule, or Maxim to walk  
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by, First for the Publick, then for my Self, instead of preferring, or putting Self before the Publick, which is of that tendency, that Self employs so much of our Care and Thoughts, that We have generally very little to spare for the Publick. Most Men look only one Way, and few take care to look round them: I am confident that were our narrow Prospects a little more extended, it wou'd very much mend the Times, and reform the Age; but some People are so befotted, and blinded by Self-Interest, that they do not perceive the fatal Consequences that may attend the Publick, and at last themselves by this wretchedness of Spirit. What solid Satisfaction is there in this Life, if this is not so, to have a moderate Competency, honestly and deservedly got, in the true Service of ones Country, with the Pleasure to behold our Relations, Fellow Creatures, Fellow Subjects, and Christians, Happy as well as We, and that We have contributed on our part to make them so. To make our Country look as if We were distinguish'd from the rest of Mankind, and made the Peculiar, and Select People of God, Favourites of Heaven; but alas! when shall We see these Times? Undoubtedly with God's help, 'tis in our Power when We please, for there is nothing obstructs these Golden Days but want of a Pub-

Of a Publick Spirit.

Publick Spirit: 'Tis a strange Curse laid upon a Man, that when he has got Fifty Thousand Pound, he wants to make it up a Hundred Thousand, and then is not satisfied but must make that up Two, tho' 'tis ten to one, whether he enjoys the Comforts, or has a Soul to enjoy even the Necessaries of Life half so much as a Man that has but Five Hundred Pound a Year: 'Tis a cursed Pleasure (if any Pleasure at all) to look on great heaps of Gold, that one has no Power to do good with, or make use of, and this Wealth mostly got by the Ruin of our Neighbours, and our Country.

The Wise *Hollanders* have not so Exorbitant Rich Men as We, but have more, for their Wealth is more equally distributed. Our Noble Men and House of Commons, which represent Millions of People, the poorest as well as richest, are all Gentlemen of Estates, wall'd in with Plenty and Pleasures; they seldom give themselves Leisure, or the Trouble, to look into the Case of the Poor and Unfortunate, or can hardly have any Ideas of the Miseries of those many Thousands who lie perishing in the Streets and Prisons; they are unacquainted with those Hardships, the gripes of Poverty and Want, and the Cries of starving Infants; 'tis true, God, and Man ordains there

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shall be Degrees amongst Men, for so Divine Writ tells us, the Angels are distinguish'd; but if Gentlemen of Fortunes wou'd reflect, that without the help of the Poor, or meaner Sort of People, they cou'd not be mounted so much above the common Level. If their Tenants cou'd not pay their Rents, what wou'd they be more than other Men; and if they wou'd have Humility, they might consider, that perhaps, now they are of no more Account with God than the poorest Man, who they think so infinitely below them in this World: There is no Treasure or Title of any Esteem with God but Charity, Vertue, and Religion; but if God has given them so much a larger share of Temporal Blessings, 'tis imparted to them by the Hands of the Poor, so that all the Care imaginable ought to be taken of these necessary Men; otherwise, instead of a Great Mans having a Coach and Six Horses, a splendid Equipage, many Dishes of Meat daily at his Table; He may chance at last go a Foot, be reduc'd to a Morsel of Bread, and in a worse Condition than the meanest Man, by Reason one can work, and the other not; such is, and have been the Vicissitudes of Humane Affairs, the Unstability and Uncertainty of Temporal Glory.

Men

Men generally mistake their true Interest here as well as hereafter; I cannot see in any Thing they are incompatible, they are certainly link'd together; a Man may enjoy all the true Pleasures of Life, without infringing any Religious Duty; innocent Pleasures are the only substantial Ones; the Man of a little Soul, who prefers nothing but the Present, argues thus, I matter not what becomes of the Nation or any Body else but my Self, the Nation will hold out longer than I shall live; my Business is only to consider my Self, and please all my sensual Appetites, for I know, nor desire to know not greater Felicity. Such Men must first be wholly abandon'd to all Religion and Honour, have no concern for the Present or Posterity: And Secondly, to all Sense of the greatest and sublimest Pleasure, doing Good; 'tis an infallible Argument of a groveling Brute, an Enemy to Mankind, and shou'd accordingly be banish'd humane Society.

The better part of Man, the Soul, one wou'd think, shou'd not have these scanty Views; this World is too little to fill its Capaciousness, it looks, and covets Things beyond this Globe; and Ambition well regulated is the noblest Passion of the Mind, and seems to lift Men as much above their own Species, as they are a-

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bove the other Creatures; 'tis a Divine Godlike Passion to endeavour to resemble that *Infinite Being*, whose Image was stamp'd upon Us to that end; and how can that be, except We imitate him in his *Universal Beneficence*. How truly great does that rich Man appear, whose constant Attendants are numberless Blessings of the poor People, to whom he hath been a common Protector and Father; to have the Heavenly Satisfaction to think, that as the Divine Impulse, or Spirit has prompted him to serve the Publick in General, and do good to many Families in Particular, so the Approbation of that blessed Spirit by his Conscience bearing him Witness, that he has done the Work of God (which is every Man's Duty) is a continual Feast; *This is the Peace of God that passes all Understanding*, lasts to our Lives end, is the best Friend on a Death-bed, and follows Us to Eternity.

