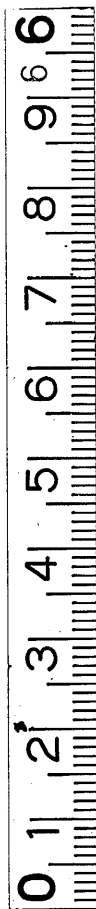


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The Ax laid to the Root of the corrupt Tree :

OR, AN ⁿ
ESSAY
ON THE
HARD CASE

OF THE
RETALE-TRADERS, CITIZENS, SHOP-
KEEPERS, &c. of the City of *London.*

In regard to their TRADE, as at present *invaded* by
HAWKERS and PEDLARS.

Humbly address'd
To the GENTLEMEN that may either be nominated,
or offer themselves for *Candidates* against the next
General Election for Representatives in Parliament.

W I T H
Advice to the ELECTORS, and recommended to all
others whom it may concern.

S H E W I N G
That the principal Cause of the Decrease of the *legal* Trade of
this City is more owing to *our own Faults* therein, as Citizens, or
to *our imprudent Choice* of some of our Governors, than to the
Government.

By a L I V E R Y M A N .

L O N D O N :
Printed for the AUTHOR, and sold by *J. Huggonson*, the upper
House in *Ship-Court*, the first Turning on the left Hand next *Ludgate-*
hill, Old-Bailey; and at the Pamphlet Shops.
(Price Six pence.)

1741 9

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T O T H E
R E A D E R.

A GREAT Part of this Essay was wrote a Year and a half ago; but, as the Times were disturbed, I judged the then Publishing it might be construed a Party Design; and, because the principal Person against whom it is chiefly levelled, as reported, had resolved not to stand a Candidate at the next Election, I forbore to finish it: But now, being creditably informed, he is determined to stand; and also, as he seems to have taken a subtile and unusual Method to be courted to it, I thought it might not be improper to finish and publish it. Therefore, I offer it for Consideration, not only to the Gentlemen to whom it is addressed, but to my Brother-Citizens, and to the Publick in general. I confess, I am but very little read in Law, and therefore build my Arguments chiefly upon the natural Compacts and Cohesions in the Nature of Things, and the Tendencies thereof, according to my own Judgment. If there be any Points of Law wherein I may have erred, I shall with Pleasure submit, whenever I may be so happy as to be informed thereof.

I intreat you will believe me in this Point, viz. that I have no Party Design; I positively aver no Man ever knew of my Intentions either to write or publish this Essay; and that I never shewed the Copy to any Man living, save only to the Publisher and Printer, in order to its Publication. I am the more particular in this Assertion; for, indeed, 'twas the main Reason of my concealing my Intentions, that, if another Candidate should happen to be set up after the Publication, he might not

be censured, to have had any Hand herein, or privy, or lent any Aid thereto.

As to the Facts alledged against his late Lordship, I hold myself obliged to prove them to his Face, if he thinks fit to deny the whole or any Part thereof. I have no personal Dislike or Pique against him, I assure you; for, before I found him insincere, I had a very good Opinion of him: But, as he has acted in the Affair so contrary to what I expected, both from his Abilities and former Promises, I thought it my Duty, as well as my Interest, as a Citizen, thus to communicate his Acts therein to you my Fellow-Citizens; especially, considering your almost general Silence upon a Case of such Consequence, as this is of to us, that we may not only check such Actions for the future, but avoid entrusting such Men with extraordinary Power any longer.

As to the other Assertions, some of which I have from very creditable Report, I doubt not but to explain, if Need be; tho', as this Essay is on a Case so very notorious, in which many Hundreds of the Citizens have been engaged, I doubt not but that the Persons, against whom this Complaint is exhibited, will soon find, even in their own Consciences, or among their Intimates, enough to justify me in thus complaining, and thereby save me not only the Trouble, but also the Necessity of exposing myself to the Publick, against my Inclination, and great Reluctance to Popularity; for which Reason only I conceal my Name: Yet, if the Truth in general, or in particular, against any Person, should be contested, the Publisher hath my Consent to discover me whenever he is publickly required so to do; but not alone to satisfy the Curiosity of any particular Person whatever.

I further intreat, as a sufficient Reward for all my Trouble, that you will excuse the Tautology, immethodical Stile, and Procedure therein; it being wrote at Intervals, under frequent Interruptions, and other Disadvantages attending me during the whole, which, I hope, will atone for the ill Digestion thereof.

A N

Feb. 10, 1740-1.



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E S S A Y
O N T H E
H A R D C A S E
O F T H E
R E T A I L E T R A D E R S, & c.
o f t h e C I T Y o f L o n d o n.



HEREAS many of the Wholesale Traders, Citizens of London, have made some Progress to form the Lists of Candidates of fit and able Persons, (as they think) to serve in Parliament, against the next Election, out of which we the Retail Electors are to take our Choice: And whereas there are sundry necessary Qualifications to render them worthy of being put in Nomination, the principal of which, in regard to us, is, That they are of known Ability, zealous Promoters of Trade, and Asserters of the real Rights and Privileges

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privileges of their Fellow-Citizens: And whereas it has been remarked by many (if not by all) the Electors, that most, if not every Candidate, that has heretofore offered himself, either for *Lord-Mayor, Sheriff, Alderman, Representative in Parliament, Chamberlain, Common-Council-Man*, or, in short, for any of the high Offices of Honour or Profit in this City, has, in the most pressing Manner, (so far as Words could express) assured the Electors, *That they were known to be zealous, nay, strenuous Asserters of the Rights and Privileges of their Fellow-Citizens*: Let us, the *Retailers*, in order to be secure of our Rights and Privileges, and that we may pitch upon Men of known Zeal in that Particular with which we are to entrust them, examine strictly, whether those Persons, heretofore by us chosen, have answered our Expectations, especially in that *strenuous* Manner they ought, according to their several Promises?

I shall not pretend to examine their Conduct as to all our Rights and Privileges; but content myself with one Instance, and leave the other to my Fellow Citizens, who are better acquainted with them than I am: Yet, I think, this one is the most vital of them all; and, unless we are protected in that, all the rest are of little or no Value, which is this, the *Retail Trade* of the City of *London*.

I insist, if I know any thing of our Rights and Privileges, that the whole *Retail Trade* of *London*, so far as respects Wares and Merchandizes, except in Privileged Places, Fairs, Markets, and some Trifles which the Laws except, is solely vested in the Freemen, who inhabit and keep Shops within the said City, &c. and that no Foreigner hath any Right, in the Manner by many now practised, to come within the City to share the said Trade with them, under any Pretence or Authority whatsoever. I also insist, that, if any Foreigners are found retailing any Wares and Merchandizes within the said City, and are, as
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the Laws direct, taken before our City-Magistrates, 'tis the Duty of the said Magistrates, upon Proof, to put the Laws in Execution against them, to punish the Offenders to the utmost, and thereby protect our said Right; especially if they are such *strenuous Asserters*, as they would have us believe, by their Publications at the Times of their being chosen. If so, it follows, that a Magistrate has an incumbent Duty on him, and if he fails of that Duty in Detriment to us, the Citizens, whoever he be, he is unworthy to be put in Nomination for a Member of Parliament for this City.

Nothing is more apparent and common, than that we are, and have been for many Years, greatly invaded in our said Right by Thousands of Foreigners, as *Jews, Infidels, and Vagabonds*, of most Countries and Nations, coming into the City in Swarms, hawking and selling almost every Sort of Wares and Merchandizes, to the manifest Detriment of us, the *legal* and truly vested *Shop-keepers*; for the Truth of which I appeal to every single Inhabitant of both City and Suburbs: And, though this has been the unhappy Case of us *Freemen, Inhabitants, and Shop-keepers* of *London*, for many Years, be it known to all Men, that we have not borne this intolerable Burthen without great Uneasiness on our Parts; but have many of us, at many Times, within these 20 Years, met together, to consult the best Method we could to remove this grievous Evil; and the best Conclusion we could ever come to was this, to call Constables, and cause them to take the Offenders before our Magistrates, in order to have the Laws, both of the Land and of the City, put in force against them. And when we have so done, in order for Relief from our Magistrates, in the just Execution of the Laws; instead of that, we found, that the Laws relating thereto had been but little (or rather not at all) considered by them, and they were fearful to act, or at least

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but few of them would engage in the Affair; and those that did were intimidated by others that refused: So that we met with continual Discouragements.

After this we met again, consulted, and, pursuant to our Conclusion, petitioned the Court of Aldermen; setting forth in our Petition the great and manifest Damage we sustained by the said Hawkings, and prayed, that the Court would in their Names, and at their Expence, publish the Laws relating thereto. This Petition was received and granted; whereupon the Court caused to be delivered to us 500 printed Sheets of the Act of Common-Council, &c. made in the Year 1694, to which please to refer. These Sheets, thus received, were dispersed around the City, and fixed up in publick Places and Houses, so far as they would extend; in order that all People might know, that we had Laws in Being against Hawking in this City. Whereupon we were for some Time in a tolerable Manner relieved; for the Hawkers, hearing and seeing the said Laws, absented themselves; and then our Trades began to flourish, and Chearfulness to appear in our Countenances; we were in hopes, that at last we had obtained the long'd-for Protection of our just Rights and Privileges, that now we should be able to keep open our Shops, and see our Creditors and Landlords at all Times with Pleasure, having Money at Command ready to answer every just Demand of theirs; and should be able for the future to make punctual Discharges of all and every the fundry Fines and Payments, we are subject to as Citizens, towards the Support of the Grandeur and Dignity thereof.

But, alas! notwithstanding our seeming Happiness, we found it of but short Duration; for these Sheets were soon destroyed, and the Remembrance of them forgotten, and, the Hawkers returning by degrees, in a few Years we became as much infested with them as ever. Upon this we resolved to take them up, and

and carry them before our City Magistrates, not doubting but that they had now a clear Understanding of the Affair, and that they would not only stand by the said Laws, which they had published as above, but would also willingly join with us in the Defence of our said Right, and, by so doing, convince us, that, as they protested their known Zeal in the Assertion of our just Rights and Privileges at the Time we elected them, they were Men of their Words; seeing they had had an Opportunity to observe and consider the Reasonableness and Necessity there was to acquaint themselves in the Knowledge of the Laws, which are to defend the most valuable Vital of our Privileges. But, to our great Surprize, when we set the Offenders again before them, instead of joining us, they were still perplexing us with Difficulties in regard to the Licences, seemingly to suspect they should be thought to interfere with the Revenue of the Crown, if they took and construed their own published Act of Common-Council, in 1694, in its ancient Force; and under that Pretence, and perhaps some other prevalent Motive, which they concealed, they tired us by tedious Waitings, Excuses, and Entreaties in Behalf of the Hawkers, and thereby tantalized us in such a Manner, that we found some of these great Asserters of our Rights and Privileges had deceived us.

