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THE
W O R T H
OF
L I B E R T Y
CONSIDER'D.

In a Letter to a Member of PARLIAMENT

*on the
Act on the Distillers.*

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THE
W O R T H
 OF
L I B E R T Y
 CONSIDER'D:
 IN A
L E T T E R
 TO A

Member of the House of Commons
 Upon the Question,
 How far the late Act against the immoderate
 Use of *Spirituos Liquors* may affect the
 Properties of all the People.

*Remember, O my friends, the laws, the rights,
 The gen'rous plan of pow'r deliver'd down,
 From age to age, by your renown'd Forefathers,
 (So dearly bought, the price of so much blood)
 O let it never perish in your hands!
 But piously transmit it to your children.*

L O N D O N :

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THE
W O R T H
O F
L I B E R T Y

CONSIDER'D:

In a Letter to a Member of PARLIAMENT.

S I R,



THE lines I am honour'd with from your country seat oblige me to say, the Act which gives their subject is apprehended to contain a chain of consequences, which may extend to the *properties* of all the people, though it is naturally and politically impossible that should be the intention of its authors.

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If this is a just way of thinking, it should furnish an employment to every ones thoughts, there being no man in the kingdom but what has a concern in it for all that he is worth, and in himself, or his *posterity*, must be affected by the consequences in the fulness of that time which may bring them forth.

EVERY *trader* is to be consider'd as a man of a *property* in possession, and a *property* in reversion, and from the effect the act will have upon the *Distillers*, we may reason to the effect it may have upon the *properties* of all the people.

THE *property* in possession of a *Distiller*, is in the *trade* which gives him the bread of the day; and in the *stock*, *buildings* and *utensils* by which the trade is to be supported; and his *property* in reversion is in the profits that are to be made of it in the time to come.

THIS is the species of *property* that is understood in the giving a sum of present money for the *good-will* of a house; and the same governs the conduct of a father in binding a son to a long *servitude*, and giving a part of his present fortune for the mystery of the trade he binds him to; for in parting with present *properties*, *properties* in reversion must be understood, that from future profits the sums so given may return with interest.

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THO' the *property* in reversion is of doubtful, and undetermin'd value, the estates of our gentry may convince them of as great necessity for regard to this part of a man's *property*, as for any species of *property* now existing amongst us, there being but few estates but what had their foundations laid in this part of the *property* of a trader.

As an estate in land is nothing but the bread of him that possesses it, that trade which gives a man bread, is an estate of equal value to any measure of land that produces no more than it does or may do; and that law has made that trade a *property* which is acquir'd by *money* and *servitude*, appears in the provision it makes against such as would come into it without the *money* and *servitude* others have given for it.

THE condition by which a *trader* comes into his *property*, make it come the dearest of all others, excepting that which comes by the hardest labour, or through the risques and perils of the *seas*; for he purchases it with a sum of *money*; by seven years *servitude* in the best part of his life; by many incidental hardships within the same, and a continual application of mind and body to perfect him in the way he is to come into it.

As the *property* that is acquir'd by the daily fatigue of body and mind, and the hazard of a real stock, is naturally, it should

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be politically distinguished for the first in honour, it being by industry that the common stock was made, is maintain'd, and into which every industrious man casts many pounds for every one he receives in recompence of his labour, and cannot serve himself but by endeavours all men are the better for, nor enjoy a quiet hour under a *vine* he can call his own, till the clock is almost ready to strike the last he has to live. But,

THE man that is born to an estate, comes into it without the trouble of a single thought; begins in ease; labours not for the benefit of others, but riots upon the fatigue of those that went before him, and rarely feels any thing but what is ingendered by his own excesses, and are the offspring of the most corrupted part of the mind. So that,

IF his *property* were affected, even to the loss of the whole, he would lose that which cost him nothing, when he who loses his *property in trade*, loses the labour and the strength of his youth, the fatigue of his mind, and the means by which, as he beget that, he might beget more, upon an industry that is of publick as well as private advantage.