Righteous *Job* was a very rich Man, the greatest Man in the East, but let us hear in his own Words, his Sentiments and Conduct in this Matter. "When the Ear  
" heard me, then it blessed me, when the  
" Eye saw me; it gave Witness to me:  
" Because I delivered the Poor that cried,  
" and the fatherless and him that had none  
" to help him. The Blessing of him that  
" was

" was ready to perish came upon me, and  
" I caus'd the Widows Heart to sing for  
" Joy. I put on Righteousness and it clo-  
" thed me, my Judgment was as a Robe  
" and Diadem. I was Eyes to the blind,  
" and Feet was I to the lame. I was a Fa-  
" ther to the poor, and the Cause which I  
" knew not, I searched out. And I brake  
" the Jaws of the wicked, and pluck'd the  
" Spoil out of his Teeth. Then I said, I  
" shall die in my Nest, and I shall multiply  
" my Days as the Sand.— If I have with-  
" held the poor from their Desire, or have  
" caused the Eyes of the Widow to fail:  
" or have eaten my Morfel my self alone,  
" and the fatherless hath not eaten thereof:  
" (for from my Youth he was brought up  
" with me as a Father, and I have guided  
" her from my Mother's Womb.) If I  
" have seen any perish for Want of clo-  
" thing, or any poor without a Covering;  
" If his Loyns have not blessed me, and if  
" he were not warmed with the Fleece of  
" my Sheep; if I have lift up my Hand a-  
" gainst the fatherless, when I saw my  
" Help in the Gate: Then let mine Arm  
" fall from my Shoulder-blade, and mine  
" Arm be broken from the Bone. For  
" Destruction from God was a Terror to  
" me, and by reason of his Highness I could  
" not endure. If I have made Gold my  
" Hope,

Of a Publick Spirit.

“ Hope, or said to the fine Gold, thou art  
“ my Confidence : If I rejoyced because  
“ my Wealth was great, and because my  
“ Hand had gotten much.— The Stran-  
“ ger did not lodge in the Street, but I  
“ opened my Doors to the Traveller, &c.

I have made this long Quotation, because 'tis a glorious Picture of a truly great and Publick Spirited Rich Man, and as God is the God of Wisdom, as well as Goodness, Justice, and Mercy, so in the ordinary Way of Providence, he works by second Causes, and gives his Blessing, and Success to true Policy, I mean just Prudence, that is, for great Men to gain Love and Popularity amongst the common People, which cannot be obtain'd, but by *Justness, Charity, and Liberality*, doing what Good lies in their Power. *Job* found the Effect of this, for tho' God at the Instigation of the false Accuser, the grand Enemy of Mankind, suffer'd him to have such severe Trials as never Man had, to confound the Devil, who could not shake his Integrity, he afterwards rewarded him in this Life, and doubl'd all his former Blessings, by the Means of those People who undoubtedly he had formerly oblig'd.

Instance of a Popular great Man.

To illustrate this by one Instance amongst us, of the Benefit, Safety, and Advantage 'tis to a great Man to be popular, and belov'd. There

Of a Publick Spirit.

There was an antient Family in *Yorkshire*, the Paternal Estate was near an hundred Years ago *Eight Thousand Pound per Annum*, which according to the rise and improvement of Lands since, might have been doubled; the Gentleman who enjoy'd it was a very good and hospitable Man, and on his Death-bed gave in Charge to his Son, when-ever his Tenants Leases were expir'd, neither to raise their *Rents*, or take any *Fines*, for he said *Eight Thousand* a Year was sufficient for the necessary Grandeur and Pleasures of Life; and to let his Tenants thrive, and grow rich under him, would entail better Blessings and Advantages on him, than to grind them to Death, for the Folly and Vanity of adding something more to his Pomp and Equipage. His Son exactly perform'd his Father's Will, and so bequeath'd it to his Child, who prov'd one of the greatest Men of the Age, but still kept strictly to his Father's and Grand-father's Instructions. Quickly after the Restoration of King *Charles* the second, some hungry Courtiers, who long'd for so fine an Estate, which they thought they cou'd make a better Penny of, endeavour'd to pick such Holes in his Coat, as might forfeit his Estate, if not his Life; which if done, they had great Hopes of begging it. Therefore they prevail'd