Whereupon a vast Multitude of the *Retale Traders* of this City, of almost every Trade, met together, and determined, as this was the Case, to apply to Parliament, to have the Laws made more effectual for redressing the said Grievances; and accordingly did petition the House, setting forth the great Hardships we lay under; which Petition was noted and joined in by many of the trading Cities or Corporations in the Nation, who, of their own Accord, took that Opportunity likewise to petition, and set forth their like Grievances, corroborating the Injuries we complained of, which were true and obvious even to the
Members

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Members themselves : But, mark the Answer we received to our said Petition from several of the Members, (which was ordered with the rest to lie upon the Table, &c.) viz. " We conceive, that the Laws already in Being are sufficient to protect your said Rights in your Cities, if you will but put them in Execution : And, that as the Laws in Being are sufficient, it would be an Inconsistency for the House to spend Time to do that which they apprehend is already done." And this was the Reason that induced the House to lay the Petitions upon the Table ; for, I am persuaded, if the House had in the least thought the Laws were in any Case too weak, to maintain us in the Enjoyment of our said Right and Privilege, they would readily, and with great Cheerfulness, have entered, with all convenient Speed, upon the Merits of the said Petitions, and would willingly and fully have secured us in the full Enjoyment of them, in its utmost ancient Strength and Lustre.

So, my Fellow-Citizens, you see how we were referred back to the Laws then in Being, and which still continue ; and one would think our Magistrates (who doubtless had Knowledge of this Answer from the House) might very safely and justly have aided and assisted us, and done us what Service they could, when we afterwards brought the Offenders before them with full Proofs ; and it may be likely some People, not knowing how we have been used, will hardly believe, that any one of our Magistrates could flag in his Duty, in regard to this vital Privilege, who rather with Pleasure should have roused up, to shew us, that they all and singularly were desirous of doing it to the utmost, and in that strenuous Manner they had promised. But, instead of this, some of them are still perplexing and tiring us ; for, almost on all Occasions, they still seem very fearful of being thought to interfere with the Crown, in regard to the Revenue that arises from the Licences ;
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and it is generally observed, when we set the Offender before them, the first Question they ask them is this, *Have you a Licence?* as if they would thereby insinuate, that, if they had one, we are to take notice, that the Hawker hath not transgressed any Law, by his Hawking in the City ; which has prevailed to that Degree, that you will find, if you will make Enquiry into the Sentiments, both of the Magistrates and the Common-Council-Men, that it is, or hath been, the Opinion of the Generality of them, that if the Hawkers have Licences, they have thereby a just Toleration to hawk in the City. But that this Insinuation is groundless will soon appear : For the Act it self, for Licensing of Hawkers, &c. expressly says, " That this Act, or any Thing contained therein, shall not extend, or be construed to extend, to give any Power for the Licensing of any Hawker, Pedlar, or Petty Chapman, to sell, or expose to Sale any Wares or Merchandizes, in any City, Borough, Town-corporate, or Market-Town within this Realm, any otherwise than might have been done before the Making of this Act ; any Thing therein contained to the contrary notwithstanding."

Now, that no Foreigner (or even a Freeman) had a Right to hawk in the City before this Act, I presume, wants no Demonstration, the before mentioned Act of Common-Council, of 1694, being a full Proof to the contrary, seeing that Act is prior to the Act for Licensing of Hawkers, &c. Yet, I fear, though the Case is so plain, it will be very shocking to you, my Fellow-Citizens, when I tell you what Usage we have met with, when we have applied to our Magistrates, in order to vindicate the said Right of the *Retail Trade* of this City, and that we have found some of our Magistrates very ignorant of the said Laws, or, at least, would seem to be so to us : For, I assure you, we have been told, when we have carried four Hawkers together before them, who had no Licence,
That,

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*That, if they have no License, they have a Right to hawk in the City, but not out of the City; and this, my Fellow-Citizens, came from one, who has been, and still is, by many, esteemed one of the most shining, for Accomplishments, that ever pass'd the Chair; and that before Hundreds of People, who, taking the Advantage of that Encouragement, insulted us. This unexpected Procedure so struck us, that we were almost rendered unable to rally in Vindication of our said invaded Right: However, we did venture to assay it, and, having luckily the Acts of Parliament, and the said Act of Common-Council in our Pockets, we produced them; and, after much Pains and Struggle, at last convinced his Lordship of his Error: But what then? Why, instead of punishing the Offenders, he became their Counsel, and pleaded, *That whereas the said Laws had laid dormant so many Years, it was a barbarous Thing in us to trump them up of a sudden, and take the Advantage of them against such ignorant People.* This founded bravely in the Ears of our Enemies, the Hawkers, who looked very insolent on us! but we mildly answered, *It was far from us to take any such Advantage of their Ignorance; and alledged, That we had at our own Expence, for two Months preceding, advertised in the publick Papers, that the said Laws were still in Force; and that, if the Hawkers continued to hawk, we would certainly proceed against them.**

Upon this his Lordship, directing himself to the Hawkers, said, (but in an Accent that bespoke he pitied them) *Come, you must pay 40 s. apiece, which is the limited Sum, according to the said Act of Common-Council; upon which, the Hawkers taking the Hint from the Chair, replied, An please your Lordship, we never knew there was such a Law, nor never heard of the Advertisements.* Upon this their Denial it was replied, *My Lord, we have here a Witness that will swear, that many Times he told one of these Hawkers of*
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the Laws, and threaten'd to take him up, if he did not desist; and that the Hawker as often insulted him; and insisted, that he would hawk, in Defiance of him, or the Laws either. What fuller Proof need any Magistrate require, than was here present? *viz.* four Hawkers without Licenses, the very Goods produced, and Evidence that they knew they offended against known Laws; whereby there was actually forfeited 4 l. to the Mayor and Commonalty of the City, and 4 l. to the Persons suing for the same. Hereupon his Lordship paused a while, and then, like a very hearty Advocate, to screen the Offenders, made the following Proposal to us, as near as I can remember, in these Words, or to this Effect; *Gentlemen, I think the best Method you can take is, to petition the Court of Aldermen, setting forth your Grievance, and I don't doubt but the Court will examine the Laws relating thereto, and will publish an Order, whereby the People will have an Opportunity of knowing there are such Laws; and then, if you find them offending for the future, none can plead Ignorance: If they offend after that, it will be Time enough to bring them before us to put the Laws in Force against them; but I desire you to consent to the Discharge of these four present, whom I will now forewarn, that, if they offend again, they shall be punished as the Law directs.* Upon which we consented to their Discharge, without any Penalty, gave up our own Loss of Time and Expences, being willing to oblige his Lordship, considering that it would be some Obligation upon him to countenance and encourage our Petition in the Court of Aldermen; and resolved to follow the Directions his Lordship had been pleas'd to give us, which we then thought to be sincere; but the Sequel will perhaps make it appear to you, we had then conceived a wrong Opinion of him, which I shall leave to your own Judgments.

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Accordingly, we drew up a Petition, then summoned a large Body of Shop-keepers, who read, approved, and signed the Petition, and enquired a proper Day to present it; on which many of us attended the Court, who received it, and returned this Answer: *Gentlemen, the Court has considered your Petition, and we intend to examine the Laws relating thereto, and shall publish an Order according to the Laws, which we hope will be effectual.* This Answer, from the Mouth of his Lordship, in the Presence of a large Court, inspired us with Joy; and, it being as much as we could reasonably expect, we in an humble Manner returned the Court Thanks, and withdrew.

Here again we were flush'd with the pleasing Thoughts of soon obtaining the desired End, that now we had got the Affair upon a prosperous Footing, having, as we then thought, embarked with us, and for us, a Man of the first Magnitude, of Penetration, of Oratory, and of Weight not only in the City, but also in the House of Commons, if need should require: And, from the Justness of our Cause, together with the Influence of so great a Man on our Side, supposing that his fore-mentioned Error was removed, and that he was become sincere in our Interest, we now expected great Matters; we, confiding in the Answer of the Court, expected to see the Order appear; enquired, and searched the publick Papers, for more than four Months; but not a Word appeared. However, we knowing the Chair was extraordinarily and vigorously engaged in the Prosecution of the unlawfully retaling of spirituous Liquors, we had still Hopes; and at last we consulted, and concluded to wait on his Lordship, to desire an Answer, and to know whether we might still expect an Order. Hereupon some of us were deputed to attend him; accordingly we, taking a proper Time, when his Lordship was at Leisure, attended; being received very complaisantly into

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into his private Apartment, we addressed ourselves to him in the modestest Manner we were capable of, entreating an Answer to our said Petition: To which his Lordship returned to the Effect following, *Gentlemen, I remember your Petition very well, and I thought you had heard long ago what was done in it.* We replied, *We had heard something; but, not being sure we were truly informed, we chose, if his Lordship pleased, to have an Account from himself.* And then he proceeded, and gave us Answer to this Effect, *The Court, in regard to your Petition, ordered the Town-Clerk to examine the Laws, and to draw up an Order, and to lay it before the Court; he examined, and drew up an Order; the Court considered it, and, before it was published, it was judged necessary to lay it before the Recorder for his Opinion, whether it was drawn according to Law: It was laid before him; he returned it with his Opinion, that it was not according to Law. So from that Day it was laid by, and nothing more is likely to be done in it.* Upon this we ask'd him, *What must we do? Must we bear this intolerable Grievance? Is there no Redress?* Then his Lordship said, *I enquired of the Recorder, What must the Shopkeepers do? and he answered, Put the Laws in Execution.* [Here again we were sent back to the Laws, which was presupposing there were Laws.] But his Lordship was pleased to proceed, *Gentlemen, I have taken the Pains to examine the several Laws, both of the Land, and of the City; and it is my Opinion, that the Act of Common Council of 1694, tho' made consonant to the then Laws of the Land, is now abridged and altered, in respect to the Prosecution of Hawkers, by an Act made in the 12th of Queen Anne concerning Vagabonds; for, as the Law stood before that Act of Queen Anne, Persons then found wandering and hawking (in the Manner you complain of) were deemed to be Vagabonds; and at that Time the Magistrates had Authority to punish them as such: But now, since the said Act of*

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Queen Anne, (which was made to set forth what was a Vagabond) in the List of Vagabonds, there recited, Hawkers are left out; and now, because they are not mentioned in that said Act, I apprehend, that no Person wandering and hawking Goods, &c. as aforesaid, even though without a License, in this, or any City, can be deemed and punished lawfully as a Vagabond: And, unless he is brought and proved a Vagabond, the Magistrates have nothing to do in the Affair, it does not lie properly before us. [Herein you may observe his Lordship had been at Pains to examine the Laws, to find a better Interpretation upon them than the Recorder had done; or, as may be readily supposed, than his Lordship thought the Recorder was capable of. This may be gathered even from his own Words; but he goes on in Answer to our Questions as above.] What must we do? &c. Your proper Remedy, said he, lies against them at Common Law; so that, upon the Whole, the best Advice I can give you is, that you get together, and make up a Purse among yourselves; and, as you find the Hawkers invading your said Right, sue them, and protect yourselves. To which we replied, If this be the Case, we are in a bad Condition: And the last Question we put was this, We desire to know of your Lordship, if we find Foreigners hawking, &c. without Licences, will you please to lend us your Aid. His Answer was, I don't care to meddle in it.

Thus, my Fellow-Citizens, we got a final Refusal from him, which was all we could obtain, notwithstanding all our extraordinary Expectations from a Person of his Penetration; and as to the Order from the Court of Aldermen, it has never yet appeared, although it is near three Years since they promised it; neither is it likely it ever will appear; but, tho' his Lordship's Way of Reasoning may seem plausible at first View, and his Constructions feasible upon the Act of Queen Anne, let us examine them; and, by the natural Consequences that flow from them, we shall

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shall be able to judge of his Abilities, and perhaps of his pretended Sincerity, and great Protestations of strenuously asserting the Rights and Privileges of his Fellow-Citizens.