To judge of the effect the Act may have upon the *properties* of others, we are to enquire into the effect it will have upon the *properties* of the *Distiller*, whose *property*,
being

being as sacred as any man's, cannot be injur'd without danger to the body of which he is a member, as he comes within the denomination of a *proprietor*.

A part of a man's real fortune being given for the mystery that makes him a *Distiller*, his *trade* is bought with his *money*, as well as by his servitude; and such as the Act shall destroy as they are *Distillers*, in that part of their fortunes which was given for the trade, it must destroy as they are *proprietors*.

A larger part of his fortune lies in the *buildings* and *utensils* that are only proper to that profession, but as they cannot return to money under this eclipse of business, the greater part of the *utensils* may be consign'd to the *fire*, and that part of his fortune evaporate in smoke.

IF the rest of his fortune is in the *liquid stock*, the price this may sink it to beneath what it did bear, will be like the fall of money, when a man may lie down with a thousand pounds, and find them but seven or eight hundred when he is to rise again, and what this may deprive him of he cannot be a *proprietor* in.

THESE are the ways by which their *properties* in possession will be affected, and of those the Act shall totally reduce, their *properties* in reversion must endure the severer fate of a final dissolution, and their end will
make

make it worse with those who have but newly embarked their fortunes in that way, than if they had never had a beginning.

IF it should be with some of them as with men in other professions, what reaches their *properties* must affect the *liberty* of their persons, and bring their lives to an end in the miseries of a prison, when the business would render them capable of doing justice to their creditors, and of providing for the children they are to leave behind them at their deaths.

As many of their apprentices must be so near the end of their servitude, as to make it too late to indent again to another profession, the money given for the trade will be lost, many years of the man's time destroyed, and he depriv'd of a way by which his bread might be made; for if he was to indent again, his head would be turning grey before he could begin to live.

GENTLEMEN have fix'd their younger sons in the trade, expecting their industry should make it as valuable to them as it had been to many that went before them; but after a part of their fortunes given, with seven years servitude to a trade their future hopes were founded in, and their residual fortunes plac'd in stocks to make them traders for themselves, like the sword of *Alexander* upon the *Gordian* knot, the Act cuts thro' the fortunes, and future dependencies of

of the young gentlemen, and depriving them of the use of their hands, they are left to the courtesy of a world which refuses bread to such as cannot labour for it.

IF the providence of the Act, had comprehended an *equivalent* to the breach it will make into their *properties*, it would not have seem'd so formidable to the *properties* of the rest of the people, tho' it should force them upon an exchange of *property* that might not every way consist with the notion we have of freedom.

To this, Sir, you have said, " The Act
" only regulating the manner of using the
" trade, and allowing a liberty of trading
" in any other way in our *corporations*, it
" constitutes an *equivalent* to the loss it may
" bring upon some, and makes no invasion
" upon the *property* of the trader.

THE Act does not directly shut up their *shops*, or condemn their *stocks*, *buildings* or *utensils* to loss, but if it indirectly effects all this in such as it shall reduce, it will be the same to them as if it was done in the most direct way; for the difference will be no more than is between a duty too high for any body to pay, and a prohibition of the commodity that shall be loaded with it; and a difference in the form, when there is none in the thing, no body can be the better for.

IF the marketting our *grain* was under a parliamentary restriction that should reduce

duce half our tillage, the *proprietors* of our *arable lands* would find one half of them the same as if they were taken from them in the most direct way; for lands made barren by a restraint a law shall impose upon the commodity they would produce, must be unworthy of the name of a *property* under the loss of that *liberty* from whence they receive their value; nor is there any species of *property* but what may be indirectly affected, as much to the prejudice of the *proprietor*, as if the *property* was to be no more in him.

AN invasion upon their *properties* appears to have been understood in the making of the Act, by the *liberty* given for their trading in our *corporations*; for that makes an exchange of *property*, it being only *proper* to the *Distillers* to receive the benefit of it; but if a restraint upon the *Distillery*, could be a benefit to which private interests ought not to be opposed, it would not be a benefit to a *free people*, that would be equal to the damage they must receive from the damage of any one's *property* without a valuable consideration made to the *proprietor*; for as that is superior to all other damages there can be no good but what must be inferior to it.