vail'd with the King so far, as to have an Order of him and the Council, to bring him up to *London*, for some Capital Crimes in the late Rebellion. Accordingly Messengers were sent down with the Warrant; but knowing how well he was belov'd in the Country, 'twas thought necessary that a Party of Guards should be sent down to assist the Messengers in Case of any Disturbance. When they came to his House they took him, and he very quietly went with them, but before he got two Miles from his Dwelling, the Country took the Alarm, and they were overtook by at least Five Hundred Horse, who beat the Guards, and rescu'd him: this made him very uneasy, and instead of thanking his Tenants and Friends, he told them they had ruin'd him; for if they had let him have gone, he hop'd that he might have defended himself against any Charge that cou'd be brought against him, but now he should be proclaim'd a Rebel. But they answer'd, that they would all die to a Man, rather than he should be sacrific'd to any Courtier's Malice or Avarice, which was the Design of apprehending him. When this Matter came to be debated before the Council, almost all the Council was for the King immediately to issue out his Proclamation, and proclaim him a Rebel, and all his Adherents, as he fore-

foretold, and to send down a sufficient Force to reduce them, and bring him up. But a noble Lord of the Council rose up, and humbly beg'd leave to dissent from that Advice, telling his Majesty, that he was but newly settled in his Throne, and had many Enemies of the Old Leaven in the Kingdom: That he knew the Man perfectly well, and his great Interest in the Country: That if his Majesty went this Way to work, that instead of Five Hundred Men, which then resist his Guards, they would find Five Thousand, it may be Ten Thousand: That it might be the Occasion of kindling a new Flame and Rebellion in the Kingdom, which might have as dismal Consequences as the late. The Council maturely consider'd it, never troubled the Gentleman further, and so he died in Peace.

This Story I have been credibly inform'd is Fact, but being before my Time, is not to my own Knowledge.

I know a Gentleman in *Ireland*, a zealous Protestant, but of so extensive Goodness and Charity, that in the late Rebellion there, when all the Butcheries and Barbarities imaginable were us'd against the Protestants by the *Irish* Papists, yet he was so universally belov'd, that whatever they took of his Effects, they always spar'd his

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Person, and 'twas believed, that if any Man in that Kingdom would be fav'd in a general Massacre, he would be the Man. 'Twas certain, his good Character more than once fav'd him from being murder'd.

We have a very bad Proverb amongst us, or at least a very ill Use is made of it, That is, *Every Man for himself, and God for us all.* So that when a Ship is in Danger at Sea, he that has the chiefeft Charge of her, is commonly the first that jumps into the Boat with his Treasure, and leaves the rest to shift as they can for themselves, when perhaps the Ship and Company might have been preserv'd, had the Master, and the Crew he carry'd away with him, stay'd aboard. *St. Paul* saw this, for when the Sailors had let down the Boat, and were about to flee out of the Ship, he told the Centurion and the Soldiers, *except these abide in the Ship, ye cannot be saved.*

A generous Commander is at the Head of his Men when they charge, and in the Rear if they are oblig'd to retreat; his greatest Care is for his People, and least for himself. If the State, or Ship, is in Danger of sinking by the many Leaks it hath, let there be a noble Emulation who shall first discover them, tho' we run a great Danger in searching; and when found, to stop them; and if the Waters in-

crease

Of a Publick Spirit.

crease upon us, yet we are to struggle to the last Gasp, and share the Danger with our Fellows; and if we cannot all, or the better Part be saved, perish together, and not cowardly, and treacherously be so careful of our own Preservation as to expose great Numbers to inevitable Ruin, as long as there is the least Glimpse of Hopes. If by striking at the Root of our Corruptions, and Cause of our Misfortunes, I brought Ruin on my self, yet if I did Service to my Country, I should think it the highest Pitch of Honour, and be infinitely better satisfied, than to gain and enjoy a great Estate, with the cursed Reflection, that 'twas got by contributing my Part to the Loss and Destruction of Millions of other People.

This will all be call'd Romantick Flights, for few if any will believe me, it being incredible in this Blessed Age, that there are such self-denying Men in being: For, say they, this is some poor Fellow who never was try'd, that makes these fine Professions; who never knew, or never tasted the Sweets of Riches, Power, and Voluptuous Living, but if he was once tempted with these delicious Baits, 'tis Ten to One but he would prove as great a Rogue as any of us; I do believe there are many such, who, like Sick-bed Sinners, make large Promises, till they



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they recover their Healths, and then immediately forget them. But who can say, that the Author of this has not been tried with these Temptations, and yet kept his Integrity. 'Tis a hopeful Opinion we have of our own Times, that there is not now a truly honest Man in Nature. The Fall of *Adam* corrupted the Race of Mankind, yet there were in all Ages of the World, except ours, (as some Men will have it) many excellent Persons: *Abraham* the Father of the faithful and Friend of God; *David* a Man after God's own Heart; *Two Saints* were so holy that they were excepted out of the general Rule or Sentence, once to die, for they were never to see Death; and infinite others, *Jews*, *Heathens* (especially among the antient *Greeks* and *Romans*) and *Christians*. But I am afraid that we have had Fall upon Fall, for if you will credit some modern Gentlemen, there's nothing now left but a Race of Devils incarnate, who inhabit the Earth; so that at this Rate, 'tis high Time for the general Conflagration. *Moses* and *St. Paul* went so far in their Zeal, as to wish themselves accurst for the Sake of their Brethren; and I am fully perswaded that there's many Men alive, who would sacrifice all Temporal Interest for the good of their Country and Fellow-Creatures. But those who  
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are in a State of Damnation, and doing the Devil's Drudgery daily, wou'd perswade you out of this Belief; 'tis not for their Reputation and Interest any one shou'd be better, or at least thought better than themselves, or that this Doctrine shou'd ever be preach'd, practis'd, or believ'd.