First, he acknowledges the Act of Common-Council, in 1694, was consonant to the Laws of the Land, and the Hawker we complain of was then a Vagabond: And that, secondly, all the Reason why he is not such now, is because, in the List of Vagabonds in the said Act of Queen Anne, he is left out. This I think is the whole Strength of his Argument, but whether this Argument is worthy the Patronage of a Man of his Character, of the Penetration he is esteemed to be Master of, is worth our Consideration. That the Hawker is left out I grant; but the Reason why he is left out, I think is obvious to any Man of common Understanding, viz. as there was at that Time an Act in Being, made in the Interim, (9. and 10. of King William the III^d) to tolerate hawking by License, under the Restrictions as aforesaid, (not to hawk in any City, &c.) must be designedly left out, as he exercises the Authority thereby given him legally, under those Restrictions, and not otherwise; but to infer, that the Intention of the Legislature, by leaving the Hawker out of the List, was to abridge the Right and Privilege of this, or any City, &c. and to alter the Law of the Land in punishing the Hawking without License (even within a City) is very monstrous. Thirdly, It is injurious both to the Prince and Subject. Fourthly, It would unhinge the Power of the License-Office. Fifthly, It would render us Citizens rather burthened than privileged by being Citizens. Sixthly, As a natural Consequence of his own Advice, to sue them at Common Law, do but observe the Streets, how they are infested with a great Number of Women, Boys, and Girls, especially of Jews, that constantly are seen hawking; whom to sue at Common Law (which doth not hold to Bail) would be endless,

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endless, their Names and Places of Abode not being easily found, or, if found for the present, are soon changed: So that it is almost impracticable for us, by Means of Common Law, to protect ourselves; and besides, to put the whole Trouble and Expences upon us (who are only to have a Moiety of the Penalty, the other Moiety being the City's) is very ungenerous, and unbecoming the Honour and Dignity of this City: 'Tis, in short, putting us upon a Remedy almost as bad as the Disease. I think he might as well have said we disown any Duty, or declared, he never intended to trouble himself in defending the Rights and Privileges of us, his Fellow-Citizens; but wholly leave us to do it for ourselves; and, pray then, What is become of his great and mighty Promises aforesaid?

That these, among many more, are the natural Consequences that must attend such a Construction of the Laws, which his Lordship then put upon them, and for which Reason he refused us his Aid, I think no Man will pretend to deny. And, according to his Opinion, it also follows, that our insisted Right of the *Retale Trade* of the City, as aforesaid, is without Foundation, and no more than a mere Boast and Pretence, notwithstanding we are subjected to the several Fines and Payments in the Support of ourselves as Citizens, and towards the Grandeur and Dignity thereof.

Thus, my Fellow-Citizens, I have given you a short Account of the Usage we have met with from some of our Magistrates; for, should I search out and recite every Particular, it would tire me to write, and you to read: But, by this you may see how we have been discouraged and stigmatized from the Chair it self, with the odious Names of *Barbarians*, (in endeavouring to regain our Right) by one of the very Men whom we heretofore elected, upon the specious Pretences of his known Abilities and Promises of *strenuously Asserting, &c. &c.* Upon which, I presume

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sume, no Freeman, &c. of Common Sense, will think such a Man as this fit to be put in Nomination for a Candidate against the ensuing Election, or for any of the superior Offices of Honour or Profit in this City, who has thus voluntarily (I will not say ignorantly or wilfully) given up both us and our *Retale Trade* to all the Vagabonds and Foreigners that will please to invade us therein; nay, and been their Advocate against us: Shall we judge such a Man worthy to be entrusted for the future? No, surely: But rather to be detested, abhorred, and despised according to his Deserts; and avoided as one would the Plague and Pestilence, or any Thing that is hurtful and destructive to our Peace and Interest.

But, if it be objected, *This Gentleman, although you complain so loudly against him, might possibly, in the very Affair you complain of, act according to his real Judgment; and, if so, he cannot be blamed, but ought rather to be pitied.* I answer: That the very Act of *Q. Anne*, upon which he built all his Objections, (and even allowed, that the Interpretation, according to himself, might not be foreseen by the Legislature, but might rather be an inadvertent, than an intended Abridgment of our said Right) happen'd, upon another Occasion, to be brought before the House of Commons the Sessions following, in order to an Amendment; on which we deputed a proper Person, and sent to his Lordship, our Member aforesaid, *desiring him and his Interest to move the House in its proper Time, in order to get the said Act explained in that Particular.* But now, as before, instead of being zealous in his Duty, and to demonstrate he had a little Regard to our said Right, or was pleased, or ready upon such a favourable Opportunity, to do us Service, he evaded it, and chose to leave it to ourselves to apply to others; and, yet more to discourage us, sent us Word, *'Twas his Opinion, we might save ourselves the Trouble, for he believed the House would do nothing in it.* This

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This was a finishing Stroke ; for, he thereby convinced us, (or at least me) that, even from the very first Application we made to him to the last, he never intended, or had our Interest at heart ; but always was, and is our Enemy ; and this Conduct gives us Reason to think, he had a secret Cause that induced him thereunto ; that the Opposition we met with from him did not proceed from Ignorance of the said Laws ; and that, from the aforesaid Pause in the Chair, he meditated our Loss, and the Hawkers Gain : But whatever Reason has prevailed with him to desert us, I am resolved no Reason for the future shall ever induce me to entrust him again ; unless he can and does demonstrate, that the *Retail Trade* of the City, so far as respects Wares and Merchandizes (except as is excepted) doth not wholly and solely belong to the said Freemen, Inhabitants, &c. as above ; or, that Foreigners, with or without a Licence, have, as practised, a Right to share the said Trade in the City with us ; or, that a Freeman, but no Inhabitant, or even a Shop-keeper, within the City, hath a Right to wander the Streets, and to other Men's Houses, about the City, Hawking, thereby forestalling the said Shops, as aforesaid : Let him disprove these, and then I will appear, ask his Pardon, vote, and poll for him too.

But, in the mean time, let it be every Elector's Enquiry to put in Nomination, and chuse such a Man as hath these Qualifications.

First, *A Man skilled in the Laws, Rights, and Privileges of the City.*

Secondly, *A Man of Fortune and Honour, not likely to be seduced by Bribes.*

Thirdly, *A Man of steady Courage and Resolution, not afraid to act according to his Judgment.*

These, I presume, are the necessary Qualifications, and, I hope, it is our firm Intentions for the future, to elect the Man, who, either to our own Knowledge, or on a strict Enquiry, appears the most worthy and able

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able to vindicate, and in Truth to assert our Rights and Privileges by *Works*, and not such as give us nothing but *Words*. That Man that will do his Duty is the Man I will poll for, let him be *Whig*, or let him be *Tory*, or call him by what Name you please ; the wise, honest, courageous Man, is the Man I want, and, I make no Doubt, but that there are many such to be found thus fitly qualified in this City ; else the Age must be basely degenerated indeed ; and Ignominy in all Shapes will soon reign uncontroled, and visibly appear in all our Foreheads, to our Confusion and Destruction. But, I hope and believe, this is not yet our lamentable Case.

Therefore, my Fellow-Citizens, Shop-keepers, Retailers, &c. let us shew to the World, that we have some tolerable Share of Sense, that we can distinguish between a true Brother and a false one, between a Friend and a Foe, a Man of Deserts, from one that really hath no Title to our favourable Regards ; let us look beyond Words, and enquire after Deeds ; let us be punctually just to ourselves and our Posterity, in Opposition to such a Man as this, who, I am well informed, is intended to be continued our Member, by most of our *Wholesale Traders* ; some of whom (in respect to our Complaint) are also our Enemies, in the Encouragement they are frequently giving the Hawkers, and espousing their Cause ; and peradventure may have privately endeavoured to influence not only this particular Magistrate, but also some of the Court of Aldermen, not to discharge their Duty. The Reason is plain, because the Hawkers are the best, if not at present the only Chaps the *Wholesale Traders* have, to vend their damaged and unfaleable Goods, and the City of London is one of the best Markets for them to dispose thereof. But it may be farther objected in Behalf of his Lordship and the Court, *That the Recorder returned the Order with his Opinion,*

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nion, that it was not drawn according to Law; and, as it was not lawful, how dare you to complain against the Court for not publishing it? To which I answer,

I do not complain against the Court for not publishing an unlawful Order, but I complain of their so slightly giving up our Cause; of their laying it by; and of their not being likely to concern themselves any more in the Affair; according to his Lordship's own Words. This occasioned us to enquire into the said Order, and wherein its Unlawfulness did consist; and, if we were rightly informed, the Unlawfulness was only this, *That the said Order was directed to the Constables of the City, charging them, that they the said Constables should make it their proper Business to go out in Search of the said Hawkers, and, as they found them, to take them, and bring them before the said Magistrate.* Upon this the Recorder very justly declared the said Order unlawful, because it put an unreasonable and illegal Duty upon the Constables, which Duty the Court had not Authority to put upon them: For, if this were the Case with the Constables, they need no other Business, either of their own or the City's, during the Year of holding the said Office. But, though the Constables are the proper Officers to bring the said Offenders before the said Magistrates; yet it is first the proper Business of us Shop-keepers, &c. when we find the said Hawkers invading us, to stop them till we can get a Constable, and then, indeed, the Constable is obliged to execute his Office as aforesaid. Thus (if our Information be true) the Recorder reasoned with the Court. Whereupon the Court, if it had had our said Right at Heart, and had not been otherways influenced, certainly would have given proper Instructions, that the Order might have been amended and drawn according to Law; and then might lawfully and honourably have been published in Discharge both of their

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their Duty and Promise to us, as aforesaid: But their so readily taking Advantage of the ill Draught of the Order, and the Recorder's said Opinion, to evade the Asserting of our said Right, is what I complain of, as being contrary to the Assurances they severally gave us at the Times we elected them into their said Office; for which Reason, I hope, we shall all be more cautious in our Elections for the future. Nevertheless, I would not be understood to accuse the whole Court; for, I am satisfied, there were some present, that would willingly have vindicated our said Right; and there are some who have been new chosen Members since we made the aforesaid Applications, who are thereby altogether out of the Question, and must in this Point necessarily be faultless: Because, as I observed before, it is near three Years since we presented our said Petition. The Way then to know our Friends from our Foes, is to enquire among themselves, as we did of his Lordship, *viz.* Was you present? Was you consenting to lay by our said Petition? Or, What did you to vindicate us in the Enjoyment of our said Right? To which, if he is faultless, no doubt, but he will give you satisfactory Answers, and the others may be puzzled to acquit themselves.

Now, in order for the Security of our said Right, whoever among them that may hereafter be put in Nomination, against the ensuing or any other Elections, when they apply to us for our Votes, &c. let us accost them to their Faces with the following Questions.

1st, Are you skill'd in the Laws, Rights, and Privileges of the City?

2^{dly}, Do you know, that we, the Freemen, Inhabitants, Shop-keepers, &c. are entitled to the whole *Retail Trade* of this City, except as is excepted?