IF it be for the good of the publick they should be destroy'd as they are *Distillers*, the publick would have a greater good in

in their being fav'd as they are *proprietors*, and it would be the political interest of the publick to repair the damages they should receive for it's service, it being impossible it should receive a benefit from the destruction of a *Distiller*, that would be equal to the damages it must receive from the destruction of a *proprietor*.

As it is by the voice of equity, it is by the order of nature, that a man expects to be heard, when he calls upon the publick for the reparation of such damages as he receives for it's service; nor is there any thing more reasonable than that his damages should be repair'd by the hand he receives them from; for in refusing it, the publick would bring a destruction upon her own members that must finish in self-murder.

WHAT you esteem an *equivalent* to the loss the Act will impose upon them, seeming as short of it as a grain of *sand* would be to a quarry of the finest *marble*, I ask leave to offer my thoughts upon it.

THE Act providing no further, than that all *corporations* shall be open to the *sufferers*, that in any other way they may trade in them without interruption, the *equivalent* you think of, consists in the *thirty pounds* a freedom may be bought for in any *corporation* of the kingdom.

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IF the *Distiller* in the loss of his business; the loss upon his *stock*, his *buildings*, his *utensils*, his seven years *servitude*, the *money* given to learn the trade, and the loss of that time in which he might have learn'd another, was to lose no more than thirty pounds, the business could not deserve his attendance, nor the loss of it the least of his complaints; but as his loss will exceed that to a degree that allows of no comparison, it is not to be call'd an *equivalent*. And,

THAT the privilege will be of no value to the sufferers, is too apparent to be brought to the question, and as that will shew itself, they may seem compell'd to part with their *all* for *nothing*, which, in an act of the highest court of the kingdom, might start the question, Whether amongst a *free people*, it might look like a point in time from whence they may date the loss of their liberties?

It is almost impossible for a man to begin a business in any town in *England* that is not already follow'd by others in the same place, and if he was to fix a thousand pounds in a business he is a stranger to, one educated in it that may be interested against him, with two hundred pounds stock would bring his thousand to nothing, and be wealthy when he must not eat but by the charity of others; for if this difference was not, what could justify a man's conduct in giving *money*, and a
servitude

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servitude of seven years, to perfect him in the thing he would profess?

BESIDES the disadvantage of his ignorance in the thing he is to live by, the men already establish'd in the same way, having engag'd the interest of the towns they are in, would bring a very bad time upon the stranger, tho' he was to know the business as well as they; for the knowing, or not knowing a trade, is the same thing to one who has not an interest in men by which he may have food from it.

BESIDES these a man can no more trade without a *stock* than a *ship* can sail without a *wind*, and as the Act will bring a final dissolution upon the *properties* of some of them, and too great a reduction upon others to allow of their trading in any other way, the telling them they may trade after their stocks are taken from them, does no more than remember them of the *brick* that was made without *straw*.

As the Act withdraws the king's protection from their *properties*, it is the same to them as if it was withdrawn from their persons, a man's life being of no value to him after that is remov'd by which he should live; and as the want of such protection brings a man within the article of a *civil death*, it may be esteem'd an unusual severity they should be excluded the common
C 2 benefit

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bénéfit of a tryal upon the question, *What they have done to deserve it?*

It is a melancholy thing to think of their being tacitly cut off from their bread and their country, as rotten branches from the tree that bore them, and sent adrift like ships broken from their anchors, some upon the waves of the greatest uncertainty, and others upon those of inevitable destruction; and if they should be cut off from the means to live in their own country, by those who represent them in it by their own suffrages, it would be no small aggravation to the severity, because it would carry their proximate consent to their own destruction.

As there is no law against which they have transgress'd, if they were to be forc'd from a social right they are born to as their only security for life, or the means by which they are to live, it would be a *precedent* we ought to pray for the repeal of, because punishments without transgressions must deprive the world of its inhabitants.

As the intention of the Act is against an intemperance that is not in the *Distiller*, but in the indiscretion of those that drink too much, if for the intemperance of others, the *Distiller* were to be destroy'd as he is a *proprietor*, the *Cutler* could deserve no less for *swords* and *knives* being instrumental in murders.