History gives Us many sad Examples of flourishing Kingdoms, and Commonwealths, by their Corruptions brought to Destruction. And Sacred History is more particular and full of these Examples; and our own Memories might inform Us of great Judgments inflicted upon Us for our Crimes; and it wou'd be very deplorable, if We shou'd still remain so stupid, neither to take Warning at the Punishments of others, nor our own Corrections. We ought not to tempt God's Patience and Forbearance, by delaying to set about so good a Work as Reforming our Corruptions, and lying no longer under the Slavery of our Vices and Oppressions, that We may not only become Happy our Selves, but leave a Blessing to our Posterity, and give good Examples to the rest of Mankind, and show the World that We are truly the Nation that may be term'd *Libera Gens*.

Whoever hath made Observations of the general Transactions and Affairs of the World, must of necessity be sensible that  
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*History gives us many Examples of flourishing Kingdoms and Commonwealths brought to Destruction by their Corruptions.*  
*We ought not to tempt God's Patience by delaying to set about a Reformation.*

Of a Publick Spirit.

God has made nothing to remain Permanent but what is just and honest.

all the Revolutions of Empires, Kingdoms and States, that have degenerated from better to worse, have derived their Misfortunes from the Decay of Religion, Vertue, and Common Justice, God having made nothing to remain Permanent but what is just and honest.

For 'tis certain, Prophaneness, Immorality, and Incorrigibleness by Reproof, confounds the Councils of the greatest Commonwealths, and retards the Progress and Greatness that might be expected from their Power.

Government like a delicate Garden, if not daily weeded will be over-run.

Evils, like Weeds, will grow in every Soil; they spring up and flourish in every Government; for Government is like a delicate Garden, which if not daily weeded, will be over-run. Physicians of State ought to be skilful, to foresee the Seeds of State-Distempers time enough to prevent the Death of the Patient, and not let the whole Nation lye longer at the Mercy of those Men, who have committed a Rape upon the Liberties and Properties of the People, by their ill Examples, Bribery, and unjust Exactions.

Chinese Oath when admitted into any Publick Employ.

The Chinese Oath when they are admitted into any Publick Employ, is, That they shall faithfully and carefully serve the King and the Publick in the Charges wherewith they are honour'd. That they shall not in the

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Of a Publick Spirit.

Exercise thereof take any Present from any Person whatsoever, but shall content themselves with the Pension or Salary the King shall give them, sufficient to serve their Necessities, and the splendor of their Dignities.

There can be no distinction in Interest betwixt Prince and People, without Destruction on one side or other; nay possibly it may prove fatal to both, notwithstanding whatever Chimerical Notions of Grandeur and Authority such Caterpillars in Office may fill their Royal Minds with.

No Distinction in Interest betwixt Prince and People without fatal Consequences.

I have all along blended this Discourse with Divinity, at least with such Divinity as I am capable of; for 'tis my Opinion no Man can truly be a Publick-Spirited Man, that is not a Religious one; downright Morality will not do in this Age, whatever it did in former Times; but the best, and most noted of the Heathens were Men of Religion, tho' not the true or purest Religion; but the only moral Man now, as understood, to be an Atheist, or Deist, notwithstanding all Pretences to the contrary, cannot be any longer honest or just, than as it suits with his present Conveniency.

No Man can be truly a Publick Spirited Man, without he is a Religious one.

Alas! what is this short span of Life? subtract the Miseries of it from the little Comforts it affords, and see what remains to the most Happy of Us. Sleep, the elder Brother of Death, Pain, Diseases, Disappoint-

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Of a Publick Spirit.

pointments, Vexations at Home and Abroad, taken out of the Sum, the Remainder is a poor Recompence for the trouble We give our selves, and the World; and yet some are so be-devil'd, as to endeavour to overturn Kingdoms, and destroy Millions of better Men than themselves; form Plots and Conspiracies at the unequal Hazard, and too often the Loss of their Lives, Estates, and total Ruin of their Families, foolishly venturing *Fortune, Honour, and Life* in a Lottery, where there are a hundred *Blanks* to one *Prize*; which if got, adds little or nothing, except it be in Fancy, or Imagination, to what they had before. What Damnation here and hereafter do Men heap on themselves to gratifie the sordid, and cursed Passions of *wild Ambition, Avarice, Envy, and Revenge*; Furies, that the more they are glutted, the more they prey on the Intrails of those who nourish them; and when all is done, if they cou'd grasp in their Arms this earthly Globe, nothing but *Vertue, that Summum Bonum*, does, or can, give any solid and lasting Peace.