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3dly, Do you solemnly promise, (provided we elect you) that you will exert yourself to your utmost Capacity, in the Defence of our said Right, in every Opportunity you may have during the Continuance of the Trust we thereby shall repose in you?

To which, if he answers, *bona fide*, in the Affirmative, then, I presume, (provided he be a Man of known Integrity, and of good Principles) he is a fit Person to be elected. But suppose he should answer, *You have not the said Right now*: Then let us put the following Questions.

4thly, Have you, or will you, publickly demonstrate, that now we have not the said Right as heretofore, but that it is actually abridged by the said Act of *Q. Ann*, or any other Act, as aforesaid; and thereby furnish a sufficient Ground to petition the Parliament for a Redress?

5thly, And will you, if Need be, so far as in you lies, promote and procure such a Petition to be projected and presented by and in the Names of the Lord-Mayor, Court of Aldermen, and Commonalty of this City, and at the City's Expence prosecute the same to your utmost Abilities to regain our said Right?

These Questions, my Fellow-Citizens, I think, will appear very necessary, and yet modest, for us both to put and to demand an Answer to, before we determine, either to nominate or elect any Member or Officer of Honour or Profit for this City; especially considering the Neglect and Opposition we have met with, both from the Court and Chair of this City as aforesaid; and, I think, we are not just even to ourselves, nor to our Posterity, if we neglect these Enquiries and modest Questions: And, if we will omit them in Complaisance to others, to whom perhaps we may be under some Obligations, we thereby give up our own Understandings, relying upon the Direction of others, which

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which others are generally found to be either Merchants, or *Wholesale Traders*, who are insensible of our Losses, occasioned by the said Hawkers, because they do not feel them, it being out of their Way.

Thus, I say, if we will still give our Votes for Persons unexamined, the Fault will be our own, and we shall justly deserve the Character of Fools, and be looked upon hereafter, as heretofore, as a Parcel of poor, trifling, insignificant Tools, not worthy the Notice or Consideration of our said Court and Magistrates, whenever we shall complain of any Invasion of our Rights and Privileges, either from Hawkers or any others: For it fully appears, that this hath been our Case already, and will continue so to be, if we will not shew ourselves to be Men, and that we have among us *Retailers* some little Share of Sense and Understanding left.

Let us cast our Eyes around to other Cities in this Nation, and see how they out-do us in this Particular; especially the City of *Bristol*. See how the People there flourish; for, as I am creditably informed, they suffer no such Invasion of their said Right; no Hawker or Foreigner dare to enter their City: And why? because the People are wiser, and their Wisdom is visible in their prudent Choice of Governors, and for that Reason their said Magistrates delight to join in their Protection; and they may serve as a noble and shining Witness for us, that the Laws against the said Hawkings are still in Force, and not abridged: For, who will presume to say, the Magistrates of *Bristol* act contrary to Law, in their defending the said *Retail Trade* of their City against Hawkers? or that they do the same in a tyrannical Manner?

Objection. *The Hawker with a License is no Vagabond, because he that pays the King 4 l. per Ann. is not such.*
Answer: That he is no Vagabond in general is true; but in particular he may be construed such, when he is out of the Jurisdiction of his Authority; for, where
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his License hath no Toleration, (as in Cities) he may, by an acute Penetration, such as before on the Act of *Q. Ann*, be more fitly construed a Vagabond, and that without the utmost Strenuousness. But as that is a Point somewhat foreign to the present Complaint, a further Examination better suits abler Heads than mine.

Besides, the licensed Person, I presume, is to be found to be proceeded against at Common-Law, the Name and the Habitation of the licensed Persons are mentioned in their Licenses, and therefore we are not altogether without Relief against them, but are impracticably so against the other, as aforesaid, and ungenerously so in regard to the Honour and Dignity of the City, if the Court stand by the aforesaid Advice of his Lordship.

Objection. *You insist too far, and at a Venture, where you say, that no Foreigner hath any Right in the City to share the Retail Trade with the Freemen, Inhabitants, &c. under any Pretence or Authority whatsoever; for, contrary to this, every real Worker or Maker of Goods hath a natural and tolerated Right to sell them either in Person, or by his Servants or Agents, wheresoever he pleases to go or send, either in Cities, or elsewhere.* Answer: That a Foreigner may enter, as objected, into the Cities, &c. to sell his said Goods to the Inhabitants of the City, who are Dealers in the same Commodity, either *Wholesale* or *Retail*, is admitted; but that he hath a Right to come or send to hawk them from Door to Door, and to other Men's Houses to *retail* them in the Cities, seems to me a very great Inconsistency; because, many Men, who work up many Sorts of Goods, and keep Abundance of Hands, and may employ an unlimited Number of Servants and Agents, may so fill the Streets and Publick-Houses of this City, as would greatly interrupt the Trade and Traffick thereof. And farther, if this
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be Law, it lays a most intolerable and ruinous Burthen upon us Citizens, Inhabitants, &c. and would render us under very great Disadvantages, too heavy to be borne. But, I presume, that it is not Law, from these Reasons following.

1st, All Men know, we in the City are at much greater Rents and Taxes than the Foreigner without.

2^{dly}, That we can employ none but Freemen to perform the mechanic Part.

3^{dly}, That free Workmen always have higher Wages for their Work than the Foreigner pays.

From whence 'tis plain, unless we have an Opportunity of vending a larger Quantity than the Foreigner, we are under a Burthen, and he is free: For, what greater Inconsistency can there be than that, a Foreigner shall not work up his Goods in a City, yet, when he hath made them elsewhere, he shall either come himself, or send as many Persons as he pleases, to *retail* them in the City? If this be the Case with Citizens, *Good Lord deliver us!* for, to the three Reasons above, do but add this fourth, *That every Citizen is compellable to a continual Expence from the Day he becomes so to the Day of his Death.* For Instance, the very first Day he is bound Apprentice, he pays a higher Sum to the Hall he is bound at than the Foreigner; he gives a much higher Sum to his Master than the other; and, before he can reap any Profit, must take up his Freedom both of his Company and City, at his own Expence, commences continual Quarterages, and subject to be called to sundry Offices and Duties at very considerable Expences, which the Foreigner is not at all subject to.

Those that are acquainted with these Payments and Duties, must know, that the Whole, upon an Average of a common Life, is seldom less than an hundred Pounds, to many much more, and to some above five hundred, and most of it against his Consent

sent; to which if he don't comply, when demanded, an Action will lie against him; and that he also is altogether as much or more liable to the Parochial Duties as the Foreigner. If, for all this, the Citizen hath not hereby really purchased the insisted Right; then, in plain Terms, I say, he is juggled, and baffled, and trapped into a Slavery, instead of buying a Freedom: But, I trust, it is not so, and that from the Inconsistency thereof. For, can it be supposed, that the Wisdom of the Legislators should be so short in forming and shaping the Government of this City, as to set Limits to the Freemen, and leave all the rest of the World unlimited? As for Instance, if a Freeman project the Stall of his Shop-window an Inch beyond the prescribed Limits, he is prosecuted immediately, and obliged, with the Expence and Fine, to take it back to the said Limits? But the Foreigner, his Servants, and Agents, according to the Objection is unlimited, and shall come and stand beyond the Freeman's Limits, with his Body and a Box, or Basket, or large Parcel of Goods, unlimited, and without any Duties, Expences, or Fines; and shall expose and sell his said Goods even before my Shop; for no other Reason but that he, truly, is the real Worker of them; and thereby circumvent my Shop and Market, in the Disposal of my own Goods, who also am the real Worker of them, as well as he. This certainly must be such an Inconsistency the Framers of the wise Government under which we live could never be Authors of.

Objection. *You lay a greater Stress, than you ought to do, on the publick Declarations of the Candidates; for those publick Promises are no more than Words of Course, 'tis the common Road through which all tread, and therefore not much to be regarded.* Answer: If I were to tell any of them so before their Election, they would have just Cause to call me a rude, impudent Fellow; and,

and, unless I could give a better Reason for it than the Objector, I ought to be tossed in a Blanket. But, I say, whoever publishes such Promises, contracts a Debt of Honour, and he can never discharge that Debt of Honour, unless he does all that in him lies to vindicate and protect the just Rights and Privileges which he then promises to do. Nay, further, pray remember the Oaths he also takes, to qualify himself after our Choice, and I fancy you will find our whole Security is not rested upon their Honours only.

Objection. *You seem to be such an avowed Enemy to the Hawkers, that, if you can but live yourself, you don't care if they be all starved; and that is the barbarous Disposition in you, which was remarked by the Magistrate aforesaid. You don't consider them as Fellow Creatures, that have a natural Right to use the best Methods they can to provide for themselves and Families.*

Answer: The Reader may easily observe throughout the foregoing Sheets, that I insist upon no more than the Laws insist on. The Act of Common-Council, in 1694, expressly says, "That, by the Laws and Statutes of this Realm, all Persons wandering and going about from Place to Place, and to other Men's Houses in the City, are deemed Rogues and Vagabonds, and shall be punished as such." And the Act of K. William in 1699 says: "That this Act, or any thing contained therein, shall not extend, or be construed to extend, to give any Power for the Licensing of any Hawker, Pedlar, or Petty Chapman, to sell, or expose to Sale any Wares or Merchandizes, in any City, Borough, Town-corporate, or Market-town within this Realm, any otherwise than might have been done before the making of this Act; any thing therein contained to the contrary notwithstanding."

From both which, in my Opinion, it follows, that no Person, (which includes Freemen as well as Foreigners) have

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have any Right to wander about in any Cities to hawk ; therefore, he that does it, does it in open Violation of the Laws ; and if to complain against an open Violator of the Laws be a barbarous Thing, then his Lordship had Reason to brow-beat us.

The Reader may likewise observe, the Hawkers have all the Nation to hawk in, except in Cities, &c. of which far be it from me to hinder him ; nay, would he keep within his Limits, or would the Magistrates oblige him so to do, as strictly as they oblige me, I should not complain of either, but should esteem it my Duty to aid the one and honour the other, according to my Capacity : But to suffer these Invasions upon my Rights and Privileges, which I purchase so dearly, and not complain, would be unjust to myself and Family : In short, I should be like a foolish Man that pays Rent for Land, and is at the whole Trouble and Charge to manure and seed it, and let a Stranger come and take away a great, or perhaps the greatest, Part of his Crop. And, I presume, the Objector will allow, the Hawkers have not a natural or tolerated Right to use such a Method as to know no Limits : If he does, he must disallow of all Government and Polity ; and, upon this Consideration, I have often wondered the landed Interest of this City have not look'd into this Affair ; for, 'tis my Opinion, from hence has arisen the principal Cause of the great Fall of Rents, and the Multitudes of unoccupied Houses in this City ; and that it very nearly concerns every prudent Landlord of this City strictly to look into it, as well as the Government, in regard to its Taxes, which must fall in Proportion to the Rents, or they must be made good by an additional Burden upon us Inhabitants.