THE *Vintner* kills as many with his *bottle*
as

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as the *Distiller* with his *dram*; and an intemperance in meat destroys as many as an intemperance in drink, but it is to be hop'd the *properties* and *social rights* of the *Vintner*, the *Butcher*, and others, will never be the price at which other men should have their health; for if one man's *property* should be accountable for the intemperance of another, all must be as unfortunate as the unhappy people we speak of.

Your difficulty about other *equivalent* than that you think the Act has provided, may be remov'd without oppression to those that may have the doing it; for by the survey of a *Distiller*, it is known what quantity of liquor he makes, and there will be no great difficulty in finding the profits that arise from a known quantity of the liquor. And,

THE present gain of each being known, the yearly loss the Act may impose upon them will shew itself, and their losses accumulated will prove the amount of the whole; and if what a man now gets in that business, is what he might get in the time to come, that may be call'd his property in reversion; and by an impost too small for the complaint of any that may pay to it, the breach into their present properties might be repair'd, and an equivalent found to their properties in reversion.

THIS would not be so hard upon the publick as it may seem in its first appearance,

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rance, for the mortality of each year will reduce the number of those that will be reduced by the Act, and the yearly sum to be paid, would diminish as they should diminish, and with them, expire in a few years.

As no *tax* has been laid upon the people but for the support of government, and the defence of their properties, as was always the reason given for a war, and such imposts as were laid to maintain it, a tax in this case, may be for the more immediate defence of the properties that may pay to it; for if no equivalent be given for the properties the Act may destroy, it may be esteem'd that our properties are already invaded; but the wars we have maintain'd, were enter'd into upon distant views, that were only presumptive, and might finish in mistake.

As the damages of the sufferers will be as real as those that come by *fire*, which are always repair'd by the publick, though they are not receiv'd for its service, unlu-ally deplorable must be their fate, if neither the compassion that favours the unfortunate; nor the equity that is naturally common to all men; nor the concern our properties have in their case, should make a way to their relief; for if they were of a spurious race, it could not be expected they should be deliver'd up to all manner
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of severities by the mother who brought them forth.

Tho' the intention of the Act has a tenderness for the health of the people, yet if the way of laying the restraint upon the *Distillery*, affects the present properties of those that are to suffer by it, it naturally begets the question, *Whether it may not be a leader to some future act, or acts, that may affect the properties of all the people in a gradual way?*

I find it in your letter, "That as the
"like necessity can hardly occur again,
"there can be no future act of the kind;"
but as things that have been are always cautionary in our reasonings to what may be, and the frequent arbiters of human action, it cannot be said the same thing shall not come to a repetition in some shape or other.

TAVERNS and *ale-houses* killing their multitudes as well as the *dram-shops*, the same necessity for another act of the kind is now subsisting; for as health is the consideration from whence this arises, in its intention it comprehends every thing that may impair the health of our bodies; and as it is not impossible it should come to an amendment, by which that may be made literal which is in it by implication, in the same regard to the health of the people, it may not only restrain the retailers of *wine* and
ale

ale with equal severity, but all *Druggists* and *Coffee-houses*, if *tea* is the *slow poison* our *Physicians* have declar'd it.

As *property* is nothing without *freedom* in the use of it, nor *liberty* any thing without a *property* to exercise it upon, in either the other is to be understood to make it worth a man's care, and the two to be esteem'd as one in the relations they bear to each other, and such is it's real value, that nothing should be done by which it may be brought to the question, *Whether it should be expos'd to future insults, under any emergency, face, fashion or pretext whatsoever?*

IT being of necessity to *freedom*, that oppression should not cast her shadow upon the people that enjoy it, it must be the choice of prudence that they suffer any inconvenience, rather than the least wrong that can be done to their *liberties*, for if one branch of them be maim'd, or parted with, the rest will follow, as one drop of *water* follows another.

As our *liberties* are the most valuable of all earthly things, their preservation should be so near the heart, as to occupy the mind as far as it is to be concern'd for the body, and every thing that may affect them, should be subjected to the scrutiny the king's *wine* undergoes, that *poison* might not produce a vacancy in the throne.