The ancient Heathens a great shame to us Christians.

O shame to *Englishmen!* that Pagan *Greece, and Rome*, and other Heathen Nations, who had not the Advantage of those Lights We have, shou'd so infinitely out-do Us in Zeal and Love for their Country; they despis'd *Wealth, Pleasures, and even Life*

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*Life* it self for the sake of the Publick, bounding their Ambition to a Glorious Emulation of who shou'd serve the Commonwealth best; and yet these honest Heathens had but very imperfect Ideas of Rewards for Vertuous Actions after this Life; they did good Actions for their own sakes, and We will not do them for that, and Heavens sake. Blush *Englishmen*, when the *Turks* have brought it into a Proverb, that if you question their Honesty, they ask you if you take them for *Christians*. How much the Unbelievers of this, and past Ages, surpass Us in Morality? So that our pure Religion serves only for our greater Condemnation, when these more Vertuous Heathens will rise up in Judgment against Us; but if We shou'd set all Considerations of Religion aside, I do not see what true Policy there is in suffering Corruptions to get such a head, till they poison the whole Mass.

The Turks much more Religious observers of Justice than the Christians.

I remember We were brought to the brink of Ruin by the Abuse of our *Coin*, before 'twas regulated; now false *Trade, Bribery, Selling and Buying of Places* in the Government, *Corruptions of the Law, Oppressions of Goalers*, and all the aforementioned Cheats, are like false *Coin, or false Dice*, put upon the People; and if this *diabolical Traffick* is carry'd on till the Nation

is undone, what signifies your Misers Hundred Thousand Pound, your Companies, Banks, Funds, to an abus'd Desperate, and enrag'd Populace. I don't say, or believe, 'twill ever come to any dangerous Experiment, especially while We are blest with our present Gracious *Sovereign* (whose Wisdom I question not will prevent it) but to show every Rogue who is an Enemy to his Country, how much he contributes, by bringing in Poverty and Oppressions, to bring Us to this pass, and to mark him to all Lovers of the general Good, that they may shun him as they wou'd the Plague.

By the Laws of Foreign Nations, he that makes false Money is boil'd in Oil; by the Laws of our own Country, Drawn, Hang'd, and Quarter'd. Now the Question is, whether he that Abuses, or Coins false Trade, is not as pernicious, and don't deserve the same Punishment as Coiners of false Money; but this is left to the serious Consideration of the Worthy *Projectors*, *Stock-jobbers*, and their Fraternity.

All the tolerable Pretence our late Ministry had for giving away the Fruits of our Victories, and making so Fatal, and Dishonourable a Peace, was, that the Nation was so exhausted of Treasure, and so far in Debt, that 'twas not in a Capacity to

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continue the War any longer; by which Excuse they hope to bring themselves off; tho' these good Patriots put the Nation to more cost, squander'd away, or cheated the Publick of greater Sums in time of Peace, than was expended in the time of War; now, if it be a Maxim, that he who has the heaviest Purse, has the longest Sword, and that Money is the Sinew of War, then those who emptied our Purse shortn'd our Sword, and are consequently our greatest Enemies.

I have often heard the most judicious Men, of the following Opinion, That this Nation by the Advantage it has to *Trade*, and its *Naval Force*, cannot be reduc'd or impoverish'd by any War whatever, but must rather be Gainers, if both these were rightly manag'd; but the Vipers in our Bosom do us more Mischief than any Foreign Enemy; 'twas these Serpents distress'd, and disabled our late Great DELIVERER King *WILLIAM*, of truly Glorious and Immortal Memory, from making Us the most Victorious and Happy People in the World, and loaded the Nation with those heavy Burthen of Debts it now groans under, for I never heard it deny'd, but that the Nation was annually, during the War, cheated of vast Sums of Money; which, together with the help of *Banks*, *Projectors*, *Stock-jobbers*, *Lawyers*, *Goalers*,

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late and deficient *Funds*, extravagant Interest, and other clandestine Ways and Means at home, have weakn'd the Kingdom more than the War, and have been the true Cause of entailing upon Us and Our Posterity the present Debts.

The Parliament has enlarg'd the Time of their Sitting, and so effectually disappointed the Designs of our inveterate Enemies at home and abroad, to Divide and Embarrass Us. But those worthy Patriots, with humble Submission, may please to consider, that tho' of two Evils they have chose the least; yet by the many Petitions against the Bill, and many more that wou'd have been given, if there had been time, shows what Heart-burnings this Bill has occasion'd, tho' the Honourable House does not design to enlarge the Time for themselves, or for their own Benefit, but only for the good of the People, that they may have sufficient Time to allay the Ferment in the Nation, and ease those whose Deputies, or Representatives they are, of some intollerable Grievances they groan under, which now they have Opportunity to do, and nothing can obstruct them. And to this End the Eyes of Three mighty Kingdoms are upon them, and great Matters are expected from their Wisdom and Publick Spirit; and notwithstanding the Difficul-  
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ty of the Work, yet if they sincerely go about it, God that has done so much for Us already, will enable them to conquer it; which if they do, all future Generations will have cause to bless them; the worst of their Enemies be for ever put to silence, and all other mistaken Persons, or Malecontents throughly convinc'd, contrary to their former Opinions, and Endeavours, that they have been made Happy against their Wills, and show their Electors that they have gone beyond their Expectation, and give just Reason to choose them again, and even render themselves perpetual.