Objection. *You allow some few of your Magistrates are in your Interest, and would willingly aid and assist you : Why don't you take the Hawkers before them, who, no doubt, will stand by you ?* Answer : We have

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have done so ; and they, in Default of the Payment of the Penalty, and in Discharge of their Duty, have committed them ; but the same Day, or next Morning, the said Hawkers, so committed, have by their Friends made Application to some other Magistrate, and he immediately discharged them, and thereby rendered the Action of our Friends abortive ; and, as far as in him lay, encouraged the Hawkers, and discouraged us. And, at other Times, while the Commitment was making, another was sent for, and he, being come, begged off the Hawker under some Pretence or other, which either diverted or intimidated our Friends in the Discharge of their Office ; and thus we have been often perplexed and tired, whereby it is become almost impracticable to sue for Protection even among our Friends ; and any Man may reasonably conclude, that as our Friends are thus intimidated by the others that refuse, for them to exert themselves further, would be unhandsome in us to desire ; because, according to the Spirit of the Times, it would occasion them to be pointing Stocks, who might be marked by others, viz. There goes Monsieur *Wiseacre*, who particularizes himself, to be sure, in hopes of some other End, some Addition of Honour or Trust ; and for us to put these few thus to signalize themselves, we think would be unbecoming us ; so we rather chuse to apply to the whole Body in Court, and, as the Court has not yet published the Order, according to their Promise, under the aforesaid Term, [we think] 'tis in Default, or of the wilful Neglect, of Duty and Promise of the Body in Court, against whom I complain ; because, until it become the Action of the Body, we cannot expect to be fully protected.

Objection. *When his Lordship refused to move the House in that proper Time, as aforesaid, Why did not you get some other of the City Members to do it for you ?* Answer : It appeared to us such a monstrous Construction

struction on the Act of *Q. Ann.*, that we thought no Member of common Sense would care to move the House on it; and, I really believe, his Lordship was ashamed to do it, because he must have taken all the Discredit of it to himself; and none of his Brethren would have cared to share any Part thereof with him; because he is the only Man that ever started that Act against us, or at least so far as ever I heard; for, if there were such an Abridgment, certainly the *Recorder*, or some or one of our wise Governors, would have noted it long before now. But, what puts the Matter out of all Dispute on that Head is this, the Court's publishing, at our Request as aforesaid, the said Act of Common-Council of 1694, in or about the Year 1725, as Law, which was about sixteen or eighteen Years after the Act of *Q. Ann.*, which is, for us, a full Proof, that the Court did not apprehend the said Law in any wise abridged; otherwise his said Lordship must consequently accuse the then Court of manifest Negligence or Ignorance.

Objection. *The Hawkers are a Set of poor People, and the Trade they share with you, and the Hurt you complain of, is so trifling and frivolous, that it is not worth while to cry so loud against them.* Answer: Some ignorant People may indeed be of this Opinion, but many of our *Wholesale* Men know to the contrary; and I can prove many of them carry great Value about them, from 100 *l.* to 1000 *l.* a Man; and also make their Brags they can have 5000 *l.* Credit, and they have often been the only Persons between the Maker and the Merchant; which, I am satisfied, many of our Merchants and principal Traders can attest, if they care to tell the Truth: In short, I am well assured, many of them deal for considerably more in this City, than a great many of us Shop-keepers: And farther, 'tis well known, they are often received and caressed amongst the Gentry, and Persons of the greatest Worth and Figure about this Metropolis;

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'tis often seen they attend with as much Boldness as if they were Persons of great Note and Eminence, going to make or repay a Visit; which I have often thought, in Strictness of Justice, very much reflects upon their Honours, and that they are not so nice in it in this respect as becomes them: For Instance, suppose a Person of high Rank, who doubtless has many Houses in this or other Cities where he resides, and the Shop-keepers are his Tenants, of whom he expects his Rent, and therefore ought to encourage them with some of his Custom; and, I think, I may justly affirm, their Honour should teach them to give us the Preference, and not to hug the Hawker in their Bosoms in private, and leave us to starve in publick; and by and by to seize our Goods, and turn us out of Doors; when the greatest Cause of our Misfortune is for Want of Trade, occasioned by illegal Hawking. I beg the Gentry would consider this Point, and practise as well as profess to be Men of Honour.

Objection. *You yourself have given a sufficient Reason, why we should prefer the Hawkers, &c. your great Rents and Taxes, your extraordinary Duties and Fines, as Citizens, and your high Wages, &c. render you incapable to furnish us so cheap as they; and, surely, every prudent Man ought to deal with those People who are capable to afford him the best Pennyworths.* Answer: These Objectors are very short-sighted, have very shallow Judgments, if they put these as their real Sentiments; the thinking Part of Mankind know better. I desire these to turn back, and they will find an Exception which will overturn all the said Reasons, *viz.* unless we have an Opportunity of vending a larger Quantity. Now, supposing the Hawkers removed, we have this Opportunity, and, under the Advantages of this Opportunity, Experience shews, that there is no cheaper Markets in the Nation than in this City; 'tis from the Returns and the Quantities vended to the Multitude of Customers, who are here-

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in, or resort hither, which counterballances, even in our Favour, all these extraordinary Expences, &c. As for Instance, observe the publick Markets, suppose *Leadenball*, or any other, in which a Butcher for a little Stall pays perhaps 20 *l.* a Year, which in some other Place he might have for 20 *s.* and yet he gets a good Livelihood, sells as cheap or cheaper than another in the Skirts of the Town; and, upon the Whole fairly gets 20 *s.* while the other in the same Time don't get 20 *d.* and all this is from the Opportunity aforesaid; and the same Argument holds equally good in respect to us. But, suppose I were to saunter about this Market with a Basket of Meat, and pay no Rent, and I had a Warehouse or Wholesaleman within a hundred Yards, that would furnish me as cheap as he furnishes the Butchers, I might then vend a large Quantity, and afford it somewhat cheaper than he that pays Rent; many such as I might in Time ruin the said Butchers. I presume in this Case I ought and should be soon examined, by what Authority I do this; and should be punished; and the *Wholesale* Men that furnish me would be despised, and both of us equally judged as publick Enemies to the Traffick and Trade of the said Market. Now, do but examine the Nature of our Complaint, and you will find it exactly tallies, and that, unless the said Hawkers are removed, the Consequence must in Time be the Ruin of us. And, I presume also, in the Case of the Market, the Landlords, whose Property the Stalls are, would think it their incumbent Duty and Interest to aid their Tenants in punishing the Foretellers: Even just so much it concerns the Quality, Gentry, &c. who are our Landlords, to endeavour, all that in them lies, to protect us. From all which it follows, he that hugs the Hawker as aforesaid, at the same Time acts a silly Part; he proves himself no Conjuror; but, in reality, hugs the Man that is striking at the very Foundation of his Estate; and,

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and, if he goes on in his Folly, he may by and by have the Pleasure to see his Houses stand unoccupied and rot, being useles and unfit for us; because, if we cannot be redressed, our best and most advantageous Resolution will be, all to turn Hawkers, as many of our Brother *Retailers* have already done.

Objection. *These great Traders among them, doubtless, have Licenses, and, as they are Men of Substance, and are easily found, why don't you sue them at Common Law? seeing the Act for Licensing them expressly says, "He that hawks contrary to his License forfeits 12 *l.*" and his hawking in Cities, where his License doth not tolerate, may be construed hawking contrary to License, and such an Action for 12 *l.* may hold to Bail.* Answer: Whether such an Action will hold to Bail I know not, and whether his Hawking in Cities will be construed according to the Objection, is to us very uncertain; and it will cost us much Money and Pains to try it: But the greatest Misfortune we lie under in this Case is, that the very Act itself is deficient in that Point; because it doth not mention or give Power to sue by Bill, Complaint, or Information, &c. as is usual in other Acts, to recover the Penalties. And I have been often told on this Head by able Lawyers, that this Act, in this respect, is an Act and no Act, is like a Body without Limbs, or Limbs without Sinews. From whence 'tis plain, the said Hawkers, knowing the Weakness in the said Act, presume thus to invade our said Right: For, were it not for this, I acknowledge, we might then against such easily protect ourselves at Common Law; but, as it now stands, we cannot possibly do it in any practicable Manner; and, for that Reason, we are obliged to center all our Trust only upon the Act of Common-Council in 1694. From whence I conceive, if our Governors of this City would but take our Case under their Consideration, and would in their own Names apply to Parliament, to pray in our
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Steads to have the said Act strengthened in that Point, with the usual Power to sue by Bill, Plaint, or Information, &c. and a single Clause added, setting forth, that every Person that shall hawk without, or contrary to, his License, &c. shall be deemed a Vagabond, and punished as such, according to the seeming original Intent and Meaning of the Legislature in the before-mentioned Acts; then there would be an End of all this Complaint, and we should be reinstated and certified in the Enjoyment of our said ancient Rights and most vital Privilege: And certainly our Magistrates are the most proper Persons to apply to Parliament in this Point; because they can best demonstrate it to the House, and may have greater Weight there than we.

Objection. *That the Hawkers are very useful and of Advantage to the Publick, by being instrumental in the Disposal and Sale of Abundance of Wares and Merchandize, both damaged and sound, which peradventure would not else be disposed of.* Answer: If the Objector means, that he is such in Villages, &c. within his own prescribed Limits, and he trades honestly, vending damaged or counterfeit Goods as such, and sound as sound, and takes a fair and honest Profit, and don't impose on the Ignorant, then I heartily acquiesce with the Objector; but if he means, that the Hawkers shall be unlimited as aforesaid, to enter Cities, Corporations, &c. where he is strictly forbid; then I deny it: Because he renders the Shops in a great measure useless; for whoever is minded to buy damaged Goods, &c. may have them of Shop-keepers as such at an Under-price; and the Buyer, if he is cheated, has an Opportunity of a Remedy against the Shop-keeper, but don't know, in that Case, where to find the Hawker: And, I presume, the Objector will allow, no Person ought to be cheated, which at present is the Practice of many Hawkers, as Thousands of Witnesses may be found to attest; though,

I allow, if there be no such Cheats suffered, some of the *Wholesale Traders* must lower their Sails, and not carry their Heads so high: Also, that the Body of *Jews* must be more liberal in their Contributions to support their Poor, which, at present, by the said Hawkings, are a Burthen upon us. From all which it follows, that the said damaged or counterfeit Goods may be vended, and the *Wholesale Trader* eased of them; though, indeed, not so much to their Profit.