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THE name of *liberty* should be as dear to us as the names of our own *children*, and, for their sakes, the thing itself should be as strong in our affections, excepting that part of them which is not to die; for as their lives would be of no value to them without it, the price we put upon it should proportion the love we have for them, and the jealousy a man has of a disease that may cut off the son of his hopes, is the jealousy he should have of the *liberty* in which the temporal happiness of that son is to be plac'd; and that which moves him to provide against the one should engage his providence for the other; for what could there be but regret in the birth of a son, if he was not to be born to freedom?

THE Act is against an intemperance that may be restrain'd tho' it cannot be eradicated, but if the manner of laying a restraint for the benefit of some, should prove hurtful to all, it must be so to those the benefit is calculated for, and amount to no more than an exchange of evils, in which the rule may be contradicted, that makes it our care to part with the greater for the less.

IF the Act carries the chance of saving some, with a certainty of destroying others, tho' those that are to be lost are few in respect to them that may be sav'd by it, yet, as they are but few in respect to the whole body of the people, whose *properties* may

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be endanger'd for the saving them, the account must balance in a general disadvantage.

IF the suffering *Distillers* should not be above one to ten thousand of the people, in a nation where *precedents* have place among their laws, and govern with equal strength in their courts of justice, the care of that one as he is a *proprietor*, should be equal to the care that is taken of the ten thousand, that they may not be affected by the neglect of that one.

THIS is of that species of providence by which all men pursue the thief when it is but one that is robb'd, that the evil may not be favour'd by his escape, and the necessity of it being founded in the safety of mankind; if it should meet with a contradiction in the present case, it may seem fatal to publick safety.

IN our social fabrick, all the parts have such a bearing, or dependence, upon one another, as to make the safety of the whole consist in the full repair of each of them, it being as the arch in buildings, in which the loss of one *stone* draws inevitable destruction upon the whole, if another be not put in its place. So that,

IF the suffering *Distillers*, who make a part of our political fabrick, as they are within the denomination of *proprietors*, should be forc'd out of it without an *equivalent* to the

the *properties* that are to be reduc'd, with time it may bring a disorder upon the whole, that may baffle every human art that shall be used as a remedy; an instance of which is produc'd by the Act itself, as shall be observ'd in its place.

IF in the capacity of a *Distiller*, he is esteem'd a superfluous part of the social body, he cannot be that in the condition of a *proprietor*, and if he is to be destroy'd as a *Distiller*, it may not be unseasonable that he is sav'd as a *proprietor*, because of the concern every *proprietor* has in it.

As a provision for the *Distillers* that may be proportion'd to the notion of a *free people*, is a tacit provision for all the people of *England* as they are born to *freedom*, we are not without hope that such will be made, it seeming impossible a seat in *St. Stephen's Chapel* should be fill'd with one that is a stranger to the worth of *freedom*, or to whom it can be pleasing to see the proximate hands of the people lifted up against themselves.

THE remarks of one I have been acquainted with, falling in with our present way of thinking, may allow that I bring them to a repetition.

“ In every motion, said he, that is made
“ in the great council of a *free people*, it is
“ of necessity to the conservation of their
“ *freedom*, that every member considers it

“ first, by the rotation it may have to the
 “ *liberties* of the people he represents, that
 “ if it contains but the shadow of an evil to
 “ them, it may be rejected without further
 “ concern for what there may be in it.
 “ For,
 “ IF the good it may contain cannot be
 “ separately provided for, it is a duty to
 “ reject the whole, it being impossible there
 “ should be a good in it that may deserve
 “ our concern, if it cannot be ours without
 “ prejudice to the least part of our *liberty* ;
 “ for the least breach in the wall by which
 “ that is defended, is not to be repair’d
 “ without convulsions, that may put the
 “ whole to the question for it’s life.
 “ WHEN this is the rule, said he, it will
 “ support the spirit that is to preserve us,
 “ and convey it without flaws to the gene-
 “ rations that are to come; for if there are
 “ any yieldings, that spirit will yield with
 “ them, and as that shall decline our dan-
 “ ger will increase; for as *liberty* will not
 “ stay with those that neglect it, as that
 “ spirit dies our *liberties* must die with it.
 “ THIS, said he, would anticipate the
 “ very beginnings of *oppression*, which ne-
 “ ver fail of endangering the whole body,
 “ though they take life in ever so small,
 “ obscure or remote a way; for while the
 “ *liberties* of our country shall be the stan-
 “ dard from whence every other thing shall
 “ receive