I am exceeding glad to hear, and I believe it to be very true, that since the Happy Accession of King *GEORGE* to the Crown, the Trade of the Nation, which before had receiv'd some very desperate Wounds, is beyond all Expectation recover'd and retriev'd, and that great Wealth flows in upon Us, with a fair Prospect of its encreasing; and which, if possible, is better than all this, the moral Certainty of the Security of our Religion and Liberties, together with the ancient Glory of the Nation, of holding the Ballance of *Europe*; therefore some may say, to what purpose is this Book writ, when, if We are not altogether at present, We are very near, and shall be soon the most wealthy and powerful People  
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in the World. I must confess I think every Thing looks very well Abroad, in Relation to the Interest of *Great Britain*. But notwithstanding this vast Affluence of Riches to the Nation, who is generally the better for it? Why, the Rich is still richer. What poor Prisoner that is Starving in a Goal, and his Wife and Children out of it, is the better for it? Tradesmen break every Day, Bankrupts in abundance, every Hour some or other are thrown into Goal, who have nothing to pay, nor perhaps owe nothing; besides Millions of other poor and distressed People. Can We imagine, that God who loves all his Creatures, gave these Blessings to be monopoliz'd by a few Men, in respect of the whole Body of the People. A poor Man has a Soul and Body as well as a rich; and God ordains none to be Miserable, tho' others make them so. Our Excellent *Prince* wou'd not, if he cou'd help it, have one wretched in his Dominions, except by their own Faults they make themselves Unhappy. If he has been the Instrument under God to do so much for Us, let Us deserve these Mercies and Favours of God and him, by doing our Parts also; by shewing more of a Publick Spirit, bestowing not all our Care and Fondness on our Selves, but have a little Love for other People; and if 'tis in our Power, help them in their Distresses,

stresses, which wou'd soon be done universally, if we first subdued our own Corruptions, and remedied the Evils and Oppressions spoke of in this Book. This is the chief Thing wanting, and still remains to be done; this wou'd entitle Us to the Favour of Heaven and our good King; make Us acceptable to God and Man, and truly compleat our Happiness, by making this Nation the Terror and Admiration of the Universe.

To conclude, I love my Country, and hate its Oppressors; and if We must be put to such a fatal Necessity, I had rather have my *Prince* Tyrannize over me than my Fellow Subject. But if I have done wrong to any Man, or Body of Men, and mistook the *Stock-jobbers*, *Projectors*, and *Marshal's Court Lawyers*, for Knaves, when they are all honest Men, fair Dealers, and contribute to the Publick Good; I say, if I have made any Mistake in part, or in the whole, I humbly beg Pardon, and will retract my Error, when I am show'd it; for I freely own that I have studied their Arts and Mysteries very little, my Talent lying quite another Way, and have writ this Piece at a very short Warning. But the Things I have here treated of, appear very obvious to a common Capacity, for no higher I pretend to; yet if these plain Hints

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Hints rouse some other *Genius* (who loves his *King* and *Country* as well as I do, but has larger Abilities to serve them) to pursue with Advantage what I have begun, 'twill be an infinite Satisfaction to me, that I struck one spark of Light this Way in King *GEORGE*'s Reign, in whom, next the Trust We have in *God*, the Ruler of the World, our greatest Confidence ought to be in this Excellent *Prince*, fam'd for his *Wisdom* and *Justice*, a faithful *Ministry*, and a *Worthy Parliament* now assembled.



A P.



## APPENDIX.

No. 1. Page 39.

'TIS very unequal the Distribution of *Prize Money*; the Disproportion between the *Captain's* Share and an *Able Sailors* is prodigious and unreasonable, considering the *Captain's* Post and Pay is so large and advantageous. The *Captains* get vast Estates; and let the Bravery and good Conduct of the *Sailors* be never so Conspicuous, or the Number of *Prizes* never so great, when did any of these poor Wretches, if they had their due, which is very rare, get a moderate Competency out of it? But besides the Wrong done them Aboard, the Tedioufness of their waiting, and Tricks play'd with them Ashoar, they seldom have a Moiety of the small Morsel that belongs to them; but the Fruits of the Sweat of their Brows, Hardships, and Hazard of their Lives, are generally swallow'd up between *Agents*, *Doctors-Commons-Men*, and other *Land Sharks*, that never stept one Foot, or ventur'd the least Mite in Defence of their Country. However, tho' this is not a Grievance now, because 'tis a Time of Peace, yet 'twas a Hardship, and a great Discouragement of the *Sailors* in the Time of the late War; and We being not certain how long We may continue in Peace, this Wrong to the Brave *Sailors* (whose Usefulness and Service to the Nation cannot be too

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too much encourag'd) ought to be taken Notice of to prevent it, shou'd another War break out.