Objection. *Though you have proved the Hawkers have no Right to hawk in Cities and Corporations, yet you add an &c. What do you mean by the said &c's?*

Answer: I mean the utmost Bounds of the Limits that were set by the Legislature, in the forming of the said Act for licensing Hawkers, the same as is amply found in that and other Acts relating thereunto, viz. Market-towns are also excepted, unless on Market-days in Market-places; which exactly tallies in the same respect with the Liberties allowed in Cities and Corporations, viz. at publick Fairs and Markets, legally settled or proclaimed for publick Sale of such and such Commodities, for so many Hours or Days, during which Time, within such limited Places, Foreigners and the Hawkers may enter, take their Stands, and sell their Goods. This, I apprehend, was the original Intent and Meaning of the Legislature; and that at other Times the Hawkers should be authorized to trade in Villages, where the Shops are but few and small, not fully stored with every necessary Commodity to supply the Neighbourhood; and herein the Legislature acted very wisely, by providing a Maintenance for the Hawker, and a Market at the Door of every Villager, and an Encouragement to the Use and Consumption of Wares and Merchandizes; and herein the Hawker is useful and advantageous to the Publick: But when he exceeds these prudent Limits, when he enters Cities, Corporations, &c. he is not necessary, but hurtful; because every City,

Ec. is apparently crouded with Shops and all Manner of Commodities, in great Plenty, where every Inhabitant, every Person that is therein, may easily and with Pleasure furnish himself. And the same Arguments will hold as to the Liberties of Cities: As for Instance, the City and Liberty of *Westminster*; 'tis well known, the said Liberties are equal, if not superior to most Corporations and Market-towns in the Nation; that the Shops there are equally crouded, as well stored; and that the Inhabitants have the same Opportunity to supply themselves; yet the Hawkers there carry on their Trades unmolested, as fully as if they were particularly authorized so to do: But, 'tis my Opinion, the Legislature never intended it; and 'tis likely, if the said recited Act was but strengthened and invigorated as aforesaid, the House-holders and Shop-keepers there would be protected against them; for, I dare venture to say, no Man can produce any sufficient Reason, why they should not; and certainly they will be considered not to be inferior to a Market-town.

Objection. *If the Shop-keepers should gain a total Protection as aforesaid, then they might impose upon the Publick, by selling at very high Rates, if not extortioning Profits.* Answer: This is a Supposition entirely groundless, and even from their long past, and present Practice 'tis manifestly seen to the contrary; for, instead of that, they are continually veiwing to the utmost to undersell one another; nay, the Publick Papers are a sufficient Witness against it, it being well known, there are, almost in every particular Trade, sundry Under-sellers, and some that would not scruple to ruin the whole Fraternity to enrich themselves; for, they advertise their Goods at such low Profits, that, they themselves know, if all the rest of their Brethren were to do the like, the Profits upon the whole Consumption would not half maintain the Families that are employed in the

the said Trades, and that the certain Consequence would be all their Ruins: But, not to build my Answer to the Objection wholly upon these base Sacrificers, these publick Enemies, which every prudent and generous Man must despise and abhor, and justly rank them among the known and suspected Smugglers, Scoundrels, and Cheats of the Age, according to the good old Proverb, *Honesty is the best Policy*, which wants little or no Demonstration; because a Man cannot more hurt himself, than by taking an exorbitant Profit; for, herein his Avarice would ruin him; and that he ought with Industry and Frugality to live by his Business, I presume, all Men will allow: Let this then be the Rule, the standing Maxim, and then the Publick will be honestly served, and the fair Dealer encouraged, and herein the Objector may reasonably rest the Case 'till Experience proves the contrary, which, I think, at present there is no Danger of.

Objection. *If the Hawkers should be wbolly kept within their intended Limits, they would not take out so many Licenses, and then the Government would lose Part of their Revenue.* Answer: This is casting a very impudent Sneer upon the Government, as supposing they would prefer a thousand Pounds or two *per Annum* to the general Good and Encouragement of the publick *Retale Traders* aforesaid, who, 'tis well known, in other Shapes pay a hundred Times as much: But, for Argument sake, suppose I grant it (which God forbid should be true) in that Case I pray the Government would make strict Enquiry into the Nature of the said Hawkers Trading; especially within the Bills of Mortality; and, I am satisfied, they will find them such Venders of unaccustomed and prohibited Goods, that, for every Shilling they receive for the said Licenses, they lose Eighteen-pence they ought to receive for Duty; and further I pray the Government would consider, that, though the

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Quota for the Land-tax, on the Fall of Rents, and unoccupied Houses, hath been for some Time past made good by an additional Burthen upon us, the surviving Inhabitants of this City; yet, if the said Hawkings are countenanced, it may very probably end in the Ruin of us all; and pray, from whence then must the said Quota be made good? and farther, to remove every Objection on that Head, I propose an Equivalent, and submit it to the Judgment both of the Government and of every fair and honest Trader, and doubt not but it will be accepted by the Generality, viz. Lay a round Duty on every publick Advertiser for Sale of Goods, with the Prices fixed in their Advertisements; and, if that be still found deficient, lay another Duty on publick Auctions. These, I presume, may treble the aforesaid Deficiency.

Objection. *If the Act for Licensing is so weak, that you cannot recover the Penalty of 12 l. for want of the Clause to sue by Bill, Plaint, or Information, &c. How is it then that the Citizens of Bristol protect themselves, seeing the same Law is equal to you both?* Answer: To give a certain Proof of this I refer to the Citizens of Bristol; I can say no more than from Report; for I was never there in Person; and I told you before I was only creditably informed so. But I have this to say farther, from the same Credit, that they have either a Law or Custom there, that every Person taking up his Freedom deposits one Shilling towards raising a sufficient Sum to protect their said Right, and that by these Deposits they have a very large Sum, and are thereby capable to carry on the Process to the utmost Extremity of Law; and the Hawkings and Foreigners knowing this are afraid to invade them. But we, in this City, have no such Law or Custom, nor can have, unless our Governors would encourage it; and, for want of that, no single Man, nor even a Set of Men, can be found,

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found, to run the risque of such a troublesome and expensive Suit; and therefore we are at present obliged to center all our Trust upon the Act of Common Council in 1694, and 'tis for the Misconstruction of our Magistrates thereon, or the wilful Neglect of the Court therein, I exhibit this Complaint against them.

Objection. *If the Hawkings are prevented from Hawking out of their Limits, some of the Wholesale Traders would lose the best Part of their Business; and why should not the Wholesale-man be encouraged as well as the Retailer?* Answer: Because the Wholesale-men are not Freemen, they may dwell and trade in the City without being obliged to be Citizens, and are therefore exempt from the Duties, Fines, and Expences as such.

Objection. *That many of the Wholesale Men are free, and deal both by Wholesale and Retail, and yet the best Part of their Profits arises from furnishing the said Hawkings; and 'tis well known, some of these have gotten Estates thereby, and surely these are to be commended.* Answer: I think you will put these very Wholesale Retail Traders among the Number of the Fools of the Age; and I challenge them to demonstrate, in this Point, that they act like wise Men; if not, they ought to be ranked amongst the common Sacrificers of Trade, and the publick Enemies of the City: Because, the very Estates they have gotten thereby hath been the Cause of the Ruin of some Hundreds, if not of Thousands of their Brother Citizens: So that, instead of their being commended, they ought to be despised; for it is obvious to every Man of Sense, that, if they would confine themselves within the Rules of Honour, they would not suffer as objected: Tho' they lose the said Hawkings Custom, they may reasonably expect to have larger, and more frequent Orders from the Retailers, who would then doubtless vend greater Quantities, and themselves also
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in their *retale* Branch ; and in the End both will reap equal Advantage.

Objection. *The said* wholesale Freeman, when he furnishes the said Hawkers, may apprehend they do not exceed their Limits ; but may actually vend their Goods in Villages, &c. and he would be esteemed a foolish Man, if he refused to furnish his Customers. Answer : I allow the Objector has good Argument in this Objection ; and that, if his Apprehension is such, (honestly such) the *wholesale* Freeman would then be to blame, to refuse to furnish them ; and I commend him in doing it : But when he furnishes Hundreds in a Day, and perhaps every Hour in the Day, and every Time he walks the Streets, or frequents the Coffee-houses, sees his own aforesaid Customers, vending the said Goods in the Streets and publick Houses, I presume he can't honestly apprehend to the contrary ; and farther, when the said Hawker is taken up, in order to have the Laws executed against him, and this same *wholesale* Trader publickly appears, either in Person, or by a powerful Friend, to pray him off, or privately influence the Magistrates to flag in their Duty ; I hope, in this Case, the said *wholesale* Freeman may then justly be ranked among the Enemies of the City : And 'tis in these Cases only I would be thought to charge them, as being wilfully instrumental to the said Grievance, and Encouragers of it to the utmost of their Power.

But if you discourse with our Wholesale-men, or any of the Encouragers of illegal hawking never so long, or till they can bring no Arguments to vindicate it, they generally have recourse to this Objection, which they put with so much Boldness and Assurance, as if it were not to be answered ; viz. Trade (say they) is a sacred and volatile Thing ; it is the Life and Support of all Constitutions ; every Man has a natural Right freely to exercise it, it ought to know no Curb ; it ought to be open and free as Air. Answer ; Whether

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Whether it be sacred I refer to the Clergy ; for perhaps the Objectors may mean, it behoves them to prove their Function no Trade, as opposed by Quakers : Whether it be volatile I refer to the Physicians and Chemists, who are deeply concerned in its Profits, and are invaded by Quacks : Whether every Man has a natural Right freely to exercise it, I refer to the Lawyers, who have suffered by Petty-foggers : But that it ought to know no Curb, I take upon me to deny ; and, in plain Terms, to tax the Objections of publishing a Doctrine that is pernicious, and would, if regarded, unhinge and destroy all Government and Polity : For, I presume, by no Curb, he means, every Man may deal in what he will, and may sell where he will, without any Restrictions or Limits. As for Instance, the Exchange might be filled with Hawkers, as well as the Coffee-houses ; St. James's Park, and the Courts of the Palace the same : A Butcher might take a Stall at Bear-key ; a Corn-factor fix his Stand in Palace-yard ; a Grazier may stand with his Cattle at Whitehall ; and Gamesters set up their Tables in Smithfield. In short, every Man may do as he pleases, according to his own particular Humour ; whereby all publick Markets would be confounded, there would be an End of all Cities and Franchises, no need for any more Lord-Mayors, no Prohibitions of foreign Commodities, no Interruption from owling our Wool : In short, there is nothing, never so hurtful or destructive to our Constitution, but what may be justified by this bold and insolent Assertion ; nay farther, as he repeats it in other Words ; viz. It ought to be open and free as Air, he must mean to extend it all over the universal Globe ; for, as Air is a universal Principal, and as every Man has the free Benefit of it to breath where-ever he goes or stands, even so, says the Objector, ought to be his Trade. But, I think, it may be easily demonstrated, that from this Notion, this boundless Assertion of his, have

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have proceeded the greatest Calamities, Misfortunes, and Unhappiness, that has happened amongst Mankind. Hence the *Spaniard* might be moved to depopulate and enslave the Natives of *America*; and the Pope might from hence applaud the said Action, and give it the Sanction of just. Hence other Nations may be supposed to disinvolve themselves from Part of the Guilt, by taking and sharing a Part of their Possessions. Hence the several Nations may as boldly justify their Breach of Contracts, by aiding or suffering contraband Trade; and hence all private Merchants throughout the whole World, may, with as much Reason, justify their illicit Trade. In short, to comprehend the whole Evil that hath ensued from this wild Notion amongst Mankind, from hence may be imputed the Rise and Ground of the Differences between Nation and Nation; and the Occasion of the present, and some former Wars; and there is ample Room, from the Absurdity, the Inconsistency, and fatal Consequences that would accrue from this Notion, to fill a Volume of considerable Bulk, to enumerate the Multitude of Evils wherewith it would be attended in regard to Mankind.