“ receive it’s measure, and shall preside to
 “ give the law to all, every man may feed
 “ in peace upon the fruits of his own in-
 “ dustry, and enjoy a quiet reign in the
 “ little kingdom that has given him.
 “ THE beginnings of *oppression* are small,
 “ insinuating, and usually in a disguise that
 “ makes them imperceptible; for they fail
 “ not of playing the *Brilliant* in some things,
 “ to deceive the people in others of infi-
 “ nitely greater consequence.
 “ As soon as it has taken life, it makes
 “ it’s own way to every member of the bo-
 “ dy it is gotten into; and by a beginning
 “ in small things, it has the advantage of
 “ creeping under the people’s weakness in-
 “ to greater; for the beginning being small,
 “ the people neglect it as we frequently
 “ neglect small wounds till they come to
 “ *Gangreens*, and think not of the danger
 “ till it is not to be remov’d.
 “ USE making most things easy, the be-
 “ ing familiariz’d to hardships bends the
 “ man to the bearing them, and under the
 “ discipline of one *oppression* he is fitted for
 “ the reception of another; by that for a
 “ third, and so on, till the custom shall
 “ subject the mind and body, to any weight
 “ that shall be laid upon them; and that
 “ becomes so indifferent to the generations
 “ that they are born under it, as to look like
 “ a thing they came into the world for.
 “ NEVER

“ NEVER tasting of the comforts of *liberty*, they seldom come within their thoughts, for making the best of their way under the weight that is upon them, gives an employment to the mind that fulfills the *proverb* of absolute princes, who say, *The harder the ass is loaded, the better he goes.*

“ THE *taxes* that were laid for the war of King *William* furnish us with an instance of the kind; for as the people had not been used to imposts, they might not have born their weight, if they had not swell'd with the hope of conquest that should return them more than they were giving for it, and promises that their payments should end with the war they were giving to maintain. Or if they had seen the length of that chain, there might have been more difficulty in making it's first link; but their sons who were born under it, thought no more of the *taxes* than that they must be paid, tho' the war was at an end that gave the reason for them, and their fathers disappointed in the advantages they expected from it.

“ As the *liberties* of a people are never in so great danger, as when kind and heroic actions have carried the prince so far into the hearts of the people, as to make him an absolute monarch in them, in a gradual disguise, the princes that have
“ been

“ been so recommended to their people's affections, have had the opportunities for building the powers we call *despotick*.

“ IN their beginnings it was thought easy and convenient to oblige an indulgent or victorious prince with what seemed but a small thing, as if the revenue and grandeur of a *crown*, the delicacies of this *world*, the pleasure he took in his *superiority*, and the figure it made for him among the monarchs of the *globe*, were not a sufficient recompence for all that one man could do for them. But,

“ ONE small thing given to the prejudice of *liberty*, gave him the power of taking another, or asking it with the better grace, and those who in the beginning freely gave one thing, found themselves constrain'd, by the use that was made of their own gift, to part with more, till the receiver had obtain'd the *power* of taking the remainder, and of bringing their *liberties* to their *funeral pile*, for *oppression* is an evil that swells as it goes, till it has brought all the *people* within the tribe of *Issachar*.”

As the thought of health exhilarates, and the *suffering Distillers* may seem too inconsiderable for the notice we take of them, under these may lie the natural, though undesign'd disguise to the inconveniency that is apprehended in the *Act*; for, as I have
already

already said, I conclude it every way impossible any evil should be intended by those that made it. But,

THE purity of their intention does not forbid its being the vehicle of all evils to the *Distillers*, their trade and stock, which it immediately affects, being all the world to them and their families; for they must be in the highest affliction, when they see their stocks reduced, and their bread forbidden by a law, and their children appearing as *orphans* while their *parents* are in being; for the having *parents*, or the having none, is the same thing when a living *parent* can do no more than a dead one, or rather worse when neither lives but to behold, and lament the miseries of the other.