Turn back to Page 39.

No. 2. Page 92.

Observations upon the Commission of Bankruptcy.

When a Commission of Bankrupt is awarded against a Man who must be a Trader, there are several Commissioners appointed to execute the Commission. These Meet many Times, having Twenty Shillings a Man allow'd for every Day they sit. This excessive Charge, together with the Cost of the Commission, and other Fees which must be first paid out of the Bankrupt's Effects, has swallow'd up many poor Bankrupt's whole Estates, stripp'd and starv'd the Bankrupt and his Family, and the Creditors, after paying their Contribution Money, have not got a Shilling.

In very late Times there were certain Clans, as they call'd them, of these Commissioners, compos'd mostly of knavish Attornies, who purchas'd this Employment, and whose chief Business was, if the Bankrupt had any Effects of considerable Value, to put him in the Way, for a good Consideration, safely to Forswear himself, and cheat all his Creditors; or otherwise, if he was a poor Fellow, to take to themselves what he had, and let the Creditors shift as they cou'd.

Turn back to Page 92.

No. 3. Page 101.

The Keeper of Newgate gives for his Place 3500 l. This cannot be for the Reputation of the City, and Publick Authority. This must be given upon his being permitted to Exact on the Unhappy Prisoners; to Rob the very Robbers; and

APPENDIX

and what Complaints will be heard, or redress'd, since he has paid so large a Purchase for his Employment? And what is more Notorious, this Place is made an Assylum, or rather a Garrison for Thieves, from whence they sally forth, being let out at certain Seasons to make Depredations, and bring in the Plunder to this Goal, as the Store, or Warehouse, to be dispos'd off to the best Advantage; and where shall a Man that has his Pocket pickt, or robb'd, repair to hear of his Goods? but to an Officer they have among them, call'd a Thief-Catcher, where for such a Composition he may have his Goods again. This is all by the Connivance of the Goaler, who has his Profit out of it; so that this Prison, instead of being a Punishment, is a Sanctuary, and great Encouragement to Felons. These Enormities have been so often prov'd, that I believe few questions them, with abundance of more curs'd Villanies practis'd there, which might easily be redress'd, if this, and all other Prisons were at the Charge of the State; the Keepers of them paid their Salaries by the Government, and severe Penalties upon them if they exacted any Thing from the Prisoners, or made any Profit more than was allow'd them; for 'tis against Law, Justice, and Reason, for the Goaler to have any other Power over the Prisoner, let him be the greatest Malefactor, than to keep him in safe Custody till he is deliver'd by due Course of Law; for the Law has annex'd the Punishment to the Crime; it being a Maxim in the Law, that a Goal is only intended as a Place of safe Durance, and not for any other Punishment; and if it was in the Case of Breaking Prison, or attempting



ing it, (the common Pretence, whether true or false, of Fettering Debtors) yet according to Law or Reason they cannot, nor ought not to put Irons upon a Debtor, for the Prison ought to be made strong, or secure enough to detain a naked Man; and yet these Goalers have been so Impudent, especially at the Counters in the City, in the Face of the Sun, and all the City, if they wou'd give themselves the Trouble to see it, have bound, and set poor miserable Debtors before the Goal Doors as long as they thought fit, with great wooden Ruffs about their Necks, spiked Irons under their Cheeks, and Chins, and have made themselves Diversion with torturing the unfortunate Wretches.

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No. 4. Page 113.

Our Churches no Protection for poor Debtors, tho' the Roman Catholick Churches are for Traytors and Murderers.

The Roman Catholick Churches beyond Sea are made so Sacred, as to be Sanctuaries for Traytors, Murderers, and the worst of Criminals; but those Immunities, or Privileges of Churches, is showing Mercy to a great fault; yet our Churches are not so much as Places of Protection for poor unfortunate Debtors, who may be hal'd out on the Sabbath Day, even in the Time of Divine Service (no Law to the contrary) with an *Escape Warrant*, which may be obtain'd on the single Oath of a hir'd profligate Rogue, by Devils in the shape of Men, to such a Goal as is the lively Emblem of Hell, and there confin'd and punish'd without Redemption. This favours so much of Barbarity, and wicked Prophanation of that Holy Place, that for any Thing We know, 'tis an Extreme more abominable in the  
fight