But, to reason a little from the Incoherency of their own Words, and see the jarring Consequences, *viz. Trade is the Life and Support of all Constitutions*; these are the Objector's own Words, but how they came to include them I cannot apprehend, unless they be deemed to be uttered by rote, just as Parrots prattle without any sensible Intention: This is, in my Opinion, an utter Contradiction to themselves; for, if *Trade ought to know no Curb, if it ought to be open and free as Air*, pray where are your Constitutions? All Kingdoms, all Cities, and Corporations are rejected as such, as appears above; because, as they say, every Person throughout the whole World has a *natural Right* to enter and trade in them: So that, according to the whole Scope of the Objection, there is but one
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Constitution in the World in respect to Trade; and if so, then every Citizen that has, by his own Act, subjected himself to the Duties, Fines, and Expences, to support himself as such, has imprudently involved himself into an expensive Slavery, instead of an advantageous Privilege. But this, I presume, no wise Man will allow; and therefore, the Objectors, notwithstanding their Boldness, their audacious Assurance in putting the said Objection, I submit to you my Brother-Citizens, whether they ought not to be accused by the thinking Part of Mankind, as so many false Brethren, Enemies to this City in particular, and to the Publick in general? and whether they ought herein to be countenanced or encouraged in any respect whatsoever?

Thus, my Fellow-Citizens, Inhabitants, Shopkeepers, Retailers, &c. I think I have demonstrated, against the strongest Objections I ever heard, or could conceive, that we are intitled to the whole *Retail Trade* of this City; (except as is excepted) that 'tis the Duty of our Magistrates to the utmost of their Power to protect us therein; that some of them have flagg'd in their said Duty; that the Court of Aldermen, as a Body, also forbear to exert themselves in our Defence, notwithstanding we have prayed their Assistance in the most humble Manner; and that we have done all that in us lies to gain Redress; the Whole of which I submit to your Judgment, not doubting but you will join at this Juncture to put the former Questions to all Candidates, and demand their positive Answer to them; that you will be so just to yourselves and Posterity, to elect the Men who give you the best Assurances, and are the most capable to perform their Promises; and that you with me will resent the Usage we have met with from the present negligent or wilful Opposers: For, if, after all this, we will yet give our Votes for such as these, we shall have no Body to blame but ourselves; and how
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can we, with any Face, for the future, complain against Hawking in this City, if we espouse the Interest of such a Man as this?

But, methinks, I hear some of my Brother *Retailers*, who are prejudiced in his Favour, muttering this Objection, viz. *Possibly you may have conceived a worse Opinion of him than in reality he deserves; he may have inadvertently slipped into the aforesaid Errors, or might have had many weighty Matters of much more Moment upon him at those Times, which might oblige him to neglect this Affair: And, as he hath attached himself strictly to our Interest in great Concerns, we ought to forgive him in this smaller, and, perhaps, if it were to do again, and he had the Affair before him, he might exert himself herein.* To all which I answer: When we first applied to him, in his Mayoralty, for a Hearing against the four Hawkers we took up as aforesaid, the first Disfavour he shewed us was this, to make us wait at least four Hours before he came into the Chair, though we acquainted his Clerk of the Case, and he himself was all the while in his private Apartment; (during which Time several great *Jews*, and others, were seen to be admitted to him, for what End I leave the Reader to judge) and, though it was the Summer Season, it was Candle-light before he took his Chair, which was unusual on other Occasions; and then point-blank told us as aforesaid, *Hawkers without Licenses had a Right to hawk in the City, but not out of it; which was a Proof to me, he must have considered the Affair before the Hearing: And, when he found us so well prepared with the several Laws as aforesaid, and that he could not brow-beat us out of our Complaint, he became a Requester in Favour of the said Hawkers, and led us on Step by Step as aforesaid very deliberately, till he set us down with his Refusal to act for the future upon his own Construction on the Act of Q. Ann as aforesaid, on which, according to his own Words, he had taken*

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a great deal of Pains, either to protect us, or to defend the Hawkers; and so quite through-stitch to his Refusal to move the House as aforesaid; during which Time, which was the best Part of a Year, certainly he had some Leisure: From all which, I think, I may rationally construe, that he might have found some Opportunity to have assisted us, if it had been the Desire of his Heart, and, I am satisfied, no unbiaſſed Man will disallow of this Construction; and, if so, then his Opposition was either the Effect of private Tampering, or voluntarily against us, and was not an inadvertent Slip or Error of his Judgment. And, as to his great Attachment to our Interest in Matters of greater Moment, I confess, I am a Stranger to them; and refer it to those that know him better, and should be obliged to any one to shew wherein our Interest as Citizens is so much concerned as in this Point. And, as to the Probability of his still doing it at his Leisure, he himself is the best Judge; he knows of our Complaint, he must also know 'tis just; he is a Member of the Court of Aldermen, he is one of our present Members of Parliament; and, if he really doth repent the Usage he has given us, let him now exert himself, let him in this present Sessions do his utmost to redress us, let the Court of Aldermen also join therein, let him demonstrate his Amendment by now doing his Duty; and, when I see his sincere Repentance, I thank God I am so much of a Christian, that I can forgive him: But, unless he do this, doth he not remain guilty of a Breach of Promise and Duty, and unworthy of every *Retailer's* Vote?

Methinks, I hear still a secret Whisper among some of the *Retailers*, viz. *I should be glad to have a wise, honest, courageous Man, and am willing to shew my Resentment against this, and all such as this: But, he hath great Interest amongst many of my best Customers; and, I fear, if I don't give my Voice for him, I shall disoblige them, and, perhaps lose their Custom;*

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and, I am persuaded, this would even stagger your own Resolution. Answer: This is talking like Cowards, and not like *free-born Englishmen*; it favours very rankly upon Slavery, and, I hope, there are but a few such poor Wretches amongst us; they are of all Men the most unworthy to have a Vote to give; they are entire Givers-up of their own Understandings; 'tis, in short, to take a Bribe in a subtle Manner; and I should think it the greatest Dishonour imaginable to be of their Number: No, if I know myself, I would shew my utter Detestation to such a mean Practice; if I had but twenty Customers in the World, and nineteen of them were in the strongest Manner to threaten never more to deal with me, unless I give my Vote for this Man, without Repentance as aforesaid, I would, for the Honour of my Country, the Interest of my City, boldly oppose, and give my Vote against him.

Thus, Gentlemen, ye to whom these Sheets are sincerely addressed, ye that shall be nominated or offer yourselves as Candidates at the next general Election for Representatives in Parliament, I intreat your serious Perusal, and, I hope, you will think our Case worthy your Attention; and that such of you whom we shall invest with Power, will exert yourselves to influence the Parliament to grant us a necessary Relief, and fully to ascertain us in the Enjoyment of our said just and most vital Privilege. And, my Fellow Citizens, I also entreat, that you will mind your own proper Business, and not suffer yourselves to be led into Error, by cunning Men and subtle Artifices, about foreign Enemies; nor to shew such Dislike to the wise Administration we live under, nor, in particular, to decry and declaim the *Convention*, as a hurtful and ignoble Scheme, which I challenge one in a thousand, in his own Knowledge, to demonstrate. But let us mind our known Enemies at home, *viz.* the Hawkens and their Abettors, who have already ruined

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ruined many of our Brethren, and, in Time, if not opposed, may also ruin the rest of us. What I have herein wrote is Truth, either to my own Knowledge, or from creditable Report; and if the Main of it should be contested, if the Court of Aldermen can deny their publishing, in or about the Year 1725, the 500 Sheets, containing the Act of Common-Council in 1694, as Law; or, if they can deny our last Petition, which is now more than two Years and a half ago; or can deny the Answer they gave us as aforesaid; then, and in that Case, whenever such Denial publickly appears, I promise to shew myself, and bring sufficient Witness to prove the same, whatever the Consequence to me may be; or else lie under the odious Character of a notorious and wilful Lye, and submit to be punished for falsely aspersing the said Court.

Objection. *Your Complaint is exhibited in a very unbandsome and unbecoming Stile, you ought to be taught better Manners, than thus abruptly to accuse the honourable Court of Aldermen; 'tis your Duty to submit to the Judgment of your Superiors, and to address your Complaint with the Reverence due to their high Stations, and a more decent Respect would better become you.*

Answer: I love Plain-dealing; I would not willingly accuse the Innocent and truly Honourable; neither would I on the other Hand daub, fawn, or flatter the Unworthy. Whenever the Court shall publickly appear to vindicate our said invaded Right, and nobly do their Duty, then I shall esteem them worthy of all Honour according to the Objection: But, until they do that, the Faulty among them, (who I suppose are the Majority, else our Friends might have prevented the Delay of publishing the Order as aforesaid) I consider as Persons unworthy of Homage. And, as to their great Judgment and Superiority, when I reflect back to the other Day, when they were plain Citizens, such as some of us; and that the Honour

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now they have, they were invested with by our own Acts, on their specious Pretences and Promises as aforesaid, I think they are in that respect no more than Creatures of our own Making, whom to worship in their Errors, would be a Sort of wilful Idolatry; and would render us, in regard to Sense and Understanding, little or nothing preferable to Idiots, or superstitious Fools; and, as to a more reverend Address I refer to our aforesaid Petitions already presented, wherein, I am sure, if they will but re-examine, they will find we have dandled the Doll of Submission in all the humble Manner that is becoming us: So that, in short, we have done our Duty to the utmost, and they, as a Body, have left us to this last Shift to seek Redress, which, if there were any Possibility to obtain any other Way, I should much rather attempt it, than to take this Method; which, as the Case now stands, at this suitable Juncture, I judge to be both commendable and feasible.

Thus, my Fellow-Citizens, Shop-keepers, Retailers, &c. I think I have said enough, to put you upon an Enquiry after Persons of Merit, and to raise your Detestation against Deceivers and vain Boasters: For, you may observe, the same Bait is to this Day advertised, with the utmost Applause, and in Honour to and by our said Opposer, which, for my Part, I am astonished at him to suffer or offer; especially, considering the Usage he knows he hath shewn towards us and our said invaded Right: But, what is it some Men will not do to carry their Point? But at present it lies in our Power to prevent this; because, as is obvious, the *Retale* Livery-men of this City are by far the major Part of the Voters: Therefore let us not fear to exert ourselves, in our own just and necessary Defence; now, let us do our own Parts, our own Duties, by strenuously opposing such a Man as this, or else never more pretend to open our Mouths, or complain of any Hardship or Oppression that may hereafter

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hereafter befall us. Consider, if you will now sell your Vote, or give or omit it by Direction of your Customers, you in reality do the very Thing against which you complain and condemn in others. Take care you are not juggled out of your Senses, in regard to Parties, by cunning designing Men, who endeavour to lead us like Fools into Error to our own Undoing; and laugh in their Sleeves at our Stupidity. And farther let me intreat you to avoid receiving any Treats, any delicate Dinners or Suppers; partake of no jovial Bowls, for the sake of your Votes; remember these are little Bribes; 'tis all dirty Work; and the Giver of them cannot, in Strictness of Honour and Justice, be supposed to be totally void of all dishonest Designs; unless he, at the same Time, supposes you Objects of Charity, and that you, the very Persons, whom he is to represent, are incapable to chuse for yourselves, or are a Parcel of stupid Wretches, unworthy any Note or Protection. To see a Parcel of wealthy Citizens got together with their best Bibs and Gorgets, their Wigs bepowdered, and their gravest Faces put on, as if they were met to consummate some mighty wise and laudable Ceremony; when forsooth they are only met to partake of a Treat, and drink themselves out of the little Sense they have left, for the sake of their Vote, at the Candidates Expence; at the same Time loudly crying out against Bribery and Corruption in the State, surely shews the prodigious Depravity of the Age, and that there is nothing more prevalent than monstrous Stupidity, with a Meanness and Poorness of Spirit; such as, if found among the vilest or most vulgar, would be universally despised and condemned. One would think these poor Tools are either so avaritious, or low in the Pocket, that they won't or can't afford to allow themselves half a Dozen good Dinners or Suppers in seven Years Time. Ah, poor Wretches indeed!

indeed! They can plead no better Excuse than abject Poverty, occasioned by illegal Hawkings.