As the evil in it's first instance may seem to affect none but the *Distillers*, and their being few in respect to the whole body of the *people*, it may not seem to be a subject for all that has been said upon it; but in the circulation of *political evils*, we find one to be the cause of so many; that we may think of it as of an *epidemical distemper*, which extends to all the *people*, though its beginning may be but in one man.

IF it should seem indifferent what may be the fate of those unfortunate *people* as they are *Distillers*, what shall come of them as they are *proprietors* is the immediate concern of every one that is a *proprietor*, though
it

it may be but in the bed that he is on; and the cutting them off from their *properties* for a cure to the intemperate, may produce the question, *Whether it may not be as the cutting off a toe for the cure of a corn, when it is follow'd by a gangrene and finishes in a mortification?*

As it is the health of a part of the *people* that forms the intention of the Act, it is an expression of the care and tenderness which suits with the superintendency the *people* have elected it's authors to; and viewing it in that light, abstractedly from every other thing that will be in it, it is compassionate, provident, fatherly and lovely. But,

CONSIDERING it in that mixture it has with the other things that will be in it, and considering each of them in their relations to the very things they are concern'd in, the fruit in all these outward beauties, may be found to enclose the seeds of more evils than all the generations to come will be able to deliver themselves of, unless the form of the Act may receive a change from the *power* that gave it.

THAT the beautiful light in which one side of the Act will shew itself, is that which fell upon it's authors in a more abstracted way than our argument allows it, I make no question, and if they are consider'd as persons warm'd with a regard to the health of the *people*, without reproach upon the
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wisdom which could be no more than humane, many things may be allow'd to have been obscured under that zeal and tenderness for others, till their own seasons shall bring them forth, to their prejudice the Act was to relieve by the intention of them that made it.

BEAUTIFUL as the Act may appear in that abstracted way of reasoning upon it, if things intrude and will go with it that must be hurtful to our *liberties*, it's beauties will turn into *briers, thistles* and *thorns* for us and our posterity to be tormented by, and give a painful conviction of their being no *equivalent* in the health of the natural bodies of some particulars, to the prejudice it will impose upon the health of the social body, of which every man is a member, and by which every member will be affected, as well the *Temperate* who are not directly understood in the *Act*, as the *Intemperate* for whom it carries a direct intention.

As the health of the social body is the seat of happiness to all it's members, it can have no grievance in any one part of it but what will be felt by each of them in some respect or other; and such is the obstinacy of political evils, that the remedy for one usually produces others, which become causes to a succession of mischiefs, under which the body languishes, it's members wither,

ther, and it's whole frame is forc'd from the possibility of redress.

THIS truth all ages attest, and to all the nations upon the *globe*, the mistakes that produced it have been a punishment that may convince us, of it's being better the particulars provided for by the Act, should wait for the recovery of their health till it may come by some other way, than that they should receive it by a disorder in the political body, of which they are members, and in which they must decline as she does.

FROM a principle of equity that govern'd in the formation of the Act, a satisfaction was appointed for the breach it would make in the *properties* of the *Distillers*, but it is in the question, *Whether the choice fell upon a mean that is proportion'd to that end?* Or if it did, *Whether the right done to them, will not extend the wrong to a greater number?*

THAT the mean chosen will not proportion the end I have already demonstrated, and the second question may be thus considered.

IF a *Distiller* was to trade in a *corporation* by an unnatural way of climbing over it's wall to the privilege, those that trade there in the way he would fix upon, must part with a share of their *property* in the trade of the place that the stranger might live, and lose a part of their childrens bread,

to support him in an irregular contest for the whole; and in place of contracting that evil, which could be immediately felt but in one man, this would extend it to as many as should trade in the same way.