fight of God than the other. And tho' it may be said, that the two Prisons, of the *Fleet* and *King's Bench*, have Churches in their Rules, and so there is no danger of a Prisoners being there; yet this is according to the Interpretation the Judges will please to put on the Act; for till this present Excellent *Lord Chief Justice*, who is as much an Enemy to Cruelty and Oppression, as some of his Predecessors were Favourers of it, Prisoners have been taken out of these very Prisons, or their Rules, upon *Escape Warrants*, and carry'd to *Newgate*, *Marshalsea*, *Counters*, &c. 'Tis very hard that a Conscientious, and Religious Dissenter, who may be a very good Man, and Christian, notwithstanding all Uncharitableness, and bigotted Opinions to the contrary, cannot, through a pious Zeal, go to his own Congregation, where he believes he can worship God Best, but must in the very Act of Devotion, on a Sunday, be hurried to a worse Goal than his own, tho' he really intended after the Service was over to return to his former Prison. 'Tis a great Blot on the Name and Memory of that Avaricious Judge (notwithstanding all the fine Encomiums given him) who was the first Occasion of the Infringement of the Sabbath Day Act, who because he was over-reacht by one Man, tho' he severely punish'd him for it; yet, *Haman* like, wou'd carry his Resentment so far, as to ruin great Part of the rest of Mankind.

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N<sup>o</sup>. 5. Page 124.

Formerly  
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give Secu-  
rity, if he  
sued any  
one, to pay  
all Costs  
and Da-  
mages if he  
did not  
prove his  
Debt.

By what has been already said, it does suffici-  
ently appear, that by our ancient Laws, and  
*Magna Charta*, that no Man's Person was to be  
imprison'd or detain'd purely for Debt; but af-  
ter this Encroachment upon the Liberty of a Free  
People, yet the Law oblig'd the Plaintiff who  
brought his Action for Debt, or Damages a-  
gainst any Man, to give Security to pay all Costs  
and Damages to the Person so sued, if he did not  
prove his Debt. For is any thing more equal  
and just, that if I will bring an Action against a-  
nother Person, for a real or pretended Debt, and  
so hold him to Bail, or else he must go to Prison,  
that I shou'd give likewise equal Security to the  
Defendant, either to make good my Demands,  
or pay all his Costs; not only the Money he has  
been out of Pocket, but Loss of Time, Damage  
of his Imprisonment, and his Reputation; or up-  
on Default of such sufficient Security, no Person,  
tho' the Action was laid never so high, shou'd be  
held to any more than an Appearance? The sha-  
dow of this Substance once appear'd, by the Plain-  
tiff's Declaration upon an Action of Debt, by  
naming *John Doe*, and *Richard Roe*, imaginary  
Persons, to be his Security to make good his  
Charge; and therefore 'tis but very equal, and  
reasonable, that the Defendant shou'd give *John-  
a-Nokes*, and *Tom-a-Stiles* for his Bail. But are  
We to be Rhym'd out of our Liberties? The  
true Reason of this last Oppression, and Corrup-  
tion of our Law, is, because it promotes the  
Lawyers Trade; for if Men were oblig'd to give  
Security to stand to the Damage they did any  
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Person by wrongfully suing him, 'twould spoil  
all Fob Actions, and most vexatious Suits, which  
are the principal Gain of the Lawyers, and a pro-  
digious Profit to Bailiffs and Goalers.

When any one complains of the Hardship of  
the Law, for perpetually Confining the Bodies of  
poor Debtors, who have little or nothing left to  
satisfie their Creditors; and when any Applica-  
tion is made to the House of Commons for a Bill  
for their Relief, 'tis very often said, the King  
and Parliament cannot, or ought not to give a-  
way any Man's Debts. Those Persons who make  
this Objection, may consider, That what they  
call their Right, or Debt, 'twas the King and  
Parliament gave them this Power over their Deb-  
tors to throw them into a Prison, and continue  
them there; and if they see a great Cruelty  
and Inconvenience in it, they have as much  
Power and Right to take it away as they had to  
give it: 'Tis not giving away a Man's Debt where  
nothing is to be had; but keeping them in Pri-  
son is nothing but empowering and gratifying  
hard hearted and cruel Men to wreck their Re-  
venge on their Fellow Christians and Fellow  
Subjects, tho' they loose by it, instead of getting  
any Thing. No one, as I ever heard of, pre-  
tended that any Debtor should be discharg'd from  
his Confinement but upon giving up all he had,  
so that most Creditors had a Prospect of getting  
something, which otherwise must be spent in the  
Goal, of which the Goaler is the only Gainer;  
and 'tis these Sort of hard hearted Creditors that  
are the greatest Friends to the Goalers, tho' worst  
of Enemies to their Neighbours and themselves,  
far from the Christian Doctrine of loving our  
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An Objec-  
tion that  
'tis giving  
away a  
Man's  
Debt to  
Release an  
Insolvent  
Debtor  
answer'd.

**A P P E N D I X.**

Neighbour as ones Self, or doing as we wou'd be done unto: So that to release Debtors upon these Conditions, is so far from giving away any Thing that belongs to the Creditor, that 'tis giving most Creditors (tho' against their Wills) what they have not of themselves the Goodness or Policy to take.

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**F I N I S.**