Objection. *Such Meetings are necessary and useful; for without them we could neither promote the Election of Men of Merit, nor have sufficient Opportunity to examine or fathom the Abilities of the Candidates; and such Meetings must consequently be attended with Expences; and if the Candidates do pay the Charges, 'tis but a Trifle, which they are too much of Gentlemen to refuse to esquire us withal, and it does not deserve the Name of a Bribe.* Answer: I allow all the Advantages of such Meetings, as fully as the Objector can alledge or desire, and would attend them at Times when the Candidates are present; but, according to the present Practice and Behaviour of such Meeters, there is nothing so much neglected, as the Search after Merit and laudable Abilities; 'tis frequently seen to the contrary; the principal Business is to gorge and drink; instead of employing the Time in the Manner pretended, the greatest Part, after the accustomed Healths, is spent in Singing; the general Enquiry is after the best Voices, and in the End center and conclude in the most obscene and vulgar Songs and Drunkenness, scandalous to the whole Company. Again, 'tis the frequent Custom for the Candidates, or their Abettors, to deposit, at most if not all the publick Houses, Money to be so expended, and where they can't be supposed to attend. Now that all this is *Bribery*, in the lowest and most vulgar Sense that can be, I aver, and deny the contrary, in Strictness of Justice and Honour, against any that shall contest it.

Well then, my Fellow-Citizens, &c. Let us meet, let us consult like Men, and not like Beasts, nay, worse than Beasts; let us search for Men of Virtue, let us enquire after Men of Integrity; and, when we have found them, (if any must be treated, let it be these Candidates) let us pay our own Expences; let us chuse Men without any other Obligations than known
Virtue,

Virtue, known Worth and Abilities, or that appear such, under the most judicious Search and Enquiry, we are able soberly to make; and then, if ever, we may expect to be well govern'd, well represented, and perfectly protected in all our just Rights and Privileges, but not till then.

Therefore, my Fellow-Citizens, &c. suffer me to repeat, let me again earnestly request of you, not to accept or encourage any such vile and mean-spirited Practices. Consider yourselves above such pittiful, poultry Delusions; and, if there be any of our Brethren that you know to be tardy, in this respect, endeavour to convert him; and, if possible, instil better Notions into him: But, if it should happen, notwithstanding all Endeavours, some remain obdurate, and unreclaimable, let us hereafter mark them, and number them among the false Brethren, among the Sons and Posterity of *Esau*, who sold his Birth-right for a Mess of Pottage. The Consequence of which was to him, that, when he would fain have inherited the Blessing, he was rejected.

Objection. *All Candidates have been so long accustomed to treat, &c. and the Electors to receive them, that, if any now were to act the contrary, they would be sure to lose their Election; and an honest Man may, in Charity, be supposed to do it, in opposition to a dishonest Man, and thereby prevent a greater Evil to the Publick.*

Answer: I dread, from the Practice of many among us, that the Objectors have the Truth of the Argument on their Sides, and, if so, then we are a miserable Crew indeed, we justly lie under an Accusation the most mean and despicable in the World; and unless we can be reclaimed, and roused out of this drunken Lethargy, this stupid, beastly Depravity, we are undone. One would think the very mentioning of it should give us such Disgust against them, and their Treats too, as should for ever render them ineffectual: Certainly, those among us, that are capable to think
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and reflect upon the natural and inevitable Consequences of Things, must and will resent such Actions and Assertions as these, as so many insolent Affronts upon their Understandings, and detest them where ever they meet them; because he that *buys*, it must be supposed, intends to *sell*. Well, but we want honest Men, and an honest Man scorns to buy, 'tis below his Honour and Dignity; his Truth and Fortune will keep him independent, he never will submit to dirty Work; he won't drive his Parks, nor fleece his Flocks; he scorns to drain his Cellars, or empty his Pocket to get into Power; but, if you will elect him freely, then freely and honourably he will serve you: So that, if you are minded to have such Men, and it appears you will act in Opposition to the Objection, I doubt not but you will soon find enough of them; but, until this appear to be your Intentions, 'tis not likely they will be forward to stand; because, according to the Objection, they will only get their Labour for their Pains, and at last severally return to their Habitations, with this Reflection, *I offered to serve a Set of Men, but I found the Majority of them Fools.*

All this, in relation to us, may be gathered from the Purport of the Objection; which, if false, is putting upon the Majority the most invidious Affront that Impudence and Slander can suggest; it tells us, in Substance, that we prefer Vice before Virtue, that an honest Man, without Acts of Dishonesty, would be sure to lose the Election, and that we should be Slaves, were it not for the Charity of these Purchasers. Now, this Pretence of theirs must arise from the heretofore Receipt of Bribes, together with these shameful, drunken, poultry Bribes, which too much hath prevailed among us, to the utter Disgrace and Ignominy of the Guilty. From all which it results, that the original Seed, the Ground, the Source and Spring, and the Prevalency of the aforesaid Evils, against which this Complaint is exhibited, chiefly

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lies at the Doors of these covetous, bad-principled, mean-spirited Wretches: Therefore, in order that we may be well represented, well protected, let every Elector throughout this City ask himself these necessary Questions; Have I heretofore been swayed against my Judgment, either by Bribes, by Treats, or by the Request of Customers, to give my Vote for this our avowed Enemy, or such as he? Or am I inclined still to act the same Part over again? And he, that is convicted within himself, justly deserves the Accusation contained in the Objection, and he ought to be deprived for ever of any Right to vote; he cannot plead any just Pretence to be affronted, but remains full as guilty as the Giver. Therefore to sum up the whole, and give the true Characters, both of the Influencers and the Influenced, I cannot think of any Terms more proper than these, *viz. lurking Underminers, or sturdy Beggars.*

Lastly, The guilty Electors may be supposed to object, Your Pretence was at first an Essay on the Abuses we receive from illegal Hawkers, and their Abettors, which we approved, and thought you meant well; and therefore put up with your low, uncouth Way of Scribbling: But, what the Devil have you to do with Bribery? 'tis quite foreign to the Point; we find now you are a canting, uncharitable Dog, not worthy to be read. What, because an honest buff-bluff Gentleman, who perhaps has more Money than Wit (or a Friend of his, who furnishes him therewith, 'tis equal to us which) and who don't value squandering away five or ten Thousand Pounds, by making us Presents, and treating us like Sons of Kings, and joining with us, Hail Fellow, well met, dam'me Jack, and dam'me Tom, whom, it would be ungenerous, not to elect. Certainly, you are some sly Whoreson, some fanatical Puppy, and, if we had you among us, we would toss you in a Blanket 'till you stink. Answer: To be censured, accused, and threatened, in the Manner contained in the Objection,

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by the Vulgar, some of whom may possibly cut a great Figure among them, will not surprize me. I am not unmindful, that all Men, who have struck at, or endeavoured to root out, the Ground and Foundation of Evil, were, by the Vulgar and Wicked, always so opposed. I would be thought to write to the Sensible, to them who are, in some measure, happily acquainted with Virtue; and from them, I doubt not, but to meet with Approbation; and fear not the utmost Malice or Revenge of the others. My principal Design, in this Point, is, if possible, to rouse them out of their Ignorance and Stupidity. I am not unfeeling of the Meanness of my Style; but yet 'tis therefore the more fitly adapted to them, as not being above their Capacities: But the other Part of the Objection, *That Bribery is quite foreign to the Point*, I flatly deny; and insist, according to the foregoing, that, from the evil Consequences thereof have arisen the Causes of this Complaint. Had we been so happy, to have had judicious and zealous Asserters of our Rights and Privileges, had they strictly done their Duty, and thereby in general proved themselves honest Men, I presume, we should have been, on our first Applications, effectually protected.—But, the contrary happening, it may be inferred, that, as we are not redressed, though we have sought it in due Form, and an humble Manner; and that the Court still delays publishing the Order aforesaid; and, according to his late Lordship, have totally laid it by, and yet must be sensible, unless they are wilfully blind, that our Grievance still continues, this must be the Effect of Bribery, of some secret, illegal, and dishonourable Influence; for which, if they are not answerable to us, the Time will come when they may repent it to their own greater Loss; and, I dare say, the Guilty among ourselves shall have the same Cause, the same Reason to repent, if they do not relent, if we will not prefer the future

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to the present; that is, in short, if we will yet still sell our Birth-rights, as I noted before, for Trifles.

Here, my Fellow-Citizens, lies the Bait, herein the Snare lies concealed; take care, do not be nibbling; remember the Hook is underneath, and when you are caught you are Slaves, and no more Freemen.

To conclude, I have this farther to request, that you will not think I send these Sheets out to sow Discord, or to rouse up a Party Opposition, or to curry Favour, or any sinister Advantage: No; I protest, I aim at no such Things; all I want is, honest Representatives, wise Governors, courageous Asserters of all our Rights and Privileges, both in the City and Country. Let Party alone, an honest Man is an honest Man, find him under whatever Name you may; and the Devil is the Devil, though he appear ever so lofty, or under never so demure and sanctified a Disguise; and our Business and Interest is to chuse the first, and reject the last, wherever we find them.

And, under these Considerations, I recommend these Sheets throughout the Nation; hoping, wherever Bribery is or hath been practised, and the evil Consequences thereof felt by the Publick, or by the particular Electors, they may not be altogether unserviceable. I also recommend them to the Clergy, and Teachers of all Societies, intreating them to peruse and consider, and that they will endeavour all that in them lies to instil the proper Motives to Virtue, and paint out the hideous and hateful Effects of Bribery, according to their superior and excellent Talents; which, I pray, may meet with a Blessing, and prove instrumental in producing Love, Unity, and Concord in this Nation; and be attended with a general Benefit both to the Prince and Subject, by establishing the Interest of both to lasting Ages.

What I have further at present to say is, if it may be allowed modest to attest for myself, I mean honestly;

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nestly ; and that, as no other Person, that I know of, has publickly attacked our Adversaries, rather than they should remain unremarked and unopposed ; and that Bribery and its pernicious Effects might be checked in all Degrees and Shapes, that Trade might flow for the future in its ancient Channel, that all its Enemies and Sacrificers might be exploded, and the honest fair Traders be encouraged, I am willing to risque the publishing these Sheets, in Hopes they may be attended with some Success, even though in the homely Dress of an illiterate, obscure, suffering Citizen.

ERRATA.

- Page 2. Line 7. for *higher* read *high*.
 10. Line 7. for *intend* read *think*.
Ibid. Line 8. for *shall* read *we think to*.
 28. Lines 15 and 16. for *sixteen or eighteen* read *ten or eleven*.
 39. Line 10. for *Objections* read *Objectors*.

F I N I S.