As more money is given, and incidental charges made for the right of trading in a *corporation* than in another place, with the municipal duties that must be observ'd in consequence of the *freedom* so obtain'd, these make the trade of the town a *property* that is bought with their money, and servitude peculiar to the place; and under the protection of a *Royal Charter*, and the laws by which the honour and prerogative of the crown are asserted, the title of the *proprietors* was thought as inviolable, as a man's title to the bread of his own earning. Besides,

As the *Common Law* makes a trade the *property* of him who gives his *money* and *servitude* for it in an *open town*, it is doubly proper to him that acquires it in a *corporation*; for the *Municipal Law* making it a *local property*, it is only proper to them that give their money, servitude and obedience to the laws that are peculiar to the place, and as it is a *property* within a double fence, the injury it may receive cannot be single. And,

As the *freedom* of towns within *Charter*, is not given without *servitude*, or a consideration

ration in *money* to be applied to the service of the community that gives it, this clause in the Act, cannot protect a man that shall trade in a *corporation* without either of these conditions, but to the prejudice of every member in that community; and as the stranger will impoverish those that trade in the same way, he will bring their misfortunes to be felt by all that have given them a trading credit, and make this way of removing the evil from one man, like the *air* that carries an epidemical distemper from one house to some thousands.

In the breach of *Charters*, this way of removing damages from a few will extend them to some millions, and bring a contempt upon the *Crown* in levelling the worth of *Charters* to that of *waste paper*; and as the *Distillers* cannot be the better for it, the honour of the *Crown* will be injured, and the rights of all our *corporations* invaded for nothing.

THO' the clause can be of no use to any body, it may serve for a *precedent* that may be used in future occasions, against that inclosure by which every *corporation* preserves it's own trade within it's own body, and that which the law makes proper to them that purchas'd it with their money and servitude, from being common to those that gave neither money or time for it.

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As those gentlemen by whom our *corporations* are represented in *Parliament*, were elected to the guardianship of our municipal rights in particular, as well as their civil rights in common with the rest of the people, I presume it was not expected by the *corporations* they were elected in, that their fence should be trod by the feet of those they had elected for it's *guardians*.

NOR can I conceive it to be any more the intention of the one, than it was the expectation of the other, that the least mistake should arise upon the confidence that was reposed in them; for what has been done, bears the face of a surprize that was produc'd by their concern for the health of the people, and may be recall'd by a change in the provision that clause intends for the *Distillers*.

THE clause shows the misfortune of entering into any thing to the prejudice of *liberty*, and that it always carries an evil which is to have no end; for as every *tree* brings forth the fruit that is proper to it's kind, it is always producing some fresh effects that suit with it's own nature, and each of these producing others like themselves, they go on to infinity, and circulating that every one may be the worse for them, they leave the marks of their malignity in every house.

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EVERY political evil is circular; it sheds of it's sorrows upon every member of the society it takes life in, and teaches men to stick *thorns* in the feet of one another. It's generations are as numerous as they are pernicious, and under their weight the world fills with fruitless lamentations over the mistake they had their beginnings in.

THE servitude we see the rest of the world in, may convince us of as great a necessity for keeping that spirit, and body of rules in repair by which our *liberties* are to be preserv'd, as there is for a man's care of that vessel his life is to embark in at his going to *sea*.

THE cure of a political evil of long standing, was never attempted without the production of another which made the case worse than it was before; for it throws every thing out of it's own order, and it's remaining so for a time, the cure becomes as dangerous as that of an old dislocation which brings the cripple to his grave. But,

IF the evil is recall'd before time gives it strength and extension, by which it may root and become a part of the thing it takes hold of, things may fall back into their own order, and anticipate the damages which must be consequential to the thing that has its beginning in disorder; for there is nothing wrong in its beginning, but what will
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be unhappy in its progress, and miserable in its end.

WHAT may be expected to the rest of your letter shall not be omitted, and if the length of this exceeds your patience, something more than a common tumour in the mind may be allowed, when compassion, equity, and a concern for our *liberties* meet in the thing by which it is exercised.

As the suffrages of your County have call'd you to the guardianship of its *liberties*, what I now offer comes within the trust you have taken upon you, and my concern in the same county giving me a right to the *liberty* I have taken, it only remains, that I desire to be esteem'd,

Your Humble Servant,

